

Meeting of the

STRATEGIC DEVELOPMENT COMMITTEE

Thursday, 8 November 2012 at 7.30 p.m.

A G E N D A

VENUE

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

Members:	Deputies (if any):
Chair: Councillor Helal Abbas Vice-Chair: Councillor Bill Turner	
Councillor Shahed Ali	Councillor Tim Archer, (Designated Deputy representing Councillors Dr. Emma Jones and Zara Davis)
Councillor Zara Davis	Councillor Craig Aston, (Designated Deputy representing Councillors Dr. Emma Jones and Zara Davis)
Councillor Stephanie Eaton	Councillor Peter Golds, (Designated Deputy representing Councillors Dr. Emma Jones and Zara Davis)
Councillor Judith Gardiner	Councillor Denise Jones, (Designated Deputy representing Councillors Helal Abbas, Carlo Gibbs, Bill Turner, Helal Uddin and Judith Gardiner)
Councillor Carlo Gibbs	Councillor Shiria Khatun, (Designated Deputy representing Councillors Helal Abbas, Carlo Gibbs, Bill Turner, Helal Uddin and Judith Gardiner)
Councillor Dr. Emma Jones	Councillor Kosru Uddin, (Designated Deputy representing Councillors Helal
Councillor Helal Uddin	

Abbas, Carlo Gibbs, Bill Turner, Helal Uddin and Judith Gardiner)

[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: Zoe Folley, Democratic Services, Tel: 020 7364 4877, E-mail: zoe.folley@towerhamlets.gov.uk

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LONDON BOROUGH OF TOWER HAMLETS
STRATEGIC DEVELOPMENT COMMITTEE

Thursday, 8 November 2012

7.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

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 Monitoring Officer.

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 27th September 2012.

PAGE NUMBER	WARD(S) AFFECTED
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5 - 12	
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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. **13 - 14**

The deadline for registering to speak at this meeting is 4pm Tuesday 6th November 2012.

6. DEFERRED ITEMS **15 - 16**

7. PLANNING APPLICATIONS FOR DECISION **17 - 20**

7 .1 New Union Close, London (PA/12/00360) **21 - 74** **Blackwall & Cubitt Town**

7 .2 Skylines Village, Limeharbour, London (PA/11/3617) **75 - 128** **Blackwall & Cubitt Town**

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Isabella Freeman, Assistant Chief Executive (Legal Services), 020 7364 4801; or
John Williams, Service Head, Democratic Services, 020 7364 4204

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 27 SEPTEMBER 2012

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

Members Present:

Councillor Helal Abbas (Chair)

Councillor Carlo Gibbs
Councillor Judith Gardiner
Councillor Helal Uddin
Councillor Bill Turner (Vice-Chair)
Councillor Stephanie Eaton
Councillor Dr. Emma Jones
Councillor Shahed Ali

Councillor Craig Aston (Substitute for Councillor Zara Davis)

Other Councillors Present:

Officers Present:

Owen Whalley	– (Service Head Planning and Building Control, Development & Renewal)
Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Amy Thompson	– (Deputy Team Leader, Development and Renewal)
Mandip Dhillon	– (Principal Planning Officer, Development and Renewal)
Jerry Bell	– (Applications Team Leader, Development and Renewal)
Katie Cooke	– (Planning Officer, Development and Renewal)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)
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1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted from Councillor Zara Davis for whom Councillor Craig Aston was deputising.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

3. UNRESTRICTED MINUTES

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 16th August 2012 be agreed as a correct record and signed by the Chair.

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 for hearing objections, together with details of persons who had registered to speak at the meeting.

6. DEFERRED ITEMS

6.1 ASDA, 151 East Ferry Road, London, E14 3BT PA/12/03670

Update tabled.

Owen Whalley (Service Head, Planning and Building Control) introduced the application regarding the ASDA site at 151 East Ferry Road, London, E14 3BT PA/12/03670. Amy Thompson (Planning Officer) presented the detailed report with a power point presentation of the application. She drew attention to the proposed reasons for refusal given by the Committee on 16th August 2012. She addressed each reason as set out in the Officers report and the implications of a refusal on these grounds as follows

Education provision-Officers considered that the impact was acceptable, given the s106 contributions were policy compliant and the plans to expand schools in the borough. Furthermore, the onus was on the Council to address this issue as the education provider, and therefore officers recommended that lack of education provision was not included as a reason for refusal.

Height of building with relation to CABE comments. Officers considered that this element was acceptable. Ms Thompson showed images of the proposal in relation to the surrounding properties. She highlighted the plans to reduce and move the massing from the sensitive edge of the park. Mudchute Park and Farm were satisfied with the plans following extensive consultation. CABE were satisfied with the principle of the scheme and its impact from Greenwich, however remained concerned regarding the detailed design. Details of the material for the scheme would be brought back to the Council for approval as reserved matters application.

Overall provision of affordable housing. Officers considered that the offer of 31% was acceptable taking into account viability.

In attendance were the Council's viability experts. They reported on the in depth testing carried out by the applicant and officers since the August 2012 meeting to see if further affordable housing could be provided. The results of this further testing was detailed in the report and explained. It found that the offer of 31% remained the maximum that could be delivered with the full s106 and an acceptable mix of affordable housing. None of the other options tested were viable.

The scheme would be subject to a review mechanism to see if further affordable housing could be delivered in phase 5 of the development. Should this be so, it was proposed that 20 of the private units be converted into social housing in the first instance. Any surplus would be allocated to off site affordable housing.

On balance weighing up the merits of the scheme, the Officers recommendation remained to grant the scheme.

Officers gave an update on the policies for affordable housing. They drew attention to the Mayor of London's policies as set out in the London Plan and emerging policy. It was anticipated that the Mayor would determine any future applications before him in accordance with these policies.

Members then asked questions about:

- The review mechanism to secure further affordable housing. (The overage clause).The criteria for deciding when this would be triggered and its enforceability.
- The size of the private units identified for possible conversion.
- Whether the unit sizes were indicative and could be changed.
- The reasons for discounting the options as undeliverable.

- Assurances were sought that the Pharmacy would remain on site.

A Member spoke in support of the scheme. It sought to provide much needed family housing, school places, local employment and community contributions. The height and massing had been well designed. The applicant had listened to the views from the consultation and had reduced the height. The scheme protected light levels and was in keeping with the area. Given the current economic climate and the reasons set out in the Committee reports in favour of the scheme, it should be supported.

In response, Officers described the review mechanism in more depth. This would be provided for in the legal agreement with a set figure for triggering the additional affordable housing and a fixed percentage of the profit margin. This would be written into the agreement for certainty.

The unit sizes for the 20 private units were indicative at this stage.

None of the alternatives tested were acceptable on planning grounds as set out in paragraph 3.12 of the report. The profit margins fell below the rate required for viability due to the additional costs of the amendments. The housing mix was contrary to policy. In some cases (options 1-3b) they would severely decrease the s106.

It was agreed that the request for the pharmacy to stay on site should be taken on board.

On a vote of 3 in favour, 1 against and 2 abstentions the Committee RESOLVED in favour of the Officer recommendation:

That planning permission PA/12/03670 at ASDA, 151 East Ferry Road, London, E14 3BT be **GRANTED** for the demolition of existing supermarket, and comprehensive redevelopment of the site for mixed-use purposes to provide up to 30,445sq.m (GEA) of floor space (Use class A1 – A4, B1, D1-D2) and up to 850 residential units (Use class C3) for the reasons set out in section 2 of the 16th August 2012 Committee report and in accordance with section 3 of the same report **AND** the additions to the Legal Agreement and Conditions set out in the 27th September 2012 Committee report.

6.2 Orchard Wharf, Orchard Place, London (PA/11/03824)

Update tabled.

Owen Whalley (Service Head, Planning and Building Control) introduced the application regarding Orchard Wharf, Orchard Place, London (PA/11/03824) Mandip Dhillon (Planning Officer) presented the detailed report with a power point presentation of the application. She gave a brief presentation on the cross boundary application and the update report including Counsels advice submitted by the applicant. (Tabled at the meeting). The legal advisor, Megan Nugent made clear that this opinion was submitted on behalf of the applicant

and not the Council's own advice. The Chair requested that in future any such documents be circulated prior to the meeting.

Ms Dhillon explained the reasons for refusal given by the Committee at the two meetings when it was last considered (31st May and 16th August 2012— where it was presented afresh in light of additional information). She also highlighted the decision of the London Thames Gateway Development Corporation (LTGDC) on 23rd August 2012 to grant the scheme subject to conditions and the s106 agreement.

Officers had considered the reasons for refusal. It was considered that only one reason could be supported on planning grounds that was set out in paragraph 6 of the report.

In response, Members referred to the Safeguarding Wharves Review. It was questioned whether the status of the wharf had now been confirmed or if this was still an ongoing uncertainty.

In response, Officers referred to the latest consultation draft from the GLA on the Safeguarding Wharves Review (released in July 2012). This supported reactivation of the site for aggregate storage site and indicated there would be no change to its status in this regard.

The Council would strongly defend a refusal at appeal. However it was likely that the LTGDC decision to grant would be given weight at any appeal.

A Member commented that given the lack of new information, the application should be refused for the suggested reasons in the Committee report.

On a vote of 3 for, 1 against and 2 abstentions the Committee RESOLVED:

That planning permission (PA/11/03824) Orchard Wharf, Orchard Place, London be **REFUSED** for Cross-boundary hybrid planning application for erection of a concrete batching plant, cement storage terminal and aggregate storage facilities, together with associated structures and facilities, walkway and landscaping, jetty and ship to shore conveyor for the reasons set out in 6.2 of the Committee report.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Site at 82 West India Dock Road and 15 Salter Street, London PA/12/00918

Update tabled.

Owen Whalley (Service Head, Planning and Building Control) introduced the application regarding Site at 82 West India Dock Road and 15 Salter Street, London PA/12/00918.

Katie Cooke (Planning Officer) presented the detailed report for a minor amendment to an extant planning application. She explained the site location and the policy support for the application. She explained the surrounding area and the nearest major developments. The site had a good public transport links. 3 letters of objections were submitted in response to the public consultation. The main objections concerned overdevelopment and inadequate water services for the development. Officers considered that the proposal was acceptable on both these grounds given the principal of the use had already been established. Furthermore Thames Water had no objections along with the other key consultees.

Ms Cooke explained the key changes. The plans sought to provide additional bedrooms whilst reducing the height due to new construction methods. She detailed the new rain screen and the other external changes. Overall it was considered that the changes were minor with minimal impact on the appearance of the scheme.

The Council's highways team and Transport for London were satisfied with the proposal. They did not consider that the amendments would impact on the highway network.

Ms Cooke also explained the revised s106 based on the Council's new Supplementary Planning Document (adopted in January 2012). She listed the additional contributions (in excess of those for the extant application) due to the uplift in units and the application of the new SPD.

A Member welcomed the improvements to Westferry station. However stressed the need to maximum employment opportunities for local people . The Chair agreed that this be taken on board and pursued with the applicant.

On a unanimous vote, the Committee RESOLVED:

That planning permission PA/12/00918 at Site at 82 West India Dock Road and 15 Salter Street, London be **GRANTED** for a minor material amendment under s73 of the Town and Country Planning Act following grant of planning permission dated 19/07/2010, ref: PA/09/02099 for erection of a part 3, 14 and 16 storey building to provide a 252 hotel and incorporating meeting/conference rooms, restaurant, cafe and bar as well as formation of a drop-off area and servicing access off Salter Street subject to the matters set out in section 3 of the Committee report.

8. OTHER PLANNING MATTERS

Nil items.

The meeting ended at 8.40 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee

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Agenda Item 5

DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

- 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 sent a letter that notifies them that the application will be considered by Committee. The letter will explain the provisions regarding public speaking. The letter will be posted by 1st class post at least five clear working days prior to the meeting.
- 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.
- 6.3 All requests from members of the public to address a Committee in support of, or objection to, a particular application must be made to the Committee Clerk by 4:00pm one clear working day prior to the day of the meeting. It is recommended that email or telephone is used for this purpose. This communication must provide the name and contact details of the intended speaker and whether they wish to speak in support of or in objection to the application. Requests to address a Committee will not be accepted prior to the publication of the agenda.
- 6.4 Any Committee or non-Committee Member who wishes to address the Committee on an item on the agenda shall also give notice of their intention to speak in support of or in objection to the application, to the Committee Clerk by no later than 4:00pm one clear working day prior to the day of the meeting.
- 6.5 For objectors, the allocation of slots will be on a first come, first served basis.
- 6.6 For supporters, the allocation of slots will be at the discretion of the applicant.
- 6.7 After 4:00pm one clear working day prior to the day of the meeting the Committee Clerk will advise the applicant of the number of objectors wishing to speak and the length of his/her speaking slot. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- 6.8 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 Members registered to speak, then the applicant or their supporter(s) will not be expected to address the Committee.
- 6.9 Where a planning application has been recommended for refusal by officers and the applicant or his/her supporter has requested to speak but there are no objectors or Members registered to speak, then the applicant and his/her supporter(s) can address the Committee for up to three minutes.
- 6.10 The order of public speaking shall be as stated in Rule 5.3.
- 6.11 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to Members of the Committee is not permitted.
- 6.12 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.
- 6.13 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.
- 6.14 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.
- 6.15 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

- 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.
- For each planning application where one or more Members have registered to speak in objection to the application, the applicant or his/her supporter can address the Committee for an additional three minutes.

Agenda Item 6

Committee: Strategic Development	Date: 8 th November 2012	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director of Development and Renewal		Title: Deferred items	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): 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.
- 1.2 There are currently no items that have been deferred.

2. RECOMMENDATION

- 2.1 That the Committee note the position relating to deferred items.

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

Brief Description of background papers:
Application, plans, adopted UDP. draft
LDF and London Plan

Tick if copy supplied for register

Name and telephone no. of holder:
Eileen McGrath (020) 7364 5321

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Agenda Item 7

Committee: Strategic Development	Date: 8 th November 2012	Classification: Unrestricted	Agenda Item No: 7
Report of: Corporate Director Development and Renewal		Title: Planning Applications for Decision	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): 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 London Plan 2011
 - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
- 3.2 Other material policy documents include the Council's Community Plan, "Core Strategy LDF" (Submission Version) Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes), Managing Development DPD – Proposed Submission Version January 2012, Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements and the draft National Planning Policy Statement.
- 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

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:
Application, plans, adopted UDP, Interim
Planning Guidance and London Plan

Tick if copy supplied for register:

Name and telephone no. of holder:
Eileen McGrath (020) 7364 5321

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.

- 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 Core Strategy and 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 and Core Strategy but also the emerging Local Development Framework documents and their more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 Members should note that the Managing Development DPD has reached the same stage in its development as the 2007 Interim Planning Guidance. With the Managing Development DPD being the more recent document and having regard to the London Plan 2011, it could be considered to be more relevant and to carry more weight than the 2007 Interim Planning Guidance documents.
- 3.9 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.10 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
- 3.11 In accordance with Article 31 of the Development Management Procedure Order 2010, 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.

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Agenda Item 7.1

Committee: Strategic Development Committee	Date: 8th November 2012	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal Case Officer: Katie Cooke		Title: Planning Application for Decision Ref No: PA/12/00360 Ward(s): Blackwall and Cubitt Town	

1. APPLICATION DETAILS

Location: New Union Close, London

Existing Use: Residential housing estate.

Proposal: Redevelopment of site comprising the demolition of 189 existing residential units (including Heron Court, Robin Court, Sandpiper Court, Nightingale Court, Martin Court, Grebe Court and Kingfisher Court) and the construction of 3 blocks between 3 and 14 storeys to provide 399 residential units (containing 119 x 1 bed, 190 x 2 bed, 60 x 3 bed and 30 x 4 bed), together with 103sq.m (GIA) office / community facility (Use Class D1), semi-basement and ground floor car parking, cycle parking, landscaped public open space, private amenity space and other associated works.

Drawing No's: Drawings:
2376-JW-002, 2376-JW-051 (Rev P03), 2376-JW-052 (Rev P03), 2376-JW-053 (Rev P02), 2376-JW-054 (Rev P02), 2376-JW-055 (Rev P02), 2376-JW-056 (Rev P02), 2376-JW-057 (Rev P02), 2376-JW-058 (Rev P02), 2376-JW-059 (Rev P02), 2376-JW-060 (Rev P02), 2376-JW-061 (Rev P02), 2376-JW-062 (Rev P02), 2376-JW-063 (Rev P02), 2376-JW-064 (Rev P02), 2376-JW-065 (Rev P02), 2376-JW-066 (Rev P02), 2376-JW-070 (Rev P02), 2376-JW-075 (Rev P02), 2376-JW-080 (Rev P02), 2376-JW-081 (Rev P02), 2376-JW-082 (Rev P02), 2376-JW-083 (Rev P02), 2376-JW-084 (Rev P02), 2376-JW-085 (Rev P02), 2376-JW-090 (Rev P02), 2376-JW-091 (Rev P02), 2376-JW-092 (Rev P02), 2376-JW-093 (Rev P02), 2376-JW-094 (Rev P02), 2376-JW-095 (Rev P02), 2376-JW-096 (Rev P02), 2376-JW-097 (Rev P02), 2376-JW-098 (Rev P02),

Documents:

- Ref: NUW3: Design and Access Statement
- Ref: NUW5: Planning and Regeneration Statement
- Ref: NUW5: Planning and Regeneration Statement (Amendment)
- Ref: NUW6: Statement of Community Involvement
- Ref: NUW7: Environmental Statement Non-Technical Summary
- Ref: NUW8: Environmental Statement Main Text
- Ref: NUW8a: Environmental Statement Drawings
- Ref: NUW9: Environmental Statement Appendices
- Ref: NUW10: Transport Assessment
- Ref: NUW10a: Travel Plan

- Ref: NUW11: Energy Statement
- Ref: NUW12: Drainage Statement
- Ref: NUW13: Utilities Statement
- Ref: NUW14: Sustainability Statement
- Ref: NUW15: Arboricultural Statement
- Viability Assessment
- Landscape Strategy (Dated June 2012)
- Housing Needs and Preferences Survey (Produced by Tony Draper Consulting, Dated: 28th November 2011)
- River Wall Assessments and Ground Investigation Scope (Produced by Hyder Consulting, Ref: 006-UA003213-GDR-01, Dated 7th December 2011)
- Letter from Hyder to EA (Ref: AK/UA003213-LNL-01, dated 1st May 2012),
- Letter from Hyder to EA (Ref: PA/12/00360, dated 20th June 2012),
- Technical Note in relation to the Drainage Strategy produced by Hyder (ref: 0140-UA003398-GDR-01, dated: 19th June 2012),
- Letter from Hyder to EA (Ref: NE/2012/114851/02-L01, dated 9th July 2012),
- Technical Note in relation to the Drainage Strategy produced by Hyder (ref: 0140-UA003398-GDR-02, dated: 2nd July 2012),
- Draft Sample SAP, TER and DER reports (Produced by Leaside Planning, dated 23 May 2012),
- Revised Chapter 14 (Daylight/Sunlight) to the ES (Produced by Hyder, dated 30 August 2012);
- Internal Daylight and Sunlight Report (Produced by GIA, dated 23 August 2012, ref: 6756).

Applicant: East Homes Limited
Owner: East Homes Limited
Historic Building: None within site.
Conservation Area: Not in a 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 Plan (2011), the Council's Core Strategy (2010), the London Borough of Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), Isle of Dogs Area Action Plan Submission Document (2006), Managing Development - Development Plan Document (Submission Version May 2012), National Planning Policy Framework (2012) and Government Planning Policy Guidance and has found that:

- o The proposal makes efficient use of the site with a high-density mixed use redevelopment and as such accords with policies 3.3 and 3.4 of the London Plan (2011), policies S07 and SP01 of the Core Strategy 2010, saved policy DEV3 of the Unitary Development Plan (1998), policy DM1 of the Managing Development DPD (Submission Version 2012) and HSG1 of the Council's Interim Planning Guidance (2007) which seek the maximum intensity of use compatible with local context.
- o The provision of 64.3% affordable housing (31.6% uplift affordable housing) is considered to provide an acceptable level of affordable housing, tenure and mix of units and as such complies with policies 3.8, 3.9 and 3.11 of the London Plan (2011), policy HSG7 of the Council's Unitary Development Plan (1998) policy SP02 of the Core Strategy (2010), policy DM3 of the Managing Development DPD (Submission

Version 2012) and policies HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) which seek to ensure that new developments offer a range of housing choices and acceptable level of affordable housing subject to viability.

- The density of the scheme does not result in any of the significant adverse impacts typically associated with an overdevelopment, and is therefore acceptable in terms of policy 3.4 of the London Plan (2011), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy (2010), policy DM24 and DM25 of the Managing Development DPD (Submission Version 2012) and policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development is sensitive to the capability of a site and that it does not have an adverse impact on neighbouring amenity.
- 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 urban context of the site and as such accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy 2010, policy DM25 of the Managing Development DPD (Submission Version 2012) and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.
- The quantity and quality of housing amenity space, communal space, child play space and open space is acceptable and accords with policy 3.6 of the London Plan (2011), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy (2010), policy DM4 of the Managing Development DPD (Submission Version 2012) and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) which seek to improve amenity and liveability for residents.
- The building height, scale, bulk, design and relationship of the proposed development are acceptable and accord with the NPPF (2012), policy 3.5 of the London Plan (2011), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy 2010, policies DM24 and DM26 of the Managing Development DPD (Submission Version 2012) and policies DEV1, DEV2, DEV3 and DEV4 of the Council's Interim Planning Guidance (2007) which seek to ensure buildings are of a high quality design.
- The scheme would promote permeability and accessibility through the development whilst being designed to provide a safe and secure environment for residents. The development accords with policy DEV1 of the Council's Unitary Development Plan (1998), policies SP09 and SP10 of the Core Strategy (2010), policies DM23 and DM24 of the Managing Development DPD (Submission Version 2012) and policy DEV4 of the Council's Interim Planning Guidance (2007), which require all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- Transport matters, including parking, access and servicing, are acceptable and accord with policy 6.1, 6.3, 6.9, 6.10 and 6.13 of the London Plan (2011), policies T16 and T18 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy (2010), policies DM20 and DM22 of the Managing Development DPD (Submission Version 2012) and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.
- Sustainability matters, including energy, are acceptable and accord with policies 5.2 and 5.7 of the London Plan (2011), policy SP11 of the Core Strategy (2010), policy DM29 of the Managing Development DPD (Submission Version 2012) and policies

DEV5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.

- Subject to viability, the proposed development will provide appropriate contributions towards the provision of education, employment, community facilities, health, sustainable transport, public open space, streetscene and built environment in line with the NPPF, policy DEV4 of the Council's Unitary Development Plan (1998), policy IMP1 of the Council's Interim Planning Guidance (2007) and the Council's Planning Obligations SPD (Adopted 2012) which seek to secure contributions toward infrastructure and services required to facilitate proposed development subject to viability.

3. RECOMMENDATION

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

A That prior completion of a **legal agreement** to secure the following planning obligations:

- a) To provide a minimum of 64.3% of the residential accommodation as affordable housing measured by habitable rooms comprising 195 social rent units and 47 intermediate units, as specified in the submitted schedule of housing (64.3% of proposed habitable rooms overall including replacement and comprising 31.6% on the uplift alone).
- b) A contribution of £366,246 towards Education;
- c) A contribution of £95,844 towards Health;
- d) Payment of the monitoring fee
- e) The completion of a Travel Plan
- f) The provision of 2 Car Club Spaces
- g) The completion of a car-and-permit free agreement for all new residential units provided at the site (existing tenants not subject to car and permit free agreement).
- h) A commitment to utilising employment and enterprise initiatives in order to maximise employment of local residents (20% local procurement during construction and 20% of construction force to be local residents).
- i) The right of public access through homezones.
- j) The provision of Public Art within the site.
- k) The retention of the right of walking along the Riverside Walkway
- l) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

3.2 That the Corporate Director Development & Renewal is delegated power 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:

Compliance

1. Time Limit 3 years
2. Compliance with plans and documents
3. No infiltration of surface water drainage into the ground
4. Maintenance schedule of the bitumen storage plant must be kept on site for inspection at all times.
5. Stockpile heights must not be higher than the height of the hoarding;
6. Cycle Parking details to implemented in accordance with details approved
7. 20% electric charging points on site and in the basement and further 20% passive provision.
8. Compliance with Energy and Sustainability Strategy submitted
9. All residential accommodation to be completed to lifetimes homes standards
10. Refuse and Recycling to be implemented in accordance with approved plans
11. The scheme to meet the standards of Secure by Design
12. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
13. Ensure pedestrian access points are level or gently ramped.
14. Maximum height of completed structure at 49.7m.
15. Landscaping plans and plantations to ensure that it is unattractive to birds

Prior to construction

1. Submission of phasing and tenure plan
2. Contamination – investigation and remediation
3. Verification Report
4. No development to take place until detailed engineering reports for all lengths of the river wall (or flood defence structure if different to the river wall) and it's supporting anchorage system have been submitted to LPA
5. Piling and foundation design using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority for each Phase of the development;
6. No impact piling shall take place until a piling method statement has been submitted and approved
7. Impact studies of existing water supply
8. Submission of a detailed drainage scheme
9. Submission of materials and samples
10. Noise report to ensure that the internal noise level and appropriate sound insulation in accordance with the British Standards
11. Noise and Vibration Assessment
12. Construction Environmental Management Plan
13. Parking Management Strategy
14. Scheme of Highways Works
15. Scheme of lighting and CCTV
16. Details of wayfinding signage within the site
17. Details of brown and green roofs
18. Landscaping
19. Implementation of a programme of archaeological mitigation
20. Dust depositional monitoring at least at one point (closest to the nearest sensitive receptor) during the demolition construction phase. In the event of soil contamination being identified, EHO will require chemical compositional sampling to be undertaken as well upon request.
21. Reuse potential for inert demolition waste by pre-demolition audit
22. Installation of Heat Network

23. Submission of details of the wheelchair housing specification/standards to show at least 10% units are wheelchair adaptable
24. Details of crantage

Prior to Occupation:

25. Delivery and Servicing Plan
26. Code for Sustainable Homes post completion assessment
27. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 106 required
- 2) Section 278 required
- 3) Contact Environment Agency;
- 4) Contact Thames Water
- 5) Applicant advised to contact LBTH Building Control team
- 6) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

- 3.4 That, if by the 3 months 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 In detail the application proposes:

- Demolition of residential blocks containing 189 one, two, three and four bedroom flats;
- Erection of one linear and two courtyard blocks (C, B and A respectively) ranging from 3 to 14 storeys high;
- Provision of 399 flats comprising 119 one-bedroom, 190 two-bedroom, 60 three-bedroom and 30 four-bedroom.;
- Provision of ancillary 103sqm office/community facility (use class D1) within the development;
- The replacement of 189 car parking spaces, of which 22 (including 18 accessible and 2 car club) would be provided at surface (i.e. Homezone) level and the remainder provided at semi-basement level beneath blocks A and B;
- Provision of 498 bicycle parking spaces (including 178 in block A; 192 in block B; and 128 in block C) and 18 motorcycle spaces; and
- The layout and landscaping of private and communal amenity space for the development.

Site and Surroundings

- 4.2 The New Union Wharf Estate is broadly rectangular in shape and covers an area of 1.7 hectares. The site's boundary is located on the eastern side of the Isle of Dogs where it abuts with the River Thames and benefits from panoramic views over the water to the

Greenwich Peninsula; including the O2 Arena.

- 4.3 The site's western boundary is defined by Stewart Street and the Samuda residential estate with its 4 and 6 storey linear blocks organised around a series of semi-private courtyards and blank fronted ground floor parking areas. Completed in the 1970's, the Samuda estate is a significant development on a scale that dominates the character of the adjacent area. This estate now appears dated and suffers a number of inherent design and layout problems particularly through its lack of well defined public and private space and its uniformity which contributes to poor legibility. Beyond this to the west is Manchester Road, a main vehicular route that runs around the perimeter of the Isle of Dogs. On the opposite side of this road is St John's Park, a local open space with children's play facilities.
- 4.4 The sites southern boundary is dominated by Kelson House, a 25 storey residential point block constructed in the 1970's with an area of associated car parking forming its boundary with New Union Wharf.
- 4.5 The northern boundary of the site abuts with Capstan Square, a 1980's private residential estate of three and four storey blocks and town houses. Beyond this is the Isle of Dogs Pumping Station and Alice Shepherd House, a 10 storey residential block fronting Stewart Street.
- 4.6 The New Union Wharf estate comprises 189 dwellings and a small neighbourhood office of which the majority are occupied. A decant strategy will be provided when the phasing of the scheme has been determined.
- 4.7 Built in the 1970's as social housing, the estate comprises 3 to 6 storey blocks of flats and maisonettes constructed in a distinctive red brick. The current design is inward looking with no defined street frontages to Stewart Street or New Union Close, the orientation and layout of the individual blocks has resulted in numerous blank facades, hidden corners, and unusable hard landscaped areas. Furthermore the existing unit mix does not meet existing residents or local borough housing need and is heavily weighted towards 1 and 2 bed units which comprise 82% of the housing stock on the estate.
- 4.8 The site is largely covered with hard standing and surface parking at ground level and with limited useable areas of open green space for children's play and recreation. Pedestrian access comprises a myriad of footpaths through the surrounding estates connecting New Union Wharf to Manchester Road and Crossharbour.
- 4.9 The site has a PTAL (public transport accessibility) of 2 being poorly accessible (where 6 is regarded as being easily accessible).
- 4.10 Notwithstanding this, the site is a number of bus routes within 400m and 800m walk as identified below.

Bus route	From	Via	To	Frequency	Distance
D3	Bethnal Green	Canary Wharf Shadwell St John's Park	Crossharbour Asda	Every 8-10 mins (7am-8pm) Mon-Fri	400m
D6	Hackney Central	Mile End Blackwall Crossharbour	Crossharbour Asda	Every 7-11 mins (7am-7pm) Mon-Fri	800m
D7	Mile End	Canary Wharf Westferry Road St Johns Park	Poplar	Every 7-9 mins (7am-7pm) Mon-	400m

				Fri	
D8	Stratford Bus Station	East India Dock Road Canada Square	Crossharbour Asda	Every 10-14 mins (7am-8pm) Mon-Fri	800m
135	Crossharbour Asda	Marsh Wall Canary Wharf St Johns Park	Old Street Station	Every 8-12 mins (6am-9pm) Mon-Fri	400m

Table 1

- 4.11 In addition to the bus network, the site is within close proximity to rail stations also. The nearest London Underground station to the site is Canary Wharf Underground Station, which can be reached within approximately 1.2km from the site, or approximately 14 minutes' walk. The station provides access to Jubilee line services which run between Stanmore in northwest London and Stratford in north-east London via Central London and the East End of London.
- 4.12 The closest DLR station to the site is Crossharbour situated along Marsh Wall, between Millharbour and Limeharbour, and is accessible within a 15 minute walk of the NUW estate. Along its eastern edge adjacent to the river is a pedestrian walkway, however, visual links through the estate to this walkway and the River are not clear. The site also drops down in level by approximately 3 metres between its boundary with the River Thames to Stewart Street.
- 4.13
- 4.14 The parks at Millwall and Mudchute provide substantial areas of good quality public open space some 700 metres to the south-west and can be safely and conveniently reached on foot from the site. The Cubitt Town Infant School, St Luke's CE Primary School and Nursery and George Green's Secondary School are also within easy walking distance on Manchester Road to the south and south-west of the site.

4.15



Figure 1 – Existing Site Location Plan

Planning History

- 4.16 There are no planning applications current or determined within the site boundary that impact on, or are otherwise relevant to this current proposal.
- 4.17 However there have been a number of minor applications within the wider environs of the estate over the past 12 years. Most recently Island Homes Housing Association Ltd has gained permission for environmental improvement works on their existing estates at Samuda (ref: PA/10/01300) and St John's (ref: PA/10/01374). Works have included new waste recycling storage; upgrades and replacement of existing children's play space.

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)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV4	Planning Obligations
	DEV9	Control of Minor Works
	DEV12	Provision Of Landscaping in Development
	DEV17	Street Furniture
	DEV42	Archaeological Remains
	DEV43	Locally Important Archaeological Site or Remain
	DEV44	Development of Archaeological Sites
	DEV50	Noise
	DEV51	Contaminated Soil
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling
	DEV57	Development and Sites of Nature Conservation Importance
	DEV65	Protecting Existing Walkways
	DEV69	Water Resources
	HSG7	Dwelling Mix and Type
	HSG13	Internal Space Standards
	HSG16	Housing Amenity Space
	T10	Priorities for Strategic Management
	T16	Traffic Priorities for New Development
	T18	Pedestrians and the Road Network
	T21	Pedestrians Needs in New Development
	OS9	Children's Playspace
	OSN3	Blue Ribbon Network
	OS9	Children's Playspace
	U2	Development in Areas at Risk from Flooding
	SCF11	Meeting Places
	U2	Development in Areas at Risk from Flooding
	U3	Flood Protection Measures

Core Strategy 2010

Strategic Objectives:	S07	Refocusing on our Town Centres
	S07	Urban Living for Everyone
	S08	Urban Living for Everyone
	S09	Urban Living for Everyone
	SO10	Creating Healthy and Liveable Neighbourhoods
	SO12	Creating a Green and Blue Grid
	SO13	Creating a Green and Blue Grid

SO14	Dealing with waste
SO19	Making Connected Places
SO20	Creating Attractive and Safe Streets and Spaces
SO21	Creating Attractive and Safe Streets and Spaces
SO23	Creating Distinct and Durable Places
SO24	Working Towards a Zero Carbon borough
SO25	Delivering Placemaking

Spatial Policies:	SP02	Urban Living for Everyone
	SP03	Creating Healthy and Liveable Neighbourhoods
	SP04	Creating a Green and Blue Grid
	SP05	Dealing with waste
	SP08	Making connected Places
	SP09	Creating Attractive and Safe Streets and Spaces
	SP10	Creating Distinct and Durable Places
	SP11	Working Towards a Zero Carbon Borough
	SP12	Delivering Placemaking
	SP13	Planning Obligations

Managing Development Development Plan Document (DPD) Submission Version 2012

Policies	DM3	Delivering Homes
	DM4	Housing standards and amenity space
	DM8	Community Infrastructure
	DM10	Delivering Open Space
	DM11	Living Buildings and biodiversity
	DM12	Water Spaces
	DM13	Sustainable Drainage
	DM14	Managing Waste
	DM20	Supporting a Sustainable transport network
	DM22	Parking
	DM23	Streets and the public realm
	DM24	Place sensitive design
	DM25	Amenity
	DM26	Building Heights
	DM29	Achieving a zero-carbon borough and addressing climate change
	DM30	Contaminated Land

Interim Planning Guidance for the purposes of Development Control (October 2007)

Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	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 and Cycling Routes and Facilities

DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV27	Tall Buildings Assessment
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG5	Estate Regeneration Schemes
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Affordable Housing
SCF1	Social and Community Facilities

Isle of Dogs Area Action Plan Submission Document (November 2006)

IOD1	Spatial Strategy
IOD2	Transport and Movement
IOD6	Water Space
IOD7	Flooding
IOD8	Infrastructure Capacity
IOD9	Waste
IOD10	Infrastructure and Services
IOD23	East India Sub Area

Supplementary Planning Guidance/Documents

Designing Out Crime Parts 1 and 2
 Planning Obligations SPD 2012
 GLA Housing SPG November 2005

Spatial Development Strategy for Greater London (London Plan) 2011

Policies:	3.3	Increasing Housing Supply
	3.4	Optimising Housing Potential
	3.5	Quality and Design of Housing Developments
	3.6	Children and young peoples play and informal recreation facilities
	3.8	Housing Choice
	3.9	Mixed and Balanced Community
	3.10	Definition of Affordable Housing
	3.11	Affordable Housing Targets
	3.12	Negotiating Affordable Housing
	3.13	Affordable Housing Thresholds
	3.14	Existing Housing
	5.2	Minimising Carbon Dioxide Emissions
	5.3	Sustainable Design and Construction
	5.7	Renewable Energy
	5.11	Green Roofs and Development Site Environs
	5.12	Flood Risk Management
	5.13	Sustainable Drainage
	5.14	Water Quality and Wastewater Infrastructure
	6.1	Strategic Approach
	6.3	Assessing Effects of Development on Transport Capacity
	6.9	Cycling

6.10	Walking
6.11	Smoothing Traffic Flow and Tackling Congestion
6.13	Parking
7.1	Building London's Neighbourhoods and Communities
7.2	An Inclusive Environment
7.3	Designing out crime
7.4	Local Character
7.5	Public Realm
7.6	Architecture
7.7	Location and Design of Tall and Large Buildings
7.18	Protecting Local Open Space
7.24	Blue Ribbon Network
7.25	Increasing the Use of the Blue Ribbon Network
7.27	Blue Ribbon Network: Supporting Infrastructure and Recreational Use
7.28	Restoration of the Blue Ribbon Network
7.29	The River Thames
8.2	Planning Obligations
8.3	Community Infrastructure Levy

Government Planning Policy Guidance/Statements

NPPF National Planning Policy Framework

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

Environment Agency (Statutory Consultee)

6.2 The Environment Agency have stated that they have no objection to the development subject to the following conditions

- Development to be carried out in accordance with a drainage scheme
- Engineering reports for the river wall
- Details of contamination
- Details of remediation
- Submission of a Verification report
- Details of piling/foundations design
- No infiltration of Surface Water Drainage

(Officer Comment: Further details are set out in the Flood Risk section of this report. Conditions to cover the planning issues raised by the Environment Agency would be placed on any permission.)

Tower Hamlets Primary Care Trust

6.3 Based upon the scale of development proposed, a financial contribution is required to

mitigate the impact upon healthcare in the area of £289,505.

[Officer comment: Due to viability, it has not been possible to provide this quantum. Refer to Material Planning Considerations 'Planning Obligations and S.106' section of this report.]

Crime Prevention Officer

- 6.4 In principle the Crime Prevention Officer (CPO) raised no objection to the proposed works. A number of suggestions were put forward for the developer to incorporate into the overall design, such as the use of toughened glass, no trade buttons, etc

[Officer comment: The comments raised by the CPO do not warrant any revisions to the scheme and therefore the comments have been passed onto the applicant for review. Appropriately worded conditions will be added to ensure the scheme complies with Secure by Design standards.]

Design Council (Formerly CABE)

- 6.5 CABE members did not object to the scheme and raised the following points:

- § Questioned whether the proximity of the development to the western site boundary could compromise the amenity of residents of the linear block in the future if the neighbouring site is redeveloped.
- § Suggested consideration be given to the provision of other uses, to provide additional facilities for residents and create more activity within the scheme, in particular along the riverside and Stewart Street frontages.

[Officer's comment: it is considered that there is sufficient distance from the Samuda estate to ensure that there would be little impact on the amenity of the residents in the linear block in the unlikely event that this site is redeveloped. Any redevelopment of the Samuda estate would have to consider the impact that it would have on its neighbours.]

The introduction of various other uses on the ground floor along the Stewart Street and the waterfront was considered very early on in the design process but discounted on the basis that there is no demand for business units in this location given the residential nature of the area, and the amount of community space needed has already been catered for in the scheme.]

- § Consideration should also be given to providing maisonettes on the top floors with access to private gardens on the roof.

[Officer's comment: All units will be provided with good quality private and communal open space. This includes some units with roof terraces. However, additional roof terraces can not be provided because of privacy and/or safety issues or due to the fact that a large portion of the roof space will be required for PV's as part of the energy strategy.]

- § Queried whether the courtyards and the residential units would be overshadowed by the taller blocks adjacent to the river.

[Officer's comment: The design has considered the degree of overshadowing and the buildings have been lowered and 'notched' on the south and western sides specifically to allow sunlight into the courtyards. The results of a full study testing the degree of overshadowing of the courtyard spaces has been submitted and reviewed by officers and was found to be acceptable.]

- § Questioned whether the provision of car parking at ground floor level below a podium courtyard, is the right approach for this scheme.

[Officer's comment: The Applicant has tested many different arrangements for the built form of this development and has found that a podium provides the best balance to introduce secure car parking whilst producing a high quality landscaped environment, and providing usable, well surveyed open space. Due to the constraints of the site, the applicant has confirmed that undercroft and semi-basement parking is not a feasible alternative.]

- § The design strategy for the riverside, in particular the design and functionality of the riverside public space and its relationship to the courtyard buildings, needs further thought.

[Officer's comment: The current scheme focuses the communal entrances to the four tallest blocks, in the form of large fully glazed lobbies onto the waterfront space. The upper storeys of the development fronting this space will overlook it, particularly from the balconies and winter gardens of residential units. The applicant has researched other potential uses and found none that could be sustained in this location by this scheme.]

- § Applaud the quality of the materials proposed, further thought should be given to the materials and colour on the buildings.

[Officer's comment: The applicant has since submitted revised plans in light of these comments showing the following:

- *Introduction of colour to glazed elements on the Stewart Street façade and lightening the colour of the contrasting brick colour of the maisonettes entered at ground level throughout the scheme.*
- *Amended the main brick colour slightly so that it has more texture and life than the original "putty" coloured brick.*
- *Reduced the heights of the brick parapets to the buildings so that proportions of the elevations are made more elegant.*
- *Amended the treatment of doors to plant areas. These are now combined in pairs and groups within larger apparent openings in the brickwork that create a less utilitarian impression than individual louvred doors.*
- *Shared residential entrance areas are also given a more generous and open expression, with splashes of colour that complement the colours on the maisonettes.*
- *The fenestration of the community space on the corner of Stewart Street is revised and given a more generous scale, to contrast with the domestic fenestration elsewhere.]*

- § The courtyards would benefit from a landscape scheme of significant scale.

[Officer's comment: A landscaping strategy has been submitted as part of the application setting out the overall landscaping intentions of the site. An appropriately worded condition will be imposed.]

Thames Water

- 6.6 The surface water management plan as specified in the submitted Flood Risk Assessment document is acceptable to Thames Water and should be adhered to.

Following planning conditions should be imposed.

- No impact piling shall take place until a piling method statement is submitted and approved.
- Impact studies of the existing water supply to be submitted and approved

Following informative should be added.

- discharge of ground water into public sewers, contact Thames Water.

[Officer's Comment: Appropriately worded condition and informatives will be added]

London City Airport (Statutory Consultee)

- 6.7 The proposal has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Accordingly no safeguarding objection to the proposal subject to conditions.
- Completed structure at 49.7m AOD
 - Construction methodology for the use of cranes
 - All landscaping plans and plantations to ensure that it is unattractive to birds and to discourage bird activity to ensure safe operations at the Airport.

[Officer's Comment: Appropriately worded conditions will be imposed]

Transport for London (Statutory Consultee)

- 6.8 TFL raised the following comments in their response:

- It is noted that the site lies within an existing controlled parking zone (CPZ), and that parking permits on surrounding streets will not be allocated to residents moving to the estate after the completion of the proposed regeneration works, as part of the 'car-free' agreement. This is supported by TfL, who would recommend that this requirement is secured either by condition or through the s106 agreement. It should however be confirmed whether this also applies to those who are eligible for the Council's 'permit scheme'. In addition, two car club spaces are being proposed. This is supported by TfL, who would recommend that this provision is also secured through the s106 agreement.

[Officer's Comment: The scheme will be made car-and-permit free through the s106. Permit transfer is allowed in LBTH.]

- It is proposed that an 'active and effective' parking management strategy will be evolved to ensure demand does not exceed supply. This is supported by TfL who would suggest that this takes the form of a car parking management plan, to be secured for the site by condition.

[Officer's Comment: Appropriately worded condition will be added]

- It is noted that electric vehicle charging points are proposed to be provided in accordance with London Plan standards. This is supported by TfL who would request that this requirement is secured by condition.

[Officer's Comment: Appropriately worded condition will be added]

- The surrounding bus network currently operates at capacity, and this will be exacerbated by both this development proposal, and other planned and consented schemes in this area. As such, TfL would request that a financial contribution is secured in order to mitigate the cumulative impact of development on the Isle of Dogs. TfL requests that a pooled financial contribution of £126,000 is made towards bus service enhancements in line with London Plan policy 6.1 'Strategic Approach'.

[Officer's comment: TfL is no longer requesting a s106 contribution from this development towards enhancing bus capacity. TfL initially requested a contribution on the basis that monies had been sought from other developments in the area, and they understood that there is a need to enhance bus capacity on the Isle of Dogs. Following a further review of the

submitted trip generation however, TfL was satisfied that a limited number of new trips were being generated, and therefore that a contribution would not be justified.]

- An audit (PERS) of the pedestrian environment has been undertaken as requested at the pre-application stage. While this has demonstrated that the pedestrian environment within the vicinity of the site is generally of a reasonable standard, some areas in need of improvement have been identified. As such, where deficiencies have been found, TfL would recommend that the appropriate improvements are secured through the s106 agreement. TfL would suggest that these should focus on improving pedestrian wayfinding in the area, improving pedestrian crossing facilities and improving bus stop facilities and waiting areas in order to improve accessibility.

[Officer's Comment: In light of the applicant's viability assessment, it has not been possible to allocate monies to the provision of these facilities.]

- The TA states that 'the on-site layout would provide good permeability for pedestrians and cyclists, and would be supported by appropriate on-site infrastructure'. This is supported by TfL who would suggest that this also includes the provision of appropriate signage, preferably in the form of Legible London, alongside adequate levels of cycle parking

[Officer's Comment: Appropriately worded condition will be added]

- It is proposed that the redeveloped site will provide 1 cycle parking space per unit, equating to an overall provision of 400 spaces, with an additional 33 spaces contained within the public realm, for visitors. While this is supported, it should be noted that the London Plan requires the provision of two cycle parking spaces per 3+ bed unit, which in this instance would require the provision of an additional 90 spaces. In addition to this, it should be ensured that the spaces are in a secure and covered location, overlooked by CCTV where possible.

[Officer's Comment: The Applicant has reviewed the scheme's provision of cycle parking and will introduce a total of 498 spaces in secure locations within the basement and podium. There is also the opportunity for visitor spaces to be introduced within the landscaped spaces and home zone. This exceeds the Council's cycle parking requirements and is the maximum that the development is able to accommodate]

- It is noted from Para 8.7 of the Transport Assessment (TA) that there is potential for the cycle parking to be located on each floor of the development. Providing cycle parking on each floor of a tall building is not a common design, and while TfL's preference would be for all cycle parking to be accessible from the ground floor, it can appreciate that there may be practical reasons for doing this, relating to basement size. For this approach to be acceptable however, TfL considers that suitable conditions will need to be placed on the grant of any planning consent to ensure that storage areas, lifts, doors and corridors are suitably sized to allow for a bike to be conveniently manoeuvred to and from the parking areas. It should also be ensured that there is a safe and convenient cycle route linking into the site where appropriate.

[Officer's comment: All the cycle parking provided is to be accommodated within the proposed parking areas beneath the podiums or within a secure basement area. Accessibility to these stores has been tested and a convenient route can be achieved for all.]

- Given the scale of the development, the submission of a Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) is required

[Officer's Comment: Appropriately worded condition will be added]

- While the submitted travel plan is considered to be of a generally good standard, it has failed its ATTrBuTE assessment. Reference to the relevant planning policies and the site assessment should be included within the travel plan alongside the TA, as this is intended to be a stand alone document. In addition, reference to what budget will be set aside for implementing the measures within the travel plan should also be included. The revised travel plan should subsequently be secured, managed, monitored and enforced through the s106 agreement.

[Officer's Comment: The applicant has confirmed that the information that is currently missing from the Travel Plan report is largely contained within the Transport Assessment report. With respect to the scoring of the Travel Plan against the criteria contained within the ATTrBuTe system, it is considered that the Travel Plan has 'failed' based on 'minor' text omissions which are addressed in the Transport Assessment report through the policy section. A revised Travel Plan will be secured through the s106].

GLA (Statutory Consultee)

6.9 The GLA made the following comments:

- **Housing quality:** The applicant should submit a full schedule of accommodation with the floor area for each dwelling type, to allow an assessment of their compliance against the minimum standards set out in table 3.3 of the London Plan.

[Officer's comment: This information has now been submitted to the GLA under separate cover.]

- **Affordable housing:** The applicant should submit the financial statement omitted from the original submission documents and clarify the nature of its 'general needs rented tenure,' to enable GLA officers ensure that the affordable housing provision complies with the relevant policies of the London Plan.

[Officer's comment: A financial statement has been submitted as part of the planning application and has been independently assessed by BNP Paribas on behalf of Tower Hamlets Council. Details of this has now been forwarded to the GLA.]

- **Design:** An alternative design, where active uses are located on the ground floor facing the river, and corner units are accessed from the riverside walk, would contribute to creating a safer, more attractive and well-used riverfront, and needs to be considered.

[Officer's comment: The applicant has confirmed that a key decision was made to enclose the car park at grade and to cover it to create a communal landscaped area. It is argued that this is an eminently sensible strategy that allows these space-hungry elements to be accommodated whilst freeing up as much of the site as possible for public space and extensive active residential frontages.

The applicant has chosen deliberately to keep sections of the riverside frontage open to give light into the courtyards and to maximise the enjoyment of views across the river. These sections present a single-storey frontage to the riverside walk, which is inappropriate for residential use. It is also inappropriate for commercial or community use because there is no demand for the former and it is too remote for the latter.

In answer to the suggested alternative design approach, noted in the Stage 1 Report, this has been considered and the design was previously amended to improve visibility into the lobbies by making them visually 'open' to the riverfront walkway. However, for the convenience of residents, it was felt that retaining the access doors onto the new internal streets would achieve better activity throughout this area.

Since these comments were made, the applicant has sought to address these comments by submitting amended drawings

- **Transport:** The applicant should address the issues identified by TfL in the transport section.

[Officer's comment: See response made to TfL's comments.]

- **Energy:** The applicant should provide full details showing the route of the heat network links, the size and layout of the proposed energy centre, the high reduction in CO2 emissions from CHP and drawing to show the location of the proposed photovoltaic panels is required to ensure that the scheme complies with the energy policies of the London Plan.

[Officer's comment: This information has now been submitted to the GLA under separate cover.]

British Waterways (Statutory Consultee)

- 6.10 No comments received.

London Fire and Emergency Planning Authority (Statutory Consultee)

- 6.11 Although access appears to be given concern is raised over the water supplies for this area. Whilst carrying out any improvement works for the water hereditament water pressure should be checked and, where necessary, pumps emplaced to improve flow rates.

[Officer's Comments: Thames Water has requested a condition requiring Impact studies of the existing water supply to be submitted and approved. This impact study will determine whether there is sufficient supply of water in the area and will address the London Fire and Emergency Planning Authority's comment.]

NATS (Statutory Consultee)

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

English Heritage Archaeology

- 6.13 In accordance with National Planning Policy Framework paragraph 141 and with the borough's Saved policies DV42 - 45, a record should be made of the heritage assets prior to development, in order to preserve and enhance understanding of the assets.

[Officer's Comment: Appropriately worded condition will be imposed]

LBTH Access Officer

- 6.14 No objections

LBTH Biodiversity

- 6.15 There is currently nothing of significant biodiversity value on the site. A survey of the existing buildings for potential bat roosts, reported in the Ecological Constraints Report, found that the buildings are not suitable for roosting bats. There will not, therefore, be any adverse

impacts on biodiversity.

Living roofs are proposed for all the buildings. A large proportion of these are brownfield-style roofs, which are particularly valuable for biodiversity. This should ensure a significant overall benefit for biodiversity from the development. I cannot find any detailed specifications for the green or brown roofs. A condition should require details of the living roofs to be provided to and approved by the Council before work commences.

[Officer's Comment: Appropriately worded condition will be imposed]

The terrestrial landscaping is very formal, but includes a few native trees and shrubs, and a number of plants which provide nectar for bees and butterflies. This will be a minor benefit to biodiversity.

There is an opportunity here to enhance the river walls of the Thames for biodiversity. The Environment Agency has published guidance on how to improve biodiversity on the tideway. If enhancements to the river wall could be secured, this would contribute to targets in the Local Biodiversity Action Plan.

[Officer's Comment: Unfortunately the Council does not have the policy basis to insist on river wall enhancements, therefore it is not possible to impose a condition. However a condition shall be imposed for the submission of a landscape management plan.]

LBTH Ecology

6.16 No comments received

LBTH Landscape

6.17 No comments received

LBTH Sustainability

6.18 The Sustainable Development Team support the application as the applicant has demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible. The total anticipated CO2 savings from the development are 63.5% (290.5 tonnes CO2 per annum), through a combination of energy efficiency measures, a CHP power system and renewable energy technologies. The proposed energy strategy therefore exceeds the requirements of Draft Policy DM29 which seeks a 35% reduction in CO2 emissions. Therefore the CO2 savings proposed for this development are considered acceptable and it is recommended that the strategy is secured by Condition and delivered in accordance with the submitted Energy Statement.

[Officer's Comment: Appropriately worded condition will be imposed]

In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan 2011 and Policy DM29 of the London Borough of Tower Hamlets Draft Managing Development DPD. The submitted Sustainability Statement and Code for Sustainable Homes Pre-assessment demonstrates how the development will achieve a Code for Sustainable Homes Level 4. It is recommended that the achievement of a Code Level 4 rating for all units is secured through an appropriately worded Condition with the Code for Sustainable Homes Certificates submitted to the Council prior to occupation.

[Officer's Comment: Appropriately worded condition will be imposed]

LBTH Design and Conservation

- 6.19 Design and conservation have no objections to the proposed scheme. Much of the detail design was discussed through a pre-application process. Details of materials should be secured as part of a condition.

[Officer's Comment: Appropriately worded condition will be imposed]

LBTH Housing Strategy Group

- 6.20 Overall the scheme would deliver 64.3% affordable housing. However, as the proposal is to replace 189 existing affordable homes, the new supply of affordable housing would equate to 31.6%

The tenure split within the new build element (without accounting for the demolished units) is 84:16 in favour of rented. However, as much of the new social rented housing will be replacing existing rented housing, the split between the new supply rented and intermediate would be 37:63 in favour of intermediate.

The Council's policy target in terms of quantum of new supply affordable housing is 35% and for a tenure split of 70:30 in favour of rented.

It should be noted that this is a regeneration scheme that is re-providing 189 social rented homes. The applicant has underpinned this offer with a financial viability toolkit appraisal. This toolkit has undergone an independent toolkit assessment. This assessment concludes that this is the most viable offer.

All of the rented accommodation will be delivered at target rents. We would welcome this.

It is not clear where the wheelchair units are located. We would like to remind the applicant of the 10% need for wheelchair units, we would also like to see indicative unit layouts so that the Council's Access Officer can comment on their suitability.

[Officer's Comment: Appropriately worded condition will be imposed]

In principle the Housing Strategy Group raised no objection, however do remind the applicant that 100% of the residential units to meet the Lifetime Homes Standard.

[Officer's Comment: Appropriately worded condition will be imposed]

LBTH Planning Policy

- 6.21 No objection

LBTH Environmental Health

- 6.22 Noise and Vibration

A full PPG24 assessment is required and should include the impact from local traffic, aircraft and river noise, including the existing uses and noise impact from shipping operations on the Thames opposite the development. Noise though should not be the determining factor as this site is likely to fall within category "B" of PPG24.

[Officer's Comment: Given that the land use for residential has already been established, Officers do not consider it necessary to add this condition.]

Noise from any proposed mechanical and electrical plant should also be assessed in terms of BS4141 and any construction impacts on the locality in terms of BS5228.

[Officer's Comment: Appropriately worded condition will be imposed]

6.23 Air Quality

No objections, albeit the officer made the following comments:

- The maintenance schedule of the bitumen storage plant must be kept on site for inspection at all times;

[Officer's Comment: Appropriately worded condition will be imposed]

- The stockpile heights must not be higher than the height of the hoarding;

[Officer's Comment: Appropriately worded condition will be imposed]

- The Air Quality Officer requires dust depositional monitoring at least at one point (closest to the nearest sensitive receptor) during the demolition construction phase. In the event of soil contamination being identified, The Officer will require chemical compositional sampling to be undertaken as well upon request.

[Officer's Comment: Appropriately worded condition will be imposed]

Contaminated Land

The site has been subjected to former industrial uses which have the potential to contaminate the area. As the application proposes ground works and soft landscaping and offers a potential pathway for contaminants, it is considered necessary to determine associated risks through further investigations.

(Officer Comment: Conditions to cover the planning issues raised by Environmental Health would be placed on any permission.)

LBTH Transportation and Highways

6.24 Originally Highway's officers raised the following points:

- § The applicant proposes a car-and-permit free scheme for all tenants coming into the estate, i.e allowing those with on-street parking permits and on-site permits to keep them. Should the Case Officer be minded to recommend for approval, this must include such a legal agreement

- § Servicing is to be on-site on the three internal roads; although no autotracks for refuse vehicles appear to be supplied, I would estimate that there is sufficient room to turn around. I recommend that Waste colleagues comment on the detail.

[Officer's Comments: Waste officer's are happy with the proposals]

- § Concerns about access to the car park was raised.

- § The Highway Officer has raised concerns about the number of doors and stairs to access the cycle parking.

- § The PERS audit identifies several opportunities for improving the public realm: these include better wayfinding, improvements to a ped crossing on Manchester Rd north of Plevna St (it has no dropped kerbs or tactile paving); renewal and rationalisation of street furniture of the footway in the vicinity of Bus Stop D to improve effective width. All these should be included in the s278 and s106 agreements as mitigation for the impacts of the development. To these suggestions I would add a contribution towards improving links with the cycle route network (which they assess as only "adequate" is requested.

- § The parking management strategy is important also to be conditioned. In addition the applicant should submit a Construction Management Plan through condition and a s278 plan.
- § If all these safeguards can be conditioned effectively, Highways would have no objection.

Since these comments were made, the applicant provided the officer with additional information (as per the officer's comments above) which has satisfied the Highway's officer concerns. As such, Highways have no objections, subject to the s278 for the purposes outlined above, s106, Construction Management Plan, Car-and-Permit Free agreement, all types of parking spaces to be retained and maintained as shown on the Plan for storage of residents' vehicles/cycles/motor cycles only.

[Officer's Comment: Appropriately worded conditions will be imposed in addition to the securing the car-and-permit free agreement through the S106].

LBTH CLC Strategy

6.25 CLC Officer's would like to see the contributions made to the following heads of terms:

- § Idea Stores, Libraries and Archives ;
- § Leisure Facilities;
- § Public Open Space;
- § Smarter Travel Contribution; and
- § Public Realm Contribution.

[Officer's Comments: The applicant has demonstrated through the submission of the viability assessment that it is not possible to secure contributions for the suggested areas. Please refer to the Planning Obligations and S106 section of this report which provides a breakdown of the financial contributions which are sought from this development in light of the applicant's viability assessment.]

LBTH Education Development Team

6.26 No written comments received to date.

[Officer Comment: It is noted that the Head of Building Development for Education sits on the Planning Contributions Overview Panel which have agreed the s106 package. Notwithstanding, written comments have been requested and will be provided as part of the update report to the Committee.]

LBTH Waste Policy and Management

6.27 The officer's concerns are mainly for the residents that have to carry their bags for more than 30 metres to the URS containers. Although the number of units is marginal compared to the size of the development, a solution still needs to be explored.

Dumping of waste increases where residents find it difficult to dispose of their waste within 'reasonable' distance. Building Control Regulations stipulate that the maximum walking distance to a waste storage container should not exceed 25 metres. Because of the nature of URS and the inflexibility of locating units where desired due to several underlying factors i.e. underground cables, we are willing to make an allowance of up to 30 metres maximum walking distance. Further than that becomes difficult to justify.

[Officer's Comment: The design has maximised the number of units within 25 metres of a

waste storage container. Of the 399 units proposed, only 15 units exceed 25 metres travel distance and of these only 9 units exceed 40 metres, and all are within 45 metres. The units with the further travel distance are located on Stewart Street and the applicant has confirmed that it may be possible for these units to have alternative storage and collection arrangements. The waste officer has confirmed that this will be monitored and assessed accordingly once the development has been completed .]

London Borough of Greenwich

6.28 No objections

7. LOCAL REPRESENTATION

7.1 A total of 959 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 application was consulted on in March 2012 and a re-consultation was undertaken in May 2012 following complaints that not everyone had received the first round of letters

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: 5 Against: 4 In Support: 1

Objections Received

7.2 Density and land use

- 14 storeys will encroach on the existing sky line
- The additional height will diminish availability of natural light to existing residential properties.
- The additional height will create very unpleasant wind effects in certain weather conditions.

[Officer's Comments: These issues are addressed in the Design and the Amenity sections of this report.]

7.3 Amenity Impacts

- Noise and disturbance during construction phase.

[Officer's Comments: The issue of noise is addressed in the Amenity section of this report. Furthermore, this will be conditioned as part of any planning permission.]

7.4 Highways Infrastructure

- Inability of transport infrastructure on the Island to support the new development.

[Officer's Comments: There will be no net increase in the number of parking spaces provided as part of the proposals. Both Transport for London, the GLA and the Council's Highways Officers have reviewed the proposals and subject to conditions and legal agreements do not object.]

7.5 Impact on local infrastructure

-In summary, concerns have been raised about the ability for local Schools to cope with the number of additional children as they are currently at capacity and are turning away local children. It has been suggested that profits should be ring fenced so that money is invested into Cubitt Town Infants and Junior Schools.

-Concerns have also been raised about the ability to secure dentist and doctor's appointments in the context of the additional number of people that the development will generate.

[Officer's Comments: These concerns have been considered by officers as part of the decision making process, particularly regarding the extra stress which will be put on school places. As such, as part of the financial contributions to be delivered by the applicant, £366,246 will be put toward education £366,246 and £95,844 towards health.]

7.6 Other issues

The destruction of fairly modern buildings which are in good condition is unnecessary and wasteful.

[Officer's Comments: This issue is addressed in the Design section of this report. However the loss of these buildings are outweighed by the high quality living spaces that will be provided coupled with the design/aesthetic improvements.]

Why is more office space needed?

[Officer's Comments: The office space is a negligible 103sqm and will be used as a housing office and for community facilities. It is not strictly commercial floorspace.]

7.7 The following issues were raised in representations that are not considered material to the determination of the application:

Preference for a 2 bedroom flat at ground floor level due to mobility

Support Received

7.8 One letter has been received on behalf of the Redbrick Tenants Association (which is the body elected by tenants to represent the interests of all New Union Wharf residents) stating their support of the regeneration proposals put forward under the planning application.

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The application has been fully considered against all relevant policies under the following report headings:

- Principle of Estate Regeneration
- Land Use
- Density
- Transport & Accessibility
- Design
- Housing
- Amenity
- Air Quality

- Noise & Vibration
- Energy & Sustainability
- Flood Risk
- Biodiversity & Ecology
- Health
- EIA Issues
- Planning Obligations & S106
- Overall Conclusions

Principle of Estate Regeneration

- 8.1 The Government is committed to creating the opportunity for decent homes for all. The regeneration and renewal of neighbourhoods is supported by the Mayors Housing Supplementary Planning Guidance (November 2005). In Tower Hamlets, the Council is seeking that all homes are brought up to Decent Homes Plus standard. This is to ensure that the homes of all Borough residents are in a good state of repair.
- 8.2 The application includes the provision of additional housing in new blocks across the application site, which increases the housing density of the estate. This accords with the requirements of Interim Planning Guidance (IPG) policy HSG5 and policy SP02 of the Core Strategy (2010) which seeks to improve all existing housing stock to a minimum decent homes standard.
- 8.3 The proposed development is going well beyond decent homes by virtue that the units are to be redesigned and rebuilt as opposed to being altered. Furthermore, East End homes are providing new estate layout and landscaping.
- 8.4 In overall terms the principles and objectives set out in regional and local policies for estate regeneration scheme are achieved through this proposal. The planning issues are considered in detail below.

Land-use

- 8.5 The application site has no specific designations in the adopted Unitary Development Plan 1998 (UDP), the Managing Development DPD (Submission Version 2012) (MDDPD) or the Interim Planning Guidance 2007 (IPG). The application proposes a residential development comprising the demolition of 189 existing residential units (including Heron Court, Robin Court, Sandpiper Court, Nightingale Court, Martin Court, Grebe Court and Kingfisher Court) and the construction of 3 blocks between 3 and 14 storeys to provide 399 residential units (containing 119 x 1 bed, 190 x 2 bed, 60 x 3 bed and 30 x 4 bed), together with 103sq.m (GIA) office / community facility (Use Class D1), semi-basement and ground floor car parking, cycle parking, landscaped public open space, private amenity space and other associated works.

Principle of a residential use

- 8.6 At national level, planning policy promotes the efficient use of land with high density, mixed-use development and encourages the use of previously developed, vacant and underutilised sites to achieve national housing targets.
- 8.7 At a strategic level, the site is identified in the London Plan (2011) as falling within the Isle of Dogs Opportunity Area (Policy 2.13) which seek to optimise residential and non residential output and is identified as being capable of delivering 10,000 new homes.
- 8.8 The site falls within the East India South Sub Area in the Isle of Dogs Action Area Plan (IPG 2007) and Policy IOD23 in particular promotes residential uses throughout the sub area.

- 8.9 The application proposes 399 new residential homes with residential being the predominant land use and in light of the above, the principle of residential use on this site is considered acceptable in land use terms.

Provision of Community use

- 8.10 The application proposes the provision of 103 square metres of ground floor community use floorspace. This could be used for uses falling within Use Class D1. The space would be operated and managed by East End Homes for the needs of the residents within the wider Estate.
- 8.11 Policy SP03 of the CS 2010, policy DM8 of the MD DPD 2011 and policy SCF1 of the IPG 2007 seeks to encourage social and community facilities within the borough. The provision of this on-site facility would serve the wider Estate and all residents, not only the new residential blocks proposed as part of this application. The proposal accords with Council policies.

Density of Development

- 8.12 National planning guidance stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3.4, which requires development to maximise the potential of sites, and policy 3.5 which details design principles for a compact city. Policies S07 and SP02 of the CS and policy HSG1 of the IPG also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.13 Policy HSG1 of the IPG seek to maximise residential densities on individual sites taking into consideration:-
- Local context and character
 - Residential amenity
 - Site accessibility
 - Housing mix and type
 - Achieving high quality, 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.
- 8.14 The application proposes to increase the overall residential density from 345 habitable rooms per hectare to 722 habitable rooms per hectare. In an urban area with a PTAL of 2/3, the London Plan states than a density range of 200 – 450 hr/ha is appropriate.
- 8.15 In the simplest of numerical terms, the proposed density would appear to suggest an overdevelopment of the site. However, the intent of the London Plan and the Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity.
- 8.16 Policy HSG1 of the IPG states that solely exceeding the recommended density range (on its own) is not sufficient reason to warrant refusing a planning application. It would also be necessary to demonstrate that a high density was symptomatic of overdevelopment of the site. Typically an overdeveloped site would experience shortfalls in one or more of the following areas:
- Access to sunlight and daylight
 - Sub-standard dwelling units

- Increased sense of enclosure
- Loss of outlook
- Increased traffic generation
- Detrimental impacts on local social and physical infrastructure
- Visual amenity
- Lack of open space; or
- Poor housing mix

These specific factors are considered in detail in later sections of the report – and are found to be acceptable.

- 8.17 In the case of this proposal it is considered that:
- The proposal is of a particularly high quality that responds to the local context by delivering a positive relationship to the River Thames and surrounding streets, particularly Stewart Street.
 - The proposal does not result in any of the adverse symptoms of overdevelopment to warrant refusal of planning permission.
 - The proposal provides good quality homes, including larger family houses, of an appropriate mix with an acceptable percentage of affordable housing.
 - The package of S106 mitigation measures towards education, employment, health and community facilities seek to mitigate any potential adverse impacts.
- 8.18 In overall terms, officers are satisfied that the development makes the most efficient use of land. The proposed mitigation measures in the form of financial and non-financial contributions would ensure that the development has no significant adverse impacts and accords with the aims of London Plan policy 3.4, policies S07 and SP02 of the CS and IPG policy HSG1.

Transport & Accessibility

- 8.19 The NPPF and the London Plan 2008 and Policy 6.1 of the London Plan 2011 seek to promote sustainable modes of transport, accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within capacity.
- 8.20 Saved UDP policies T16, T18, T19 and T21, Core Strategy Policy SP08 & SP09 and Policy DM20 of the Managing Development DPD (Submission Version 2012) together seek to deliver accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on the safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.
- 8.21 The existing site is currently occupied by 189 residential units with associated parking facilities. The Public Transport Accessibility Level (PTAL) of Phase 2/3. The closest underground station is Canary Wharf which is 1.2km (14 minute walk). The closest DLR station is Crossharbour which is a 15 minute walk from the site. The planned Crossrail station at Canary Wharf is also scheduled to be delivered for 2018 which will further assist the accessibility of the site. There are also 6 bus routes within a short walk of the site.
- 8.22 In terms of trip generation and impact on the adjoining road network, the application is supported by a Transport Assessment. This demonstrates that the scheme is not likely to have a negative impact on the adjoining network. TfL have confirmed that they have no concerns regarding traffic or access impacts. The Borough's Highways Officer has confirmed that the trip generation assumptions appear acceptable.

- 8.23 It is recommended that specific controls over construction vehicle need to be secured by the submission of a Construction Method Statement (to be conditioned).

Servicing and Deliveries

- 8.24 The site will be serviced on site and the Borough's Highways Officer supports this. TfL recommend however that servicing and deliveries be managed and co-ordinated through a Servicing and Delivery Plan (SDP) to be prepared and submitted prior to occupation. In addition to a Construction Logistics Plan (CLP) to be prepared and submitted prior to commencement of development.

Waste/Refuse

- 8.25 The Design and Access Statement sets out the waste and refuse arrangements to transport bins to ground level. This is considered acceptable.
- 8.26 The design has maximised the number of units within 25 metres of a waste storage container. Of the 399 units proposed, only 15 units exceed 25 metres travel distance and of these only 9 units exceed 40 metres, and all are within 45 metres. The units with the further travel distance are located on Stewart Street and the applicant has confirmed that it may be possible for these units to have alternative storage and collection arrangements. The waste officer has confirmed that this will be monitored and assessed accordingly once the development has been completed

Car Parking

- 8.27 Policies 6.13 of the London Plan 2011, Saved Policy T16 of the UDP, Policy SP09 of the Core Strategy and Policy DM22 of the Managing Development DPD (Submission Version 2012) seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 8.28 As the scheme is providing the opportunity for all existing residents to return, and as there are currently 189 parking permits issued to existing residents, the new scheme will provide 189 parking on-site car parking spaces plus 2 car club spaces. Of the 189 spaces, 18 will be fully accessible bays (10%) and 38 (20%) will have electric charging points with passive provision for a further 38 spaces. As such, disabled parking will be available in accordance with the Council's and Mayor's standards as will charging points for electric vehicles.
- 8.29 The majority of the parking is contained within two semi-basement areas beneath blocks A and B. There will also be some parking on the proposed Home Zone (22 spaces). The majority of these will be allocated to the adjacent larger family homes, to blue badge holders, and includes the car club spaces.
- 8.30 As such, the Applicant is able to sign a 'car free' agreement that will prevent new residents (apart from those transferring within the borough from another affordable family home) from acquiring an on-street parking permit. The approach will not contribute to any increase in traffic from the site and will not put pressure on the Council's on-street parking provision. Importantly, the Applicant is the owner and manages the on-site parking facilities to ensure their efficient operation.
- 8.31 TfL and the Borough's Highways Officer have confirmed that they have no objections to the proposed level of parking, considering the sites location and proximity to public transport and its compliance with London Plan parking standards.

Travel Plan

- 8.32 A residential Travel Plan has been submitted in support of the application to promote alternative means of travel other than private car.
- 8.33 TFL stated that whilst the submitted travel plan is considered to be of a generally good standard, it has failed its ATTrBuTE assessment. Reference to the relevant planning policies and the site assessment should be included within the travel plan alongside the TA, as this is intended to be a stand alone document. In addition, reference to what budget will be set aside for implementing the measures within the travel plan should also be included. The revised travel plan will subsequently be secured, managed, monitored and enforced through the s106 agreement.

Provision for Cyclists

- 8.34 Cycle parking is to exceed LBTH and London Plan standards with one space per unit and one visitor space per 10 units. 498 resident spaces are proposed and 9 visitor spaces. The Council's Highways officers are happy with this.
- 8.35 The application seeks to provide 18 motorbike parking spaces. Originally, 26 were proposed. However the reduction was to facilitate the cycle parking provision in the podium. The Council's Highways officers are happy with this.

Accessibility & Inclusive Environments

- 8.36 Policy 7.2 of the London Plan (2011); and Saved UDP Policy DEV1 and Policy SP10 of the Core Strategy seek to ensure that developments are accessible, usable and permeable for all users and that developments can be used easily by as many people as possible without undue effort, separation or special treatment.
- 8.37 A growing awareness of the importance of creating environments that are accessible for all people has led the Council to emphasise the importance of 'inclusive design'. It is considered that the proposed development has been designed with the principles of inclusive design in mind.
- 8.38 It is considered that the site will be accessible, usable and permeable for all. The proposed public realm for the site, including the private and communal gardens appear accessible to all. Challenges are presented through the site levels with the slope down from the riverside to Stewart Street. However, the design succeeds in achieving at-grade access to all front doors for all ground floor accommodation. The application should be conditioned to ensure all pedestrian access points are level or gently ramped. A number of principles have also been adopted by the applicant to ensure inclusive access and this will be discussed in later sections of this report. (e.g. commitment to Lifetime Homes standards; commitment towards provision of 10% wheelchair adaptable homes; compliance with Part M Building Regs to ensure level/ramped access).

Urban Design

Layout, Mass, Scale & Bulk

- 8.39 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the pattern and grain of the existing spaces and streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that compliment the local character, quality adaptable space, optimising the potential of the site.
- 8.40 Saved UDP policies DEV1, DEV2 and DEV3 seek to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and use of materials. Core Strategy Policy SP10 and Policy DM23 and DM24 of the Managing

Development DPD (Submission Version 2012) seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds.

- 8.41 The proposal will introduce new buildings in a traditional perimeter block form that will front and reinforce new streets framing views to the waterfront. These streets will be created as Home Zones and their edges defined by building fronts. Front entrances to individual dwellings will line the ground floor of the blocks, in some cases, such as along Stewart Street, these will be set slightly back from the public footpath and protected by semi-private defensible space.
- 8.42 The proposal comprises 3 blocks ranging in height from 5 storeys to 14 storeys along the riverfront. The heart of the two perimeter blocks have been designed to incorporate raised landscaped podium courtyards, which provide private gardens to maisonettes, and a large private communal amenity space. These courtyards, with designated children's play areas, will be accessible to all residents.
- 8.43 Beneath blocks A & B raised podiums, utilising the existing topography, undercroft car parking has been created, accessed from the central 'home zone' areas. The location of the car park entrances has been carefully chosen to limit any traffic congestion, on the highway (Stewart Street). It also increases active frontages along Stewart Street.
- 8.44 The layout has been able to minimise the number of single aspect units and to position family homes in locations that provide good access to semi-private courtyard spaces and their safe, overlooked play area for younger children. The front doors of these units will give access to traffic calmed streets which will provide further recreational and play space, together with some surface parking dedicated for families and disabled persons.
- 8.45 The higher buildings will be located on the eastern edge of the site adjacent to the riverside. These will range between 8 and 14 storeys with the lower building positioned at the northern end of the site and designed to minimise impact on the neighbouring site of Capstan Square. The scale of the Thames and the proximity of a very tall tower to the south give this edge its context and accommodate this scale of building. Within the centre of the site, the mass of the development reduces to a domestic scale with 3 and 4 storeys dominating and providing enclosure to traditional streets and raised courtyards. Building heights vary along these interior streets adding variety and ensuring good levels of daylight to courtyards. Medium rise buildings of between 5 and 6 storeys form the edge of Stewart Street and the western boundary of the site.
- 8.46 The existing buildings opposite of the Samuda estate tend to be set back from the edge of the pavement and, in places have single storey garage enclosures set on the back edge of the pavement. The application scheme presents a well defined edge to this street and introduces an appropriate sense of enclosure. Overall, the massing of the scheme has been well thought through to take advantage of the opportunities presented by the 'grand vista' of the Thames but without losing the neighbourhood feel of the interior of the estate and relating back to the height and mass of the existing buildings in the immediate surrounding area.
- 8.47 As part of the Stage 1 response, the GLA raised concerns about the riverside frontage and how it needs more activity and overlooking on to it, ensuring it feels safe, attractive and well used. Alternative design, where active uses are located on ground floor facing the river and corner units are accessed from the riverside would contribute to a safer, more attractive and well used riverfront. However the current scheme focuses the communal entrances to the four tallest blocks, in the form of large fully glazed lobbies onto the waterfront space. The upper storeys of the development fronting this space will overlook it, particularly from the balconies and winter gardens of residential units. The applicant has researched other

potential uses and found none that could be sustained in this location by this scheme.

8.48 The CABA Design Review Panel raised a number of points as set out in para 6.8 of the consultee comments. In light of their concerns regarding the materials used and the elevations, the following amendments have been made:

- Introduction of colour to glazed elements on the Stewart Street façade and lightening the colour of the contrasting brick colour of the maisonettes entered at ground level throughout the scheme.
- Amended the main brick colour slightly so that it has more texture and life than the original “putty” coloured brick.
- Reduced the heights of the brick parapets to the buildings so that proportions of the elevations are made more elegant.
- Amended the treatment of doors to plant areas. These are now combined in pairs and groups within larger apparent openings in the brickwork that create a less utilitarian impression than individual louvred doors.
- Shared residential entrance areas are also given a more generous and open expression, with splashes of colour that complement the colours on the maisonettes.
- The fenestration of the community space on the corner of Stewart Street is revised and given a more generous scale, to contrast with the domestic fenestration elsewhere.

8.49 In terms of visual appearance and detailed design, the approach has been to select a common or predominant material that will unify the built form and create a neutral background against which accents of colour and texture can be used to emphasis certain components; such as entrances. The plans indicate that a high standard of architecture will be achieved on this site. However, securing high quality materials is imperative to the success of this building and a condition is proposed securing the submission of full details including samples of materials.

8.50 In line with strategic and local policies objectives, the overall design strategy for New Union Wharf is considered to respect the existing constraints and opportunities on the site. The proposal is considered to provide a high standard of urban design. The general bulk, scale and mass and detailed design of the proposal is considered to maximise the riverside location and balancing this against the low rise character of adjoining residential properties.

8.51 As such, the scheme accords with Chapter 7 of the London Plan (2011); saved policies DEV1, DEV2 and DEV3 of the Council’s UDP (1998), Policies SP10 and SP12 of the Core Strategy (2010) and Policy DM23 and DM24 of the Managing Development DPD (Submission Version 2012) which seek to ensure buildings and places are of a high quality of design and suitably located.

Height /Tall Building Aspect

8.52 With regards to appropriateness of the development for tall buildings, this has been considered in the context of strategic and local planning policies, where a tall building is described as one which is significantly taller than their surroundings and /or having a significant impact on the skyline. Policy 7.7 of the London Plan (2011) deals with tall and large buildings, setting out criteria including appropriate locations such as areas of intensification or town centres, that such buildings do not affect the surrounding area in terms of its scale, mass or bulk; relates to the urban grain of the surrounding area; improves the legibility of the area; incorporates the highest standards of architecture and materials; have ground floor uses that provide a positive experience to the surrounding streets; and makes a significant contribution to local regeneration.

8.53 SP10 of the Core Strategy (2010) and Policy DM26 of the Managing Development DPD (Submission Version 2012) also provides guidance on the appropriate location for tall

buildings requiring them to relate to design and context, environment, socio-economic factors, access and transport and aviation requirements.

- 8.54 As noted above, the taller buildings of up to 14 storeys are positioned on the riverfront and complement the scale of this wide body of water. They also 'fit' within the setting created by the 25 storey Kelson House and are desirable in this context.
- 8.55 The technical merits of the development has been extensively tested as part of a full Environmental Impact Assessment and found to be satisfactory. None of the proposals create unacceptable impacts on the surrounding environment, including its amenity. In all respects it can be shown that the Council's 'tests' for judging the acceptability of tall buildings in this location have been satisfied.
- 8.56 Due regard has also been paid to the design guidance provided by CABI and, in particular, their 9 criteria for evaluation. It should be noted that the scheme being presented has been refined through considerable testing of its impact and suitability in terms of townscape and visual impact on the overall character and historic context of the surrounding area. A townscape and visual assessment is included in the Environmental Statement (NUW8) and supports CABI guidance to consider impact on streetscape and other important features, as well as significant views, skylines, and landmark buildings and their setting. In all of these it has been shown that the introduction of the buildings proposed are scaled appropriately for their existing and emerging context; are desirable in these locations and are technically achievable without adverse impact on other interests of acknowledged importance.
- 8.57 Officers are of the view that the design of the proposed tall building, its architectural quality, and its proportionate scale and location will provide a positive contribution to the sky line. Furthermore, and as will be discussed in later sections of this report, the building will not have any adverse impacts on issues such as biodiversity, microclimate, and heritage assets.

Views

- 8.58 In terms of views, Policy 7.11 of the London Plan and the London View Management Framework SPG (May 2009) sets out the approach to view management and assessment on designated views with an aim to protect aspects of views which contribute to designated views including World Heritage Sites and their Outstanding Universal Value.
- 8.59 The only Strategic View in the vicinity of the Development is the London Panorama from Greenwich Park. The visual influence of the Development does not interact with the Strategic View such that these views would not be affected.
- 8.60 The Greenwich Maritime WHS would not be directly affected and there would not be significant impacts on respective settings. The Development will be almost entirely obscured by intervening built form/trees such that change will not be readily apparent in the context of the existing backdrop and there will be no deterioration or improvement in the view. Taking into account these considerations, the magnitude of impact is considered to be no change.
- 8.61 In terms of local views, the application is accompanied by a number of verified views and a full townscape analysis which following consideration indicates that the proposal will relate positively to the surrounding site context.

Public Realm, Landscaping and Open Space

- 8.62 Policies 5.10 and 7.5 of the London Plan (2011), Saved Policies DEV12 and HSG16 of the UDP (1998), Policies SP02, SP04 and SP12 of the Core Strategy (2010) and DM10 and DM23 of the Managing Development DPD (Proposed Submission Version 2012) seek high quality urban and landscape design; promote the good design of public spaces and the provision of green spaces and tree planting.

- 8.63 The plans and design and access statement confirm that the application will provide over 4,150sqm of open space. The key features of the open space strategy include:
- The enhancement of the riverside walkway, making it wider, safer, better lit and more attractive, whilst designing it to maintain the privacy of the dwellings adjacent to it.
 - The introduction of secure, semi-private landscaped courtyards above the semi basement parking areas.
 - The creation of a quiet, attractive, traditional streetscape, in the form of a 'Home Zone' with homes either side and onto which they have their main entrances.
 - The provision of private gardens, balconies and terraces for each individual dwelling.
- 8.64 The layout of the application scheme introduces a series of well defined spaces that are appropriately located and have a clear function. They will range from private, semi-private to publicly accessible and all will be overlooked by adjacent dwellings and will be designed a high standard. The Applicant places a particular emphasis of the quality of these spaces and will have a continued involvement in their future management and maintenance.
- 8.65 The Design and Access Statement also indicates a high quality finish with gravel, decking and paving, with back rest, pleached trees, ornamental grasses, shrub planting, clipped hedge and flowering fruit trees. It is proposed that this detail is conditioned through the submission of a final landscape strategy.

Housing

- 8.66 Policy 3.3 of the London Plan (2011) seeks to increase London's supply of housing, requiring Boroughs to exceed housing targets, and for new developments offer a range of housing choices, in terms of the mix of housing sizes and types and provide better quality accommodation for Londoners.
- 8.67 Policy SP02 of the LBTH Core Strategy (2010) seeks to deliver 43,275 new homes (equating to 2,885 per year) from 2010 to 2025 in line with the housing targets set out in the London Plan. The aim is to focus the majority of new housing in the eastern part of the borough.
- 8.68 Policy DM4 of the Managing Development DPD (Submission Version 2012) also seeks to ensure that development doesn't result in the net loss of residential floorspace, units or family units.
- 8.69 The application proposes 399 new residential units on the New Union Wharf site, following the demolition of 198 existing units. This is considered to contribute towards Tower Hamlets annual target of 2,885 per year.

Affordable Housing

- 8.70 The National Planning Policy Framework notes that "where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. "
- 8.71 Policies 3.10 - 3.12 of the London Plan (2011) define Affordable Housing and seek the maximum reasonable amount of affordable housing taking into account site specific circumstances and the need to have regard to financial viability assessments, public subsidy and potential for phased re-appraisals.
- 8.72 Policy SP02 of LBTH's Core Strategy (2010) seeks to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across

the Borough, with a minimum of 35% affordable housing provision being sought.

8.73 Paragraph 4.4 (subtext to Policy SP02) recognises that in some instances, exceptional circumstances may arise where the affordable housing requirements need to be varied. In such circumstances, detailed and robust financial statements must be provided. Even then, it is acknowledged that there is no presumption that such circumstances will be accepted, if other benefits do not outweigh the failure of the site to contribute towards affordable housing provision.

8.74 The definitions of affordable housing in the National Planning Policy framework are very similar to those set out in PPS3 (which were subsequently superseded in March 2012).

8.75 Affordable Housing

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

8.76 Social Rented

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

8.77 Affordable Rented

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

8.78 Intermediate

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

The Affordable Housing Proposal

8.79 This application is for an estate regeneration scheme. Overall the scheme would deliver 64.3% affordable housing. However, as the proposal is to replace 189 existing affordable homes, the new supply of affordable housing would equate to 31.6%

8.80 The tenure split within the new build element (without accounting for the demolished units) is 84:16 in favour of social rented. However, as much of the new social rented housing will be replacing existing rented housing, the split between the new supply rented and intermediate would be 37:63 in favour of intermediate.

8.81 The Council's policy target in terms of quantum of new supply affordable housing is a minimum 35% with a strategic target of up to 50%, and for a tenure split of 70:30 in favour of social rented.

- 8.82 It should be noted that this is a regeneration scheme that is re-providing 189 social rented homes. The applicant has underpinned this offer with a financial viability toolkit appraisal. This toolkit has undergone an independent assessment that concludes that this is the most viable offer.
- 8.83 The toolkit provides an assessment of the viability of the development by comparing the Residual Value against the Existing Use Value, in broad terms, if the Residual Value equals or exceeds the Existing Use Value, a scheme can be considered as viable, as the requirements of paragraph 173 of the NPPF for competitive returns to the developer and the landowner have been satisfied. In summary, the Toolkit compares the potential revenue from a site with the potential costs of development. In estimating the potential revenue, the income from selling dwellings in the market and the income from producing specific forms of affordable housing are considered and in testing the developments costs matters such as build costs, financing costs, developers profit, sales and marketing costs are considered.
- 8.84 The emerging Managing Development DPD, under DM3 does allow some flexibility for estate regeneration schemes to depart from these targets where it can be demonstrated that:
- A limited loss of affordable housing is required to improve the tenure mix on site, or
 - Public open space or a non residential use will benefit the overall estate regeneration scheme.
- 8.85 This scheme does not propose any loss of affordable housing; it would replace 189 existing social rented homes with 189 new homes for rent (like for like), the scheme would deliver a further 31.6% additional affordable homes.
- 8.86 In terms of the tenure mix within the rented accommodation the proposal is for 27% one beds against a target of 30%, 38% two beds against a target of 25% and 19% three beds against a target of 30% and 15% four beds against a target of 15%.
- 8.87 Officer's note that the level of family accommodation (3 bed and larger) at 35% is below the Council's target of 45%. However, it should be noted that this is an estate regeneration scheme and the mix has been based on a detailed housing needs survey of existing tenants of the estate. The estate currently has 18.5% family accommodation. The applicant's housing needs survey, of residents currently living on the estate, demonstrated a 25.4% need for family housing. The applicant's offer is for 35% family sized housing. This does not match up to the Council's target, however it is a significant improvement on the current provision on the estate.
- 8.88 Within the Intermediate tenure the applicant intends to deliver 32% one beds against a target of 25%, 64% two beds against a target of 50% and 4% 3 beds against a target of 25%.
- 8.89 The applicant is proposing to "pepper pot" the residential units to encourage integration between the tenures. Officer's support this principle as it would help create a mixed and balanced community on the estate.
- 8.90 As the applicant is intending to pepper pot the residential units, they are unable to clarify which units fall into which tenure on the plans. We would therefore request the applicant to ensure that all units are designed to the Mayor of London's Housing Design Guide (2010) in terms of both space standards and layout. This would include separate kitchens for the larger units. Having reviewed the plans submitted, this requirement has been met.
- 8.91 On this basis, officer's (including the Council's housing officers) are supportive of this application to completely regenerate the New Union Wharf estate.

8.92 As such, the application is considered to comply with Policies 3.10-3.12 of the London Plan (2011), Policy SP02 of the Core Strategy (2010) and Policy DM3 of the Managing Development DPD (Submission Version 2012) Proposed Submission Version.

Housing Mix

8.93 Pursuant to policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type.

8.94 Saved Policy HSG7 of LBTH's UDP (1998) requires new housing to provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms.

8.95 Policy SP02 of the Core Strategy (2010) also seek to secure a mixture of small and large housing, requiring an overall target of 30% of *all* new housing to be of a size suitable for families (three-bed plus), including 45% of new social rented homes to be for families.

8.96 Policy DM3 (part 7) of the Managing Development DPD (Submission Version 2012) requires a balance of housing types including family homes. Specific guidance is provided on particular housing types and is based on the Councils most up to date Strategic Housing Market Assessment (2009).

8.97 A summary of the proposed mix of dwelling types for New Union Wharf is set out in the table below in the context of LBTH targets and current housing needs assessment:

Ownership	Type	Units	%	LBTH target %	Hab rooms	%age		
Private	Studio	0	0	0	0	0.0		
	1 bed	52	33%	50%	104	33.1		
	2 bed	85	54%	30%	255	54.2		
	3 bed	20	13%	20%	80	12.7	Family Units	
	4 bed	0			0	0.0	12.7%	
	5 bed	0			0	0.0		
Total Private		157			439	100.0	35.7% (HR)	
Social Rented	studio	0	0	0	0	0.0		
	1 bed	52	27%	30%	104	26.7		
	2 bed	75	38%	25%	225	38.5		
	3 bed	38	19%	30%	152	19.5	Family Units	
	4 bed	30	15%	15%	180	15.4	34.9%	
	5 bed	0			0	0.0		
Total Social Rented		195			661	80.6%		
Intermediate	Studio	0	0	0	0	0.0		
	1 bed	15	32%	25%	30	31.9		
	2 bed	30	64%	50%	90	63.8		
	3 bed	2	4%	25%	8	4.3	Family Units	
	4 bed	0		0%	0	0.0	4.3%	
	5 bed	0			0	0.0		
Total Intermediate		47			128	19.4%		
Gross new affordable		242			789		64.3% (HR)	
Total Gross new build		399			1228			
							Total Family	22.6%

<i>minus loss of sale units</i>	0		0	
<i>Net new private</i>	157		439	68.4%(HR)
<i>minus loss of social rent affordable units</i>	-189		-586	
<i>Net new affordable (Social Rent + Intermediate)</i>	53 (6+47)		203	31.6% (HR)
Total Net New Build	210		642	

- 8.98 In terms of the overall mix of housing, a reasonable mix will be achieved. 23% of the combined scheme across tenures will be for family accommodation against our target of 30%. Furthermore, 34% of the social rented accommodation will be for family units, comprising 38 x 3beds and 30x 4beds.
- 8.99 Officer's note that the level of family accommodation (3 bed and larger) for Social Rent at 35% is below the Council's target of 45%. However, it should be noted that this is an estate regeneration scheme and the mix has been based on a detailed housing needs survey of existing tenants of the estate. The estate currently has 18.5% family accommodation. The applicant's housing needs survey, of residents currently living on the estate, demonstrated a 25.4% need for family housing. The applicant's offer is for 35% family sized housing. This does not match up to the Council's target, however it is a significant improvement on the current provision on the estate.

Tenure

- 8.100 No affordable rent product is proposed in this scheme. All affordable housing will comprise social rent and intermediate tenures.
- 8.101 With regard to the split of social rent to intermediate, the London Plan requires a split of (60:40) whilst the Borough's target is 70:30 as prescribed by Policy SP02 of the Core Strategy (2010) and Policy DM3 of the draft Managing Development DPD (2010). The re-provided social rented units is 84:16 in favour of social rented, and whilst this is not in compliance with both regional and local policies, given that this is a regeneration scheme, and the boroughs greatest need is for social housing, it is considered that this split is acceptable.
- 8.102 Officer's are happy to accept the split in light of the regeneration benefits of this scheme and results of the independent of the applicant's viability assessment which concluded that this is the best viable offer.
- 8.103 Overall, the emphasis on the provision of large family housing within the social rented sector is supported. Therefore considering the site constraints, regeneration benefits and the associated viability constraints, the application is considered on balance to provide an acceptable mix in compliance with Policy 3.8 of the London Plan (2011), Policy SP02 of the LBTH Core Strategy (2010) and Policy DM3 of the Managing Development DPD (Submission Version 2012).

Residential Standards

Internal Space Standards

- 8.104 Policy 3.5 of the London Plan (2011) seeks to ensure that the design and quality of housing developments are of the highest standard internally, externally and to the wider environment. This includes new space standards from the London Housing Design Guide. In addition, the Mayor of London's Housing Design Guide (Interim Edition, August 2010) sets out new minimum space standards to improve housing quality and allow homes to be flexibly used by a range of residents.

- 8.105 Saved Policy HSG13 of the UDP, Policy SP02 of the Core Strategy (2011) and Policy DM4 of the Managing Development DPD (Submission Version 2012) seeks to ensure that new housing has adequate provision of internal space standards in line with the Mayor of London's standards. Policy DM4 also requires affordable family sized homes to have separate kitchen and living rooms.
- 8.106 Whilst all of the units comply with the Mayor of London's and the Borough's minimum standards for unit sizes, 4 family units (1 x 3B4P and 3 x 3B5P) out of the 68 social rent family units do not have separate kitchens, owing the constraints of the building arrangement.
- 8.107 Notwithstanding this, 2 out of 4 are designated as having fully accessible kitchens, so having an open plan kitchen will feel more appropriate for these tenants and easy to manoeuvre. Also 1 of the units is a 3bed / 4Person overlooking the courtyard providing visual amenity space. In addition to this, 1 of the units is at the ground floor with a direct access onto its private garden.
- 8.109 Given the benefits of the scheme itself, it is considered that the fact that four of the family units do not have separate living rooms and kitchens would not merit refusal of the scheme.

Private and Communal Amenity Space

- 8.110 Saved Policy HSG16 of Tower Hamlets UDP (1998), Policy HSG7 of Tower Hamlets IPG (2007) and Policy DM4 of the Managing Development DPD (Submission Version 2012) require all new housing to include an adequate provision of amenity space, designed in a manner which is fully integrated into a development, in a safe, accessible and usable way, without detracting from the appearance of a building.
- 8.111 Specific amenity space standards are guided by Policy DM4 of the Council's Managing Development DPD (Submission Version 2012) will follows the Mayor of London's Housing Design Guide standards which specifies a minimum of 5sqm of private outdoor amenity space for 1-2 person homes and an extra 1sqm for each additional occupant. It also requires balconies and other private external spaces to be a minimum width of 1.5m.

Private Open Space:

- 8.112 The New Union Wharf scheme proposes over 5,181 sqm of private amenity space. Based on the requirements of draft Policy DM4, this provision would exceed our minimum requirement of private amenity space for 399 units on this site.
- 8.113 All new homes will have access to private amenity space in the form of balconies, winter gardens (on dwellings of taller buildings), terraces and/or private gardens. All units achieve or exceed the Mayor's design standards. Whilst there are a limited number of ground floor/podium level larger homes with small private gardens, these abut the spacious, semi-private landscaped courtyards into which they have direct access. These courtyards will be large enough to accommodate some doorstep play. This level of private amenity spaces is supported by officers.
- 8.114 All balconies/terraces and winter gardens are as per the GLA Standard requirement and have been designed to accommodate table and chairs.

Furthermore all balconies and winter garden have a minimum width of 1.5m as required by Policy DM4. As such, the proposed level of private amenity space and the standard and form of proposed is welcomed.

Communal Open Space:

- 8.115 In terms of communal amenity space, Policy DM4 requires 50sqm for the first 10 units, plus 1sqm for every additional unit thereafter.
- 8.116 A total of 439sqm of communal amenity space would be required for a 399 unit scheme; however the application provides a communal space at ground floor level measuring over 2,260sqm, which exceeds the Council's requirement. This communal space is provided in the courtyards for Blocks A and B and within a landscaped area on the Home zone in front of Block C. This is considered to greatly benefit the quality of the residential environment for this development.

Child Play Space

- 8.117 Policy 3.6 of the London Plan (2011), Saved Policy OS9 of Tower Hamlets UDP (1998), Policy SP02 of Tower Hamlets Core Strategy (2010) and Policy DM4 of the Managing Development DPD (Submission Version 2012) seeks to protect existing child play space and requires the provision of new appropriate play space within new residential development. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor of London's SPG on 'Providing for Children and Young People's Play and Informal Recreation' (which sets a benchmark of 10 sqm of useable child play space per child).
- 8.118 In association with the London Plan Policy 3.6: Children and Young People's Play and Informal Recreation Strategies, it has been calculated that the scheme should provide a total of 2,396sqm. The total amount of play space provided by the proposed development equates to 5,179sqm.
- 8.119 As such, officers support the quantity and location of the proposed play space, as set out in Policy 3.6 of the London Plan (2011), Saved Policy OS9 of Tower Hamlets UDP (1998), Policy SP02 of Tower Hamlets Core Strategy (2010) and Policy DM4 of the Managing Development DPD (Submission Version 2012).

Wheelchair Housing and Lifetime Homes Standards

- 8.120 Policy 3.8 of the London Plan (2011), Policy HSG9 of Tower Hamlets IPG (2007), and Policy SP02 of the Core Strategy (2010) require that all new housing is built to Lifetime Homes Standards and that 10% of new housing is designed to be wheelchair accessible or easily adaptable for wheelchair users.
- 8.121 The applicants access strategy confirms that all new will be built to Lifetime Homes standards and that the unit mix comprises 10% wheelchair adaptable homes.
- 8.122 As such, it is considered that the proposal is acceptable in accordance with Policy 3.8 of the London Plan (2011) and Policy SP02 of the Core Strategy (2010).
- 8.123 As such the proposed internal layout is considered acceptable and will accord with the London Housing Design Guide (Interim Edition, 2010), Policies 3.5 of the London Plan (2011), saved Policy HSG13 of the UDP (1998) and Policy SP02 of the Core Strategy (2010), Policy DM4 of the Managing Development DPD (Submission Version 2012) and the Council's Residential Standards SPG (1998).

Amenity

Sense of Enclosure, Outlook and Privacy

- 8.124 Policy SP10 of the CS seeks to protect residential amenity and policy DM25 of the MD DPD requires development to ensure it does not result in the loss of privacy, unreasonable overlooking, or unacceptable increase in sense of enclosure, or loss of outlook. These

policies are further supported by policies DEV1 of the IPG and DEV2 of the UDP.

- 8.125 The separation distance between the blocks and the surrounding area are between 14.4 metres along between Blocks A and Capstan Square and a maximum of 33 metres between Blocks A+B. These separation distances are considered acceptable within this location.
- 8.126 The massing of the courtyard blocks are in keeping with the surrounding context and in this dense urban location would not have an undue impact in respect of sense of enclosure when consideration is given to the separation distances between buildings and the location of the taller elements.
- 8.127 The massing is acceptable in this urban location. As such, in respect of sense of enclosure, outlook and privacy it is considered that the level of impact is in keeping with the area and is acceptable.

Amenity

Daylight, Sunlight and Overshadowing

- 8.128 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 8.129 Saved Policies DEV1 and DEV2 of Tower Hamlets UDP (1998), Core Strategy Policy SP10 and Policy DM25 of the draft Managing Development DPD (2012) seek to protect amenity, by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.
- 8.130 Section 14 of the Environmental Statement considers the impacts of the development with respect to daylight and sunlight.
- 8.131 An independent assessment of the applicant's Daylight/Sunlight assessment was carried out by Anstey Horne who provided a detailed analysis of the results obtained. Officers have considered these comments as part of their assessment.
- 8.132 For calculating daylight to neighbouring properties, affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 8.133 British Standard 8206 recommends Average Daylight Factor (ADF) values for new residential dwellings, these being:
- >2% for kitchens;
 - >1.5% for living rooms; and
 - >1% for bedrooms.
- 8.134 The submitted daylight and sunlight report assesses the impact of the proposed development upon neighbouring properties, as well as its impact upon itself.

Daylight

Proposed Development

- 8.135 For the daylight and sunlight report assessing the proposed residential units, the scope of the applicant's assessment and the applications of the BRE test is satisfactory. Rather than test a representative selection of windows/rooms across the proposed development, GIA (the applicant's consultants) have tested all habitable rooms.

- 8.136 For daylight, it has been concluded that 75% of the rooms tested would meet or exceed their recommended levels of ADF, but closer scrutiny of the results showed that this breaks down to 87% of the bedrooms tested meeting the ADF target of 1%, 28% of kitchens would meet the ADF target of 2%, 82% of living rooms would meet the ADF target of 1.5% and approximately 60% of kitchen diners would meet the relevant ADF target of 2%.
- 8.137 Across all room types there are a number of examples of rooms with ADFs significantly below their relevant ADF target with some of the lowest failures occurring to rooms behind the access balconies on the north sides of Blocks A and B. More generally, the majority of rooms which do not meet their ADF target are sited below a balcony but also have direct access to a balcony themselves.
- Kitchens:
- 8.138 It should be noted that a proportion of the kitchens assessed fall short of the 13sqm required for a habitable room and so do not require assessment. Whilst they have included them in the assessments submitted so as to show a full picture, these could arguably be removed from the tally. Should this be done, the number of kitchens receiving levels of daylight below the 2% ADF recommended by the BRE would drop further from 94 (72%) to 76 (67%).
- 8.139 A review of the location of the kitchens which fall short of the ADF target was undertaken and show that they are located throughout the entire scheme. The highest concentration is found within the ground/first floor maisonettes that are located within both Blocks A and B. It should be noted that in the units where the ground floor kitchens fail to meet the ADF targets, all other rooms meet the ADF levels. Furthermore the majority of the duplexes are dual aspect.
- 8.140 It should also be noted that in high density schemes it is common to see proposals containing kitchens fully enclosed with no direct access to daylight whatsoever. Although the BRE Guidelines recommend that this is avoided wherever possible, the New Union Wharf scheme has tried to provide not only an outlook for these kitchens but also an acceptable level of daylight (albeit not the level recommended for kitchens).
- 8.141 To conclude, we therefore accept that a number of kitchens fall short of the 2% ADF recommended by the BRE but the great majority will be adequately day lit, achieving over 1%. The lower levels seen in some kitchens have allowed the design of better day lit main living areas (over 80% of all main living areas see daylight levels greater than 1.5% ADF) and so the occupants of these units will still be able to enjoy good levels of daylight.
- 8.142 Having reviewed the submitted Daylight/Sunlight information, in addition to the other elements of this application, such as amenity space, minimum floor areas, design standards, officers have taken the view that the shortfall in ADF levels as a result of the presence of balconies is acceptable as the balconies provide acceptable amenity spaces for the units and, on balance, outweighs the deficit in ADF levels.
- 8.143 On balance officers, consider that the level of daylight for future residents is acceptable and broadly accords with BRE Guidance. Furthermore, the submitted daylight report has been independently tested and found to be acceptable.

Neighbouring Properties

- 8.144 GIA assessed the effect of the proposed development on residential properties with windows facing towards the site as follows: -
- Kelson House
 - Dagmar Court
 - Hedley House
 - Ballin Court
 - 1-12 Capstan Square

8.145 These properties were identified in the first report produced by Anstey Horne (external consultants acting on behalf of the Council) as requiring consideration.

Kelson House

8.146 The VSC and NSL results for this property confirm that all results would accord with BRE Guidance

Dagmar Court

8.147 With regard to VSC it is noted there are some failures. However, the NSL results confirm that all of the kitchens tested (which were based on plans sourced from the LBTH) accord with BRE guidance.

Hedley House

8.148 Hedley House is another example where the design of the neighbouring building 'exacerbates the effect' of the proposed development on daylight as illustrated by difference in the VSC results obtained for the two scenarios tested (with and without balconies). Only a limited number of rooms would not meet the NSL criteria of the BRE Guide and on balance given the fact these units are dual aspect this is considered acceptable.

Ballin Court

8.149 The most marked effect on daylight due to the proposed development would be to Ballin Court located to the north west of the proposal, in terms of both the VSC and NSL results. The VSC results have been run both with and without balconies, but even without balconies, only 50% of the windows tested would meet the targets in the BRE Guide failing by between 10% and 20% of BRE recommendations. In relation to the NSL, 19 of the 48 rooms tested would not meet the BRE recommendations, however, these units are located on the lower floors of the building and are already likely to suffer from limited lighting conditions. It should be noted that 10 of the 19 units identified as failing, would only do so by between 9% and 3% of the baseline condition, whilst at the other end of the spectrum 6 of the 19 units identified would fail by between 30% and 23% of the baseline condition. Whilst these losses are unfortunate, they represent a small number in comparison to the overall daylight impact of the development on its surroundings, and it is considered that the regenerative benefits of the scheme outweigh this loss of light, which officers consider, on its own would not be sufficient to warrant a refusal of the scheme.

1-12 Capstan Square

8.150 Although the VSC results for windows facing the site do not meet the targets in the BRE Guide, given that all the NSL results are satisfactory (and particularly given the fact that the main dual aspect living/kitchen/dining rooms at first floor level are largely unaffected and will retain good access to direct skylight), the level of impact is considered acceptable and accords with guidance

8.151 Nevertheless, considering the worst case (i.e. Ballin Court), In a development such as that proposed – a new estate regeneration scheme, these figures are considered by officers to be acceptable.

Sunlight

Proposed Development

8.152 The BRE Report (2011) recommends that where possible all dwellings should have at least one living room which can receive a reasonable amount of sunlight. A reasonable amount of sunlight is defined in BS 8206:2008 as follows:

8.153 *"Interiors in which the occupants have a reasonable expectation of direct sunlight should receive at least 25% of probable sunlight hours. At least 5% of probably sunlight hours should be received in the winter months, between 21 September and 21 March. The degree*

of satisfaction is related to the expectation of sunlight. If a room is necessarily north facing or if the building is in a densely built urban area, the absence of sunlight is more acceptable than when its exclusion seem arbitrary”

8.154 For sunlight, GIA have tested all windows which face within 90 degrees of due south and although the BRE Guide does not specifically rule out testing other windows in new property, in this instance, this approach is considered to be acceptable. North facing windows would inevitably have very limited access to sunlight and many of the east facing windows which have not been tested look directly over the River Thames so have a good prospect of sun for the first part of the day and have the benefit of the river view.

8.155 Many of the windows which have been tested would meet the targets in the BRE Guide and almost all of those windows which would not do so are sited at the rear of the recessed balconies. GIA’s analysis of sun availability on the face of the balconies show all would meet the targets so that occupants of such units can still enjoy good levels of sunlight through the use of their private amenity spaces.

Neighbouring Properties

8.156 The BRE report recommends that for existing buildings, sunlight should be checked for all main living rooms of dwellings and conservatories, if they have a window facing within 90 degrees of due south. If the centre of the window can receive more than one quarter of annual probably sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the rooms should still receive enough sunlight. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value then the occupants of the existing building will notice the loss of sunlight.

8.157 There will be no adverse to the following properties:

- 1-54 Hedley House
- 1-3 Capstan Square
- 5 Capstan Square
- 7-8 Capstan Square
- 10-12 Capstan Square

8.158 Further consideration is given to the APSH effects of the potential development upon 1-60 Ballin Court as well as 4,6 and 9 Capstan Square.

1-60 Ballin Court

8.159 There are 16 windows within this property which face the site and are located within 90 degrees of due south. 12/16 (75%) of which will meet the BRE guidelines for annual and winter sunlight.

8.160 4 windows will experience a reduction in the levels of total sunlight hours marginally greater than the permissible 20% reduction. All of these windows will retain levels of winter sunlight which are double the 5% APSH recommended within the BRE guidelines.

8.161 The impact to the rooms behind the windows can also be considered in terms of APSH. 3 of the 4 (75%) windows serve 1 room which meets the suggested BRE guidelines in regards to sunlight.

8.162 Therefore the potential effect of the proposed development upon 1-60 Ballin Court in regards to sunlight is considered minor adverse in significance.

4,6 and 9 Capstan Square

8.163 There are 3 windows within each of these properties (9 in total) which face the site and are located within 90 degrees of due south. 2 windows within each of these properties (6/9 windows in total – 66.67%) will meet the criteria suggested by the BRE guidelines.

- 8.164 The BRE guidelines state that the main requirement for sunlight is in living rooms where it is valued throughout the day and especially in the afternoon. The remaining 3 windows (1 in each of these properties) serve bedrooms which are considered less important in regards to sunlight when compared to living rooms.
- 8.165 In addition these 3 windows retain high levels of annual sunlight above the recommended 25% suggested by the BRE and the retained winter sunlight is marginally below that suggested in the BRE guidelines.
- 8.166 For these reasons the potential impact to these properties is considered minor adverse in significance
- 8.167 In summary therefore the proposed development will only have a limited effect on sunlight and daylight amenity to existing neighbouring residential properties in the vicinity of the site with impacts other than those which are negligible or minor confined to daylight to a number of rooms to Ballin Court and winter sun to ground floor bedrooms to 3 of the Capstan Square properties.

Overshadowing

- 8.168 In terms of permanent overshadowing, the BRE guidance in relation to new gardens and amenity areas states that *“it is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least 2 hours of sunlight of 21 March”*.

Proposed Development

- 8.169 GIA confirm that the results for the main amenity areas within Blocks A and B would both meet the recommendations in the BRE Guide that at least 50% of their area should be able to receive sun for at least two hours on 21st March. Although the private gardens on the south side of Block C have not been tested in the same way, from the transient overshadowing assessment results for the 21st March, it is possible to confirm that these areas would also meet the recommendations of the BRE Guide. On the basis that the recommendations in the BRE Guide would be met, GIA’s assessment that the impact on shadow to the areas tested would be negligible is agreed.
- 8.170 In terms of transient overshadowing, results concentrate on the effect on the River Thames and points out that there would be additional overshadowing at certain times on the dates tested. Shadow from the new building will inevitably be cast further than from the existing buildings on the site, but from the results it can be seen at certain times of the day there will be less shadow on the Thames Path as the more continuous north south massing of the existing buildings is replaced by the predominantly west east orientation of the proposed development which allows sunlight penetration at different times.
- 8.171 In short, the effect of transient overshadowing is minor adverse.

Summary

- 8.172 Overall, the daylight and sunlight results for both the proposed and existing residential units and public spaces indicate that the scheme will deliver good levels of amenity for new residents, whilst ensuring the amenity of neighbouring properties is not unduly detrimentally affected. As such the proposals are acceptable in terms of UDP policy DEV2, CS policy SP10, DM25 of the MD DPD and IPG policy DEV1.

Microclimate

- 8.173 Planning guidance contained within the London Plan 2011 places great importance on the

creation and maintenance of a high quality environment for London. Policy 7.7 (Location and Design of Tall and Large Buildings) of the London Plan, requires that *“tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence.”* Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 (Amenity) of the IPG also identifies microclimate as an important issue stating that:

“Development is required to protect, and where possible seek to improve, the amenity of surrounding and 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 adversely affect the surrounding microclimate.”

- 8.174 The application is accompanied by a Wind and Microclimate Study and it assesses the likely impact of the proposed development on the wind climate, by placing an accurate model of the proposed building in a wind tunnel. The assessment considers pedestrian comfort for a range of activities including sitting, standing and walking.
- 8.175 The pedestrian level wind microclimate at the site was quantified and classified in accordance with the widely accepted Lawson Comfort Criteria.
- 8.176 Overall, all conditions within and around the site are suitable for their intended use. The entrances and balconies were considered in need of mitigation and thus the entrances have been mitigated through entrance recessing or vertical screening directly adjacent to the entrances, and, in terms of the balconies, the mitigation proposed is solid/porous screening along one elevation of the balconies. All other locations have a wind microclimate that is equal to or calmer than desired, and therefore no additional mitigation is considered necessary.
- 8.177 It is therefore considered that the proposed development would be acceptable in terms of the impact upon microclimate conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site.

Air Quality

- 8.178 Policy 7.14 of the London Plan (2011) seeks to ensure design solutions are incorporated into new developments to minimise exposure to poor air quality. Saved Policy DEV2 of the UDP (1998), Policy SP02 of the Core Strategy (2011) and Policy DM9 of the Managing Development DPD (Submission Version 2012) seek to protect the Borough from the effect of air pollution, requiring the submission of air quality assessments demonstrating how it will prevent or reduce air pollution in line with Clear Zone objectives.
- 8.179 The development is located within the Tower Hamlets Air Quality Management Area. The main impacts on air quality arising from the proposal will be from the demolition/construction phase.
- 8.180 The application is accompanied by an Environment Impact Statement which includes Air Quality chapter, assessing likely air quality impacts as a result of the development. It is considered that as a result of the assessment a condition is necessary to require dust depositional monitoring at least at one point (closest to the nearest sensitive receptor) during the demolition construction phase
- 8.181 In addition to this two compliance conditions will be attached stating that the maintenance schedule of the bitumen storage plant must be kept on site for inspection at all times and that the stockpile heights must not be higher than the height of the hoarding
- 8.182 Overall, it is considered that the impacts on air quality are negligible and any impacts are outweighed by the regeneration benefits that the development will bring to the area.

8.183 As such, the proposal is generally in keeping with Policy 7.14 of the London Plan (2008), Policy DEV2 of the UDP (1998), Core Strategy SP02 (2010), Policy DM9 of the Managing Development DPD (Submission Version 2012) and the objectives of Tower Hamlets Air Quality Action Plan (2003).

Noise and Vibration

8.184 The Environmental Statement sets out that the internal noise standards for future residents would be a good standard in accordance with British Standards (BS8233). It is noted that the Environmental Health Officer considers that noise should not be a determining factor however, they have requested a more detailed noise assessment. Officers have considered this request in light of the residential location of the development adjacent to the river Thames and consider that sufficient information has been submitted to inform the assessment. However, a condition would be attached to ensure that future residential units have an acceptable internal noise level. This would secure details of any necessary insulation and post completion testing.

8.185 Noise from any proposed mechanical, electrical plant and ventilation would be assessed at condition stage once the full specification is known. The applicant would also need to carry out a background noise assessment to inform this.

8.186 As such, a suitably worded planning condition will ensure that the internal noise level and appropriate sound insulation in accordance with the British Standards is implemented and maintained.

Energy and Sustainability

8.187 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the emerging Managing Development DPD Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

8.188 The London Plan sets out the Mayor's energy hierarchy which is to:

- Use Less Energy (Be Lean);
- Supply Energy Efficiently (Be Clean); and
- Use Renewable Energy (Be Green).

The London Plan 2011 includes the target to achieve a minimum 25% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy (Policy 5.2).

8.189 The Draft Managing Development 'Development Plan Document' Policy DM29 includes the target to achieve a minimum 35% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. Draft Policy DM 29 also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require all residential developments to achieve a Code for Sustainable Homes Level 4.

8.190 Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable

development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. The London Borough of Tower Hamlets Core Strategy Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.

- 8.191 The Energy Statement (30th January 2012), follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand by 10.8% (Be Lean). The integration of a communal heating scheme incorporating a Combined Heat and Power (CHP) engine to supply the space heating and hotwater requirements in accordance with policy 5.6 of the London Plan will also reduce energy demand and associated CO2 emissions by 47.2% (Be Clean).
- 8.192 The current proposals for delivering the space heating and hotwater are considered acceptable; however an appropriately worded condition should be applied to any permission to ensure development is supplied by the CHP (~80kWe) following completion and prior to occupation.
- 8.193 Photovoltaic cells are proposed to provide a source of on-site renewable energy (Be Green). The technologies employed would result in a 22.6% carbon savings over the regulated energy be Clean baseline. The applicant has demonstrated that the proposed CO2 emission reduction through PV's (945m2 PV array with peak output of 118kWp) is the maximum that can be achieved from renewable energy technologies for the site. The Sustainable Development Team support the application as the applicant has demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible.
- 8.194 The total anticipated CO2 savings from the development are 63.5% (290.5 tonnes CO2 per annum), through a combination of energy efficiency measures, a CHP power system and renewable energy technologies. The proposed energy strategy therefore exceeds the requirements of Draft Policy DM29 which seeks a 35% reduction in CO2 emissions. Therefore the CO2 savings proposed for this development are considered acceptable and it is recommended that the strategy is secured by Condition and delivered in accordance with the submitted Energy Statement
- 8.195 In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan 2011 and Policy DM29 of the London Borough of Tower Hamlets Draft Managing Development DPD. The submitted Sustainability Statement and Code for Sustainable Homes Pre-assessment demonstrates how the development will achieve a Code for Sustainable Homes Level 4. It is recommended that the achievement of a Code Level 4 rating for all units is secured through an appropriately worded Condition with the Code for Sustainable Homes Certificates submitted to the Council prior to occupation

Contamination

- 8.196 In accordance with the requirements of saved UDP policy DEV51, policy DM30 of the Managing Development DPD (Submission Version 2012), the application has been accompanied by an Environmental Statement which assesses the potential for past contamination and concludes that it is present..
- 8.197 The Council's Environmental Health Officer (EHO) notes that records indicate that site and surrounding area have been subjected to former industrial uses which have the potential to contaminate the area. As ground works and soft landscaping are proposed, there is a potential pathway for contaminants. In the event of soil contamination being identified, the

Environmental Health Officer (EHO) will require chemical compositional sampling to be undertaken upon request. Officers recommend that further intrusive investigations are required and any necessary mitigation and it is suggested that an appropriate condition be imposed.

Flood Risk

- 8.198 The NPPF and Policy 5.12 of the London Plan (2011), Policy SP04 of LBTH Core Strategy (2010) relate to the need to consider flood risk at all stages in the planning process.
- 8.199 The development falls within Flood Zone 3 and the application is supported by a flood risk assessment and describes various flood mitigation options.
- 8.200 The application lies within Flood Zone 3 and has a high probability of flooding. As set out at paragraph 6.2 of this report the EA originally objected to the development. However, following the submission of further technical information they have removed their objection subject to conditions which would be attached should planning permission be granted.
- 8.201 As such, it is considered that the proposed development by virtue of proposed flood mitigation strategy complies with PPS25, Policy 5.12 of the London Plan (2011) and Policy SP04 of the Core Strategy (2010).

Biodiversity and Ecology

- 8.202 There are no significant biodiversity issues on the site and therefore, no adverse impacts on biodiversity. A survey of the existing buildings for potential bat roosts, reported in the Ecological Constraints Report, found that the buildings are not suitable for roosting bats. There will not, therefore, be any adverse impacts on biodiversity. Living roofs are proposed for all the buildings. A large proportion of these are brownfield-style roofs, which are particularly valuable for biodiversity. The proposal is considered to be acceptable by the Council's Biodiversity Officer subject to a condition being imposed to secure details of the living roofs to be provided to and approved by the Council before work commences.
- 8.203 The Design Council CABE Review resulted in some suggestions which have the potential to enhance biodiversity further and the overall landscaping scheme. These have been explored and incorporated where suitable to the overall enhancement of the biodiversity and landscaping elements. A detailed landscaping strategy would be controlled via condition with specific details of biodiversity enhancement required as part of this condition.

Health

- 8.204 Policy 3.2 of the London Plan (2011) seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough.
- 8.205 Policy SP03 of the Core Strategy (2010) seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.
- 8.206 The application comprises £194,265 towards community facilities, in addition to £349,061 towards public open space and £92,156 towards Streetscene and built environment. The proposed public realm around the site will contribute to walking and cycling routes within the Isle of Dogs. The application also proposed to contribute a health contribution of £289,505 (which is discussed in more detail in later sections of this report). The on site public realm, public open space, Streetscene and built environment contributions and community facilities are considered sufficient measures to encourage and facilitate healthy and active lifestyles.

- 8.207 The application proposes 103sqm of floorspace which will be used as a community centre/office (Use Class D1). The applicant has suggested that events such as 'weight watchers' etc could operate here.
- 8.208 It is therefore considered that the proposal will meet the objectives of London Plan Policy 3.2 and Policy SP03 of the Council's Core Strategy which seek the provision of health facilities and opportunities for healthy and active lifestyles.

EIA Issues

- 8.209 The proposed development falls within the category of developments referred to in paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) regulations 2011.
- 8.210 As the proposal 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 further information submitted following request under Regulation 22 of the EIA Regulations, any 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.
- 8.211 The Council appointed consultants, Land Use Consultants (LUC) to examine the applicant's ES and to confirm whether it satisfied the requirements of the EIA Regulations. Following that exercise, LUC confirmed that whilst a Regulation 22 request was not required, further clarification was sought in respect of a number of issues. These relate to matters concerning community and socioeconomics, waste management, noise and vibration, surface water quality, flood risk, townscape and visual, daylight and sunlight, wind and cumulative effects. The Council's EIA Planner has liaised directly with the applicant's consultants in attempt to seek response to these clarifications.
- 8.212 LUC now conclude that the application is considered to meet the EIA Regulations and provides a satisfactory level of information to allow a proper assessment of the development proposals. The ES is considered to provide a comprehensive assessment of the environmental impacts of the proposed development.
- 8.213 The ES addresses the following areas of impact (in the order they appear in the ES):
- Socio-Economic Impact
 - Waste
 - Waste
 - Archaeology
 - Air Quality and Dust
 - Noise and Vibration
 - Surface Water Quality
 - Flood Risk
 - Land Quality
 - Townscape and Visual Impact
 - Daylight and Sunlight
 - Wind and Microclimate
 - Cumulative Effects
- 8.214 The various sections of the ES have been reviewed by officers. The various environmental impacts are dealt with in relevant sections of this report above with conclusions given,

proposals for mitigation of impacts by way of conditions, and/or planning obligations as appropriate.

8.215 In summary, having regard to the ES and other environmental information in relation to the development, officers are satisfied that the environmental impacts are acceptable in the context of the overall scheme, subject to conditions/obligations providing for appropriate mitigation measures.

Planning Obligations and S106

8.216 Policy DEV4 of the adopted UDP, policy SP13 of the CS and Policy IMP1 of the IPG say that the Council would seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

8.217 The NPPF requires that planning obligations must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

8.218 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

8.219 Securing appropriate planning contributions is further supported by saved policy DEV4 of the UDP and Policy IMP1 of the Council's IPG and policy SP13 in the CS which seek to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development.

8.220 The Council's Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides the Council's guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. The document also set out the Borough's key priorities being:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education

The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

8.221 Based on the Planning Obligations SPD, the planning obligations required to mitigate the proposed development would be approximately £1,880,150. This has been applied as follows through the SPD.

The proposed heads of terms to strictly comply with the SPD would be:

Financial Contributions

Community Facilities £249,075
Education £765,275
Health £289,505

Employment £91,688
Sustainable Transport £6,525
Public Realm £441,217
(including 2% monitoring fee of £36,865)

Non-financial Contributions

- a) 64.3% affordable housing units based on replacement, 31.6% affordable housing based on uplift (habitable room provision)
- b) The completion of a Travel Plan
- c) The provision of 2 Car Club Spaces
- d) The completion of a car-and-permit free agreement for all new residential units provided at the site (existing tenants not subject to car and permit free agreement).
- e) A commitment to utilising employment and enterprise initiatives in order to maximise employment of local residents.
- f) The right of public access through homezones.
- g) The provision of Public Art within the site.
- h) The retention of the right of walking along the Riverside Walkway
- i) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

8.222 This application is supported by a viability toolkit which demonstrated that there was no provision to provide all of the S106 contributions as well as the estate regeneration works proposed at New Union Wharf. The viability appraisal has established that £472,466 would be available to mitigate against the impact of the proposed development.

8.223 Officers have considered this shortfall in contributions and it is considered that the loss is outweighed by the benefits that the scheme delivers. For example, the development provides wider regeneration improvements, such as improved public realm, legibility, accessibility and community facilities offer for residents, which whilst not contributing to the Council's priorities as set out in the Planning Obligations SPD, are material in considering its acceptability.

8.224 Based on the Borough's key priorities, the S106 package is to be focused on Education and Employment and Enterprise.

8.225 The S106 package would therefore be focused on the following:

Education £366,246
Health £95,844
(including 2% monitoring fee of £9,449)

Total sum of £471,539

8.226 In terms of Employment and Enterprise element of the non-financial payments, the applicant has agreed to:

- Work with its contractors and sub-contractors to make every possible endeavour to achieve **20% local labour** on site through the lifetime of the programme;

- To work with its contractors to offer a minimum of **21 new apprenticeships** during the lifetime of the programme at level 2;
- Run a work experience programme providing opportunities for short, structured work experience placements on site lasting one or two weeks will be developed;
- Provide a minimum of **70 voluntary work experience placements** during the lifetime of the programme. These will range between 1 week and 6 weeks based in the needs of the participant and the employer;
- East Thames and its contractors will host a 'Meet the Buyer' event working with the Council and its partners including 'East London Business Place' to fully explore and promote the opportunities for local procurement in the supply chain;
- They are keen to promote jobs in the construction industry to women and will actively seek to secure a minimum of **20% women** trainees for this cohort;
- They will work with Skillsmatch to identify local residents that would be suitable for these opportunities;
- Provide a number of training opportunities.

8.227 For the reasons identified above it is considered that the package of contributions being secured is appropriate, relevant to the development being considered and in accordance with the relevant statutory tests.

Localism Act (amendment to S70(2) of the TCPA 1990)

8.228 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:

8.229 In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

8.230 Section 70(4) defines "*local finance consideration*" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.231 In this context "grants" might include:

- a) New Homes Bonus;
 - a. These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.
 - b. *(Officer Comment): Officers are satisfied that the current report to Committee has had regard to the provision of the development plan. As regards local finance considerations, the proposed S.106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements. .*

8.232 As regards Community Infrastructure Levy considerations, following the publication of the

Inspector's Report into the Examination in Public in respect of the London Mayor's Community Infrastructure Levy, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. The likely CIL payment associated with this development would be in the region of £627,270.

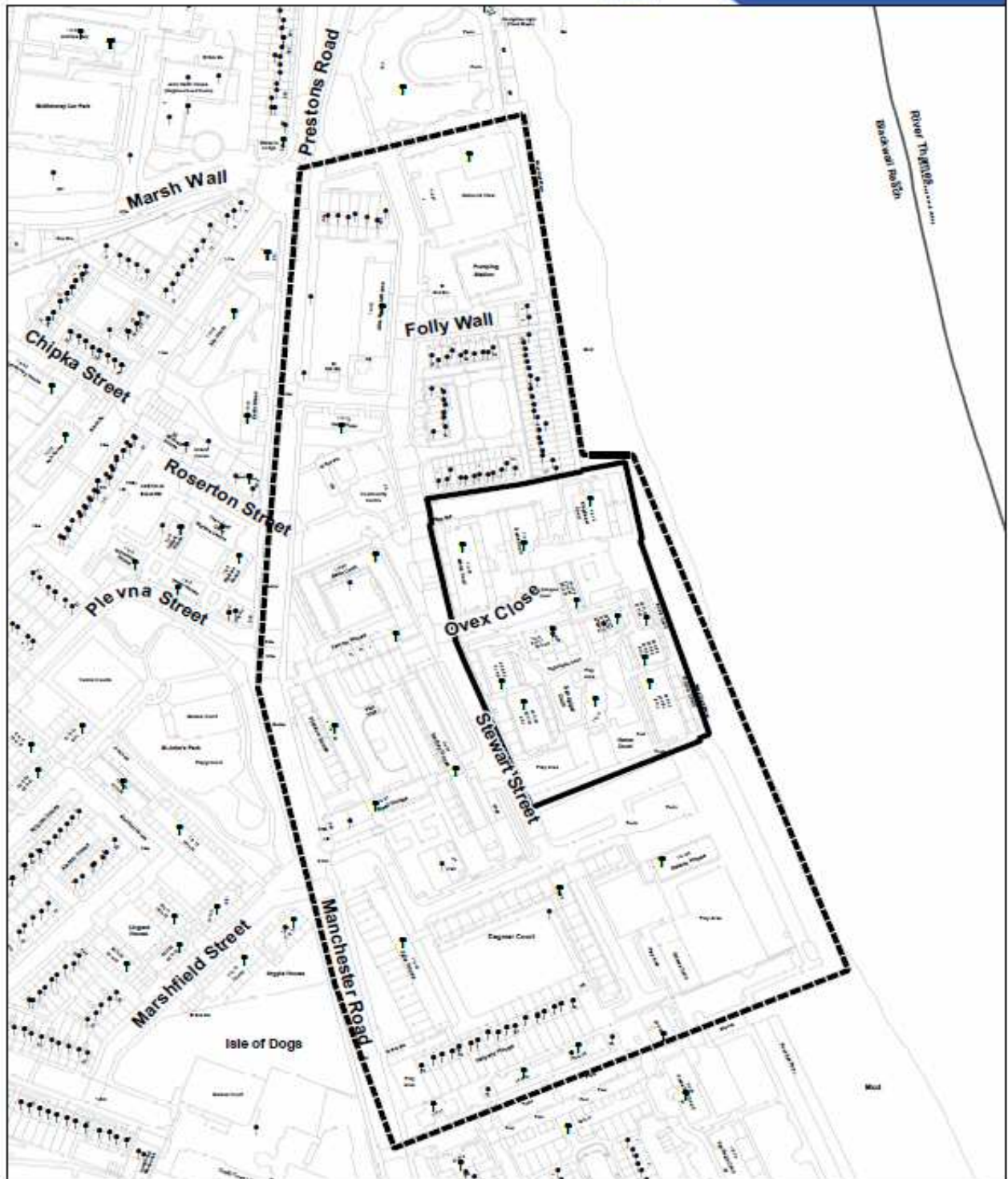
8.233 *With regards to the New Home Bonus. The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides unring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.*

8.234 *Using the DCLG's New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £69,118 in the first year and a total payment £414,708 over 6 years. There is no policy or legislative requirement to discount the new homes bonus against the s.106 contributions, and therefore this initiative does not affect the financial viability of the scheme.*

Overall Conclusions

8.235 All other relevant policies and considerations have been taken into account. Planning permission should be supported for the reasons set out in RECOMMENDATION section of this report.

Planning Application Site Map PA/12/00360



-  Planning Application Site Boundary
-  Locally Listed Buildings
-  Land Parcel Address
-  Consultation Area
-  Statutory Listed Buildings

0 15 m




This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.

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Agenda Item 7.2

Committee: Strategic Development	Date: 8 th November 2012	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Tim Ross		Ref No: PA/11/3617	
		Ward(s): Blackwall and Cubitt Town	

1. APPLICATION DETAILS

Location: Skylines Village, Limeharbour, London
Existing Use: Office (Use Class B1)
Proposal: Proposed demolition of all existing buildings within Skylines Village and the erection of buildings with heights varying from 2 to 50 storeys, comprising of the following:

- 764 residential units (Use Class C3);
- 1,982 sq.m (GIA) of retail floor space (Use Class A1 – A5);
- 4,480 sq.m (GIA) of office floor space, including a business centre (Use Class B1)
- 2,250sq.m (GIA) of community floor space (Use Class D1);
- A two-level basement containing associated car parking spaces, motorcycle spaces, cycle parking, associated plant, storage and refuse facilities

The application also proposes new public open space, associated hard and soft landscaping.

This application is accompanied by an Environmental Impact Assessment under the provisions of the Town & Country Planning (Environmental Impact Statement) Regulations 2011 (as amended).

Drawing Nos:

Submission Documents

PA/03/010 - Site Plan With Red Line 1/1250 A1

PA/04/010 - Existing Site Plan 1/300 A1

PA/04/011 - Existing Context Elevations 1/300 A1

PA/04/012 - Existing Context Site Sections 1/300 A1

PA/05/010 - Proposed Location Plan 1/1250 A1

PA/05/011 A Proposed Basement Plan #1 1/300 A1

PA/05/012 A Proposed Basement Plan #2 1/300 A1

PA/05/013 A Proposed Ground Floor Plan 1/300 A1

PA/05/014 A Proposed Typical Floor 1/300 A1

PA/05/015 A Proposed Landscape Plan 1/300 A1

PA/05/016 A Proposed Roof Plan 1/300 A1

PA/05/020 A Proposed Context Site Sections 1/2000 A1

PA/05/021 A Proposed Context Site Sections 1/2000 A1

PA/05/026 A Context Elevation 1/1500 A1

PA/05/025 A Context Elevation 1/1500 A1

PA/05/030 A Buildings A and B - East Elevation 1/300 A1

PA/05/031 A Buildings A and B - West Elevation 1/300 A1

PA/05/032 B Buildings A and B - North & South Elevations 1/300 A1

PA/05/040 A Buildings B1 and C- North Elevation 1/300 A1

PA/05/041 A Buildings B1 and C - South Elevation 1/300 A1

PA/05/042 A Buildings B1 and C - East Elevations 1/300 A1

PA/05/043 A Buildings B1 and C - West Elevations 1/300 A1
 PA/05/048 A Detailed Plan Marsh Wall 1/250 A1
 PA/05/049 A Detailed Plan LimeHarbour 1/250 A1
 PA/05/050 B Landscape Sections AA & BB 1/250 A1
 PA/05/051 A Context Site Section CC 1/250 A1
 PA/05/052 A Context Site Section DD 1/250 A1
 PA/05/053 A Context Site Section EE 1/250 A1
 PA/05/054 A Context Site Section FF 1/250 A1
 PA/05/055 A Context Site Section GG 1/250 A1
 PA/05/056 A Context Site Sections HH & II 1/250 A1
 PA/05/057 A Context Site Section JJ 1/250 A1
 PA/05/058 A Context Site Section JJ 1/250 A1
 PA/05/059 - Proposed Connection with Aste Street 1/250 A1
 PA/05/060 A Blocks A & B Sections EE & FF 1/300 A1
 PA/05/061 A Blocks B1 & C Sections HH 1/300 A1
 PA/05/062 A Block B1 & C Section GG 1/300 A1
 PA/05/070 A Building A Plans – Typical Plans - sheet 1 1/250 A1
 PA/05/071 A Building A Plans – Typical Plans - sheet 2 1/250 A1
 PA/05/072 A Building A Plans – Typical Plans - sheet 3 1/250 A1
 PA/05/073 A Building A Plans – Typical Plans - sheet 4 1/250 A1
PA/05/073 superseded by July 2012 Addendum
 PA/05/080 A Building B Plans - Typical Plans - sheet 1 1/250 A1
 PA/05/081 A Building B Plans - Typical Plans - sheet 2 1/250 A1
 PA/05/090 A Building B1 Plans – Typical Plans - sheet 1 1/250 A1
 PA/05/091 A Building B1 Plans – Typical Plans - sheet 2 1/250 A1
 PA/05/092 A Building B1 Plans – Typical Plans - sheet 3 1/250 A1
 PA/05/093 A Building B1 Plans – Typical Plans - sheet 4 1/250 A1
 PA/05/094 A Building B1 Plans – Typical Plans - sheet 5 1/250 A1
 PA/05/100 A Building C1 Plans – Typical Plans - sheet 1 1/250 A1
 PA/05/101 A Building C1 Plans – Typical Plans - sheet 2 1/250 A1
 PA/05/110 A Building C2 Plans – Typical Plans- sheet 1 1/250 A1
 PA/05/120 A Building C3 Plans – Typical Plans- sheet 1 1/250 A1
 PA/09/010 - *Building A & B - Typical Cladding Arrangement 1/100 A1*
 PA/09/011 - *Building B1 & C - Typical Cladding Arrangement 1/100 A1*

Supplemental Planning Statement prepared by Rolfe Judd Planning;
Revised Drawings and Area Schedule prepared by Farrells;
Design Statement Addendum and Access Statement Addendum
 prepared by Farrells;
Updated Environmental Statement Non-Technical Summary
 prepared by URS;
Environmental Statement Addendum Volume I and Volume III
(Appendix B) prepared by URS;
Environmental Statement Volume II Addendum: Townscape and
Visual Impact Assessment prepared by Peter Stewart Consultancy
 and Glow Frog;
Environmental Statement Addendum Volume III (Appendix A –
Daylight and Sunlight Addendum Report) prepared by GIA;
Energy Statement (July 2012) prepared by Watermans;
Sustainability Statement (July 2012) prepared by Watermans;
Waste Management Plan (July 2012) prepared by ARUP;
Transport Letter responding to comments from TfL and LB of
Tower Hamlets prepared by WSP;

Applicant:
Owner:

ZBV (Skylines) Ltd & Skylines (Isle of Dogs) Ltd
 Multiple owners

Historic Building: N/A
Conservation Area: N/A

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 1998, (Saved policies); associated Supplementary Planning Guidance, the London Borough of Tower Hamlets adopted Core Strategy (2010), Managing Development DPD (Submission Version 2012); as well as the London Plan (2011) and the National Planning Policy Framework, and has found that:
- 2.2 Through the provision of a new residential led mixed use development, the scheme will maximise the use of previously developed land, and will significantly contribute towards creating a sustainable residential environment in accordance Policy 3.3 and 3.4 of the London Plan (2011); LAP 7 & 8 of the Core Strategy, Policies SP02 of Core Strategy (2010); and Policy DM3 of Managing Development DPD (Proposed Submission Version 2012) and in accordance with the objectives of the Borough's Site Allocation for Marsh Wall East as outlined in the adopted Managing Development DPD (Submission Version 2012); and objectives for the Central Sub Area of the Isle of Dogs Action Area Plan (IPG 2007).
- 2.3 The development would form a positive addition to London's skyline, without causing detriment to local or strategic views, in accordance policies 7.8 of the London Plan (2011), and policy SP10 of the Core Strategy Development Plan Document (2010) which seek to ensure tall buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance designated and local views
- 2.4 The urban design, layout, building height, scale and bulk and detailed design of the tower are considered acceptable and in accordance with Chapter 7 of the London Plan (2011); saved policies DEV1, DEV2 and DEV3 of the Council's UDP (1998), Policies SP10 and SP12 of the Core Strategy (2010) and Policy DM23, DM24 and DM27 of the Managing Development DPD (Submission Version 2012) which seek to ensure buildings and places are of a high quality of design, suitably located and sensitive to the nearby by Coldharbour Conservation Area.
- 2.5 The density of the scheme would not result in significant adverse impacts typically associated with overdevelopment, and is therefore acceptable in terms of policy 3.4 of the London Plan (2011), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy (2010), policy DM24 and DM25 of the Managing Development DPD (Submission Version 2012) and policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development acknowledges site capacity and that it does not have an adverse impact on neighbouring amenity.
- 2.6 On balance the impacts of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure are not considered to be unduly detrimental given the urban nature of the site, and as such the proposal accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy (2010), policy DM25 of the Managing Development DPD (Submission Version 2012) and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.
- 2.7 On balance the quantity and quality of housing amenity space, communal space, child play space and open space are acceptable given the urban nature of the site and accords with policy 3.6 of the London Plan (2011), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy (2010), policy DM4 of

the Managing Development DPD (Submission Version 2012) and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) which seek to improve amenity and liveability for residents.

- 2.8 The scheme would deliver improved permeability and accessibility through the scheme whilst being designed to provide a safe and secure environment for residents. The development accords with policy DEV1 of the Council's Unitary Development Plan (1998), policies SP09 and SP10 of the Core Strategy (2010), policies DM23 and DM24 of the Managing Development DPD (Submission Version 2012) and policy DEV4 of the Council's Interim Planning Guidance (2007), which require all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 2.9 Transport matters, including parking, access, servicing and reconfigured bus layout are acceptable and accord with policy 6.1, 6.3, 6.9, 6.10 and 6.13 of the London Plan (2011), policies T16 and T18 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy (2010), policies DM20 and DM22 of the Managing Development DPD (Submission Version 2012) and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007) which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.10 Sustainability matters, including energy, are acceptable and accord with policies 5.2 and 5.7 of the London Plan (2011), policy SP11 of the Core Strategy (2010), policy DM29 of the Managing Development DPD (Submission Version 2012) and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- 2.11 The proposed development will provide appropriate contributions towards the provision of affordable housing, health facilities, open space, transportation improvements, education facilities and employment opportunities for residents, in line with the NPPF, policy DEV4 of the Council's Unitary Development Plan (1998), policy IMP1 of the Council's Interim Planning Guidance (2007) and the Councils Planning Obligations SPD (Adopted 2012) which seek to secure contributions toward infrastructure and services required to facilitate proposed development subject to viability.

3. RECOMMENDATION

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

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

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

3.2 Financial Obligations

- a) A contribution of £277,020 towards Enterprise & Employment.
- b) A contribution of £668,039 towards leisure and community facilities.
- c) A contribution of £202,982 towards libraries facilities.
- d) A contribution of £2,269,169 to mitigate against the demand of the additional population on educational facilities.
- e) A contribution of £1,017,150 towards Health facilities.

- f) A contribution of £675,253 towards Public Open Space.
- g) A contribution of £23,385 towards Sustainable Transport.
- h) A contribution of £368,754 towards Streetscene and Built Environment.
- i) A contribution of £25,700 towards TfL London Buses.
- j) A contribution of £15,000 towards Wayfinding.
- k) S106 Monitoring fee (2%)
- l) £2,343,285 payment to the Mayor of London's Community Infrastructure Levy (CIL).

Total £8,086,253

Non-Financial Obligations

3.3

- a) 36% affordable housing, as a minimum, by habitable room
 - 71% Social Rent
 - 29% Intermediate
 - Development Viability Review Clause to secure any uplift.
- b) Employment and Training Strategy
- c) Access to employment (20% Local Procurement; 20% Local Labour in Construction; 20% end phase local jobs)
- d) Provision of real time DLR information board
- e) On Street Parking Permit-free development
- f) Basement Car parking spaces for new residents eligible of the Council's Permit Transfer Scheme
- g) Travel Plan
- h) Code of Construction Practice
- i) Off-site Highways Works
 - New raised table, pedestrian crossing and associated works Marsh Wall / Limeharbour
- j) Access to public open space during daylight hours
- k) 24 Hours access to public square
- l) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

3.4 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within normal delegated authority.

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

CONDITIONS & INFORMATIVES

'Compliance' Conditions –

1. Permission valid for 3yrs
2. Development in accordance with approved plans
3. Lifetime Homes Standards
4. Parking
5. 10% Wheelchair units
6. Code for Sustain Homes Level 4
7. BREEAM Excellent
8. In accordance with approved FRA
9. Hours of construction
10. Cranage height & max building height restriction (London City Airport)
11. Compliance with energy strategy

'Prior to Commencement' Conditions:

1. Contamination – investigation and remediation
2. Landscape and public realm detail (including boundary treatment, ground surface materials, planting scheme, furniture, lighting)
3. Construction Environment Management Plan
4. Waste Management Strategy (detailing storage & collection of waste and recycling).
5. Air Quality Management Plan
6. Thames water (minimum pressure head and flow rates)
7. Thames water (piling method statement)
8. Biodiversity mitigation measures
9. Details of tree protection and planting scheme
10. Shop front and signage detail
11. Approval of all external materials
12. Cycle storage and parking details
13. Noise insulation and ventilation measures – consult EH
14. Detail of plant extract equipment (for A3/A5 uses)
15. CCTV details
16. Delivery and Servicing Plan
17. S278 required

'Prior to Occupation' Conditions:

18. Hours of Operation for non-residential uses.

3.6 Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

3.7 **Informatives:**

- Consultation with Building Control
- Thames Water Advice
- London City Airport Advice

3.8 Any other informative(s) considered necessary by the Corporate Director Development & Renewal

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

4. PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 4.1 The application site is a triangular site of approximately 1.44 hectares in area, presently occupied by the Skylines industrial estate which is made up of a number of 59 small business units of 2 to 4 storeys with associated ground floor car parking and circulation. The site includes a vegetated bank which presents a significant level drop to residential properties behind.
- 4.2 The site is bounded to the north by Marsh Wall and by Limeharbour to the west, beyond which lay medium-rise commercial buildings such as Harbour Exchange Square to the west and Meridian Gate and the Angel House to the north on Marsh Wall. Immediately to the south-east on lie low rise residential properties of up to 3 storeys in height.
- 4.3 The site lies 200 metres to the east of South Quay Docklands DLR station, which has recently been relocated to accommodate the three-car upgrade. Crossharbour DLR station is located 250 metres to the south of the site, and Canary Wharf Underground Station is 600 metres from the site to the northeast. Five bus routes can be accessed within 300 metres of the site (nos. 135, D3, D6, D7 and D8). The public transport accessibility level of the site is 4.

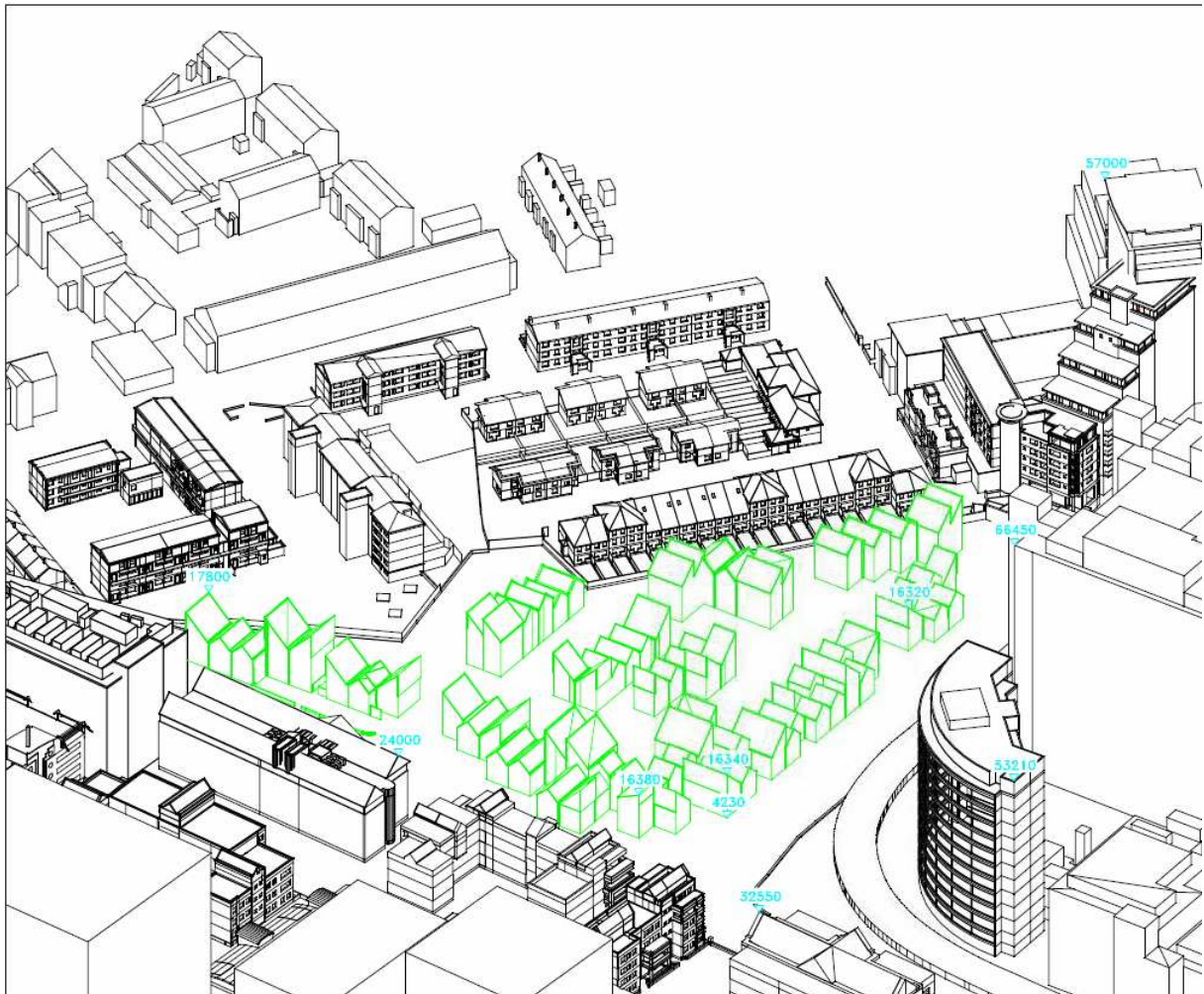


Figure 1: The application site (as existing)

Proposal

- 4.4 The application proposes the demolition of the 59 existing small business units and the erection of a buildings ranging from 2 to 50 storeys, comprising of the following:
- 764 residential units (Use Class C3);
 - 1,982 sq.m (GIA) of retail floor space (Use Class A1 - A5);
 - 4,480 sq.m (GIA) of office floor space, including a business centre (Use Class B1)
 - 2,250sq.m (GIA) of community floor space (Use Class D1/B1);
 - A two-level basement containing associated car parking spaces, motorcycle spaces, cycle parking, associated plant, storage and refuse facilities.
- 4.5 The proposal is based on principles of keeping the street edge, minimising building footprints and giving more space to landscape, allowing the creation of a large south facing public and semi-private open space. This is illustrated in Figure 2 and 3 below.
- 4.6 The proposal incorporates blocks along both Marsh Wall and Limeharbour which are separated by a new public square. The distribution of uses within each building is set out below and illustrated in Figure 5 & 6:
- Block A1 which is ten storeys with social rented town houses fronting onto the new open space. Building A1 will accommodate 47 Social Rent dwellings.
 - Block A2 which is sixteen storeys with social rented town houses fronting onto the new open space. Building A2 will accommodate 74 intermediate residential dwellings.
 - Block B1 which is fifty storeys in height (167 AOD) and includes a three storey podium. It comprises flexible, retail/office on first three floors with private residential above. Building B1 will accommodate 332 private residential dwellings.
 - Block B which is twenty seven storeys, and will accommodate 107 Social Rent dwellings. Including community floorspace within the levels 2 - 7 floors 2,557 sq. m GEA. This is described as flexible D1 or B1 uses
 - Block C1 which is twenty four storeys
 - Block C2 which is eighteen storeys, and
 - Block C3 which is nine storeys. Buildings C1, C2, and C3 will accommodate 204 private residential dwellings
- 4.7 The triangular form of the site at the corner of Marsh Wall and Limeharbour encourages the development of buildings running along Marsh Wall and Limeharbour, creating active frontages to these two main thoroughfares and creating space for the provision of a new open space within the site. A new square is also located where the streets converge creating a gap in the built form and allowing access into the courtyard.
- 4.8 The siting of the tall building is at the corner of Marsh Wall and Limeharbour. All buildings have also been set back from the street edge to provide widened pavements along both Limeharbour and Marsh Wall.
- 4.9 The tall building has been separated by a podium from the remaining proposed buildings along Marsh Wall. This has been done to relate to the potential development of the neighbouring sites on the opposite site of Marsh Wall. The Marsh Wall buildings have also been stepped and staggered to development to come forward on the sites to the north.

- 4.10 The new landscaped spaces include a public square, the route / communal gardens (and possible future connection with Aste Street and /or Chipka Street), and the private amenity spaces / gardens provided for the Skylines residents including child playspace provision. The routes through the site will be active areas both for the residents and for visitor day-users of the site.
- 4.11 The 764 residential units are between one and five-bedrooms in size, 36% are proposed to allocated as affordable housing (based on habitable rooms).
- 4.12 The proposal includes a total of 189 car parking spaces, 19 disabled parking spaces, 32 motorcycle and 1060 cycle parking spaces at basement and lower basement level.

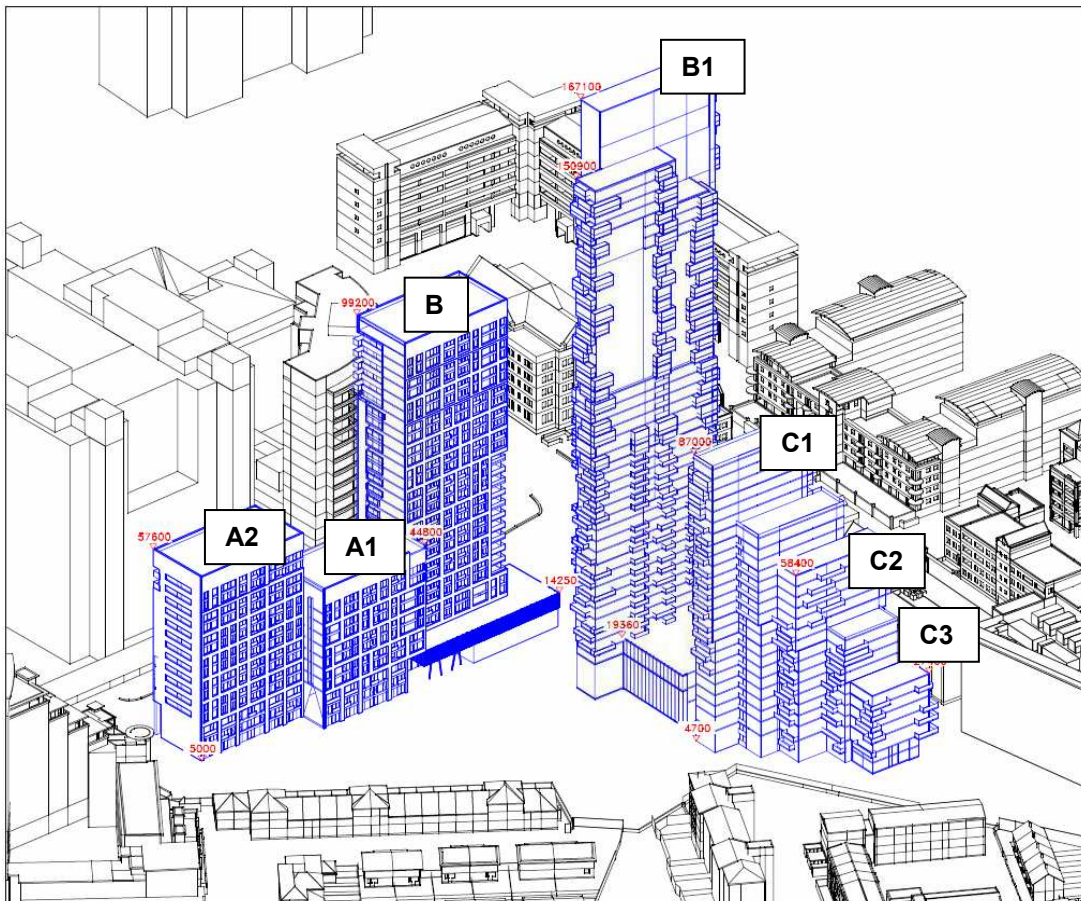


Figure 2: Massing as viewed from the south-east

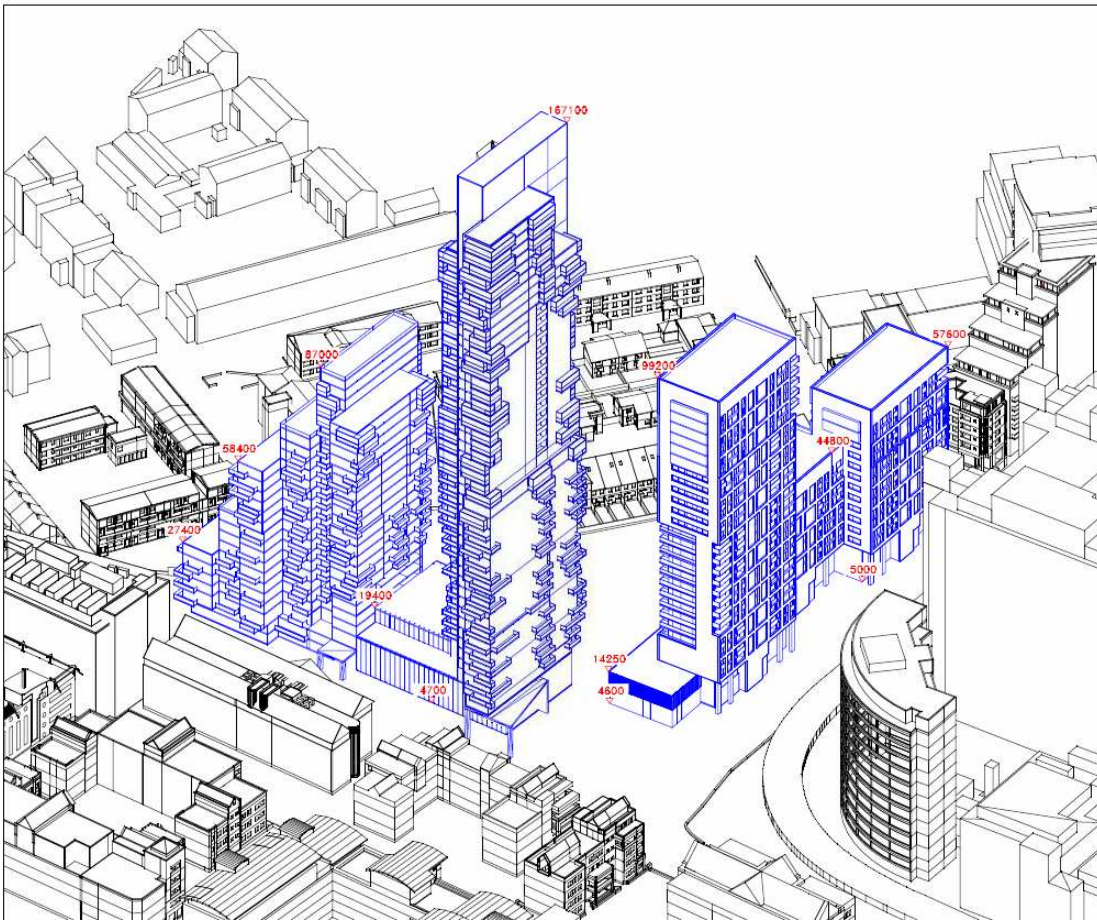


Figure 3: Massing as viewed from north-west

Relevant Planning History

Application Site

- 4.13 Aside from a number of consents for the change of use and alterations to some of the existing office buildings within Skylines Village, there is one relevant planning history concerning the whole of the Skylines site, planning application reference PA/10/00182
- 4.14 A planning application was submitted to LBTH on 28 January 2010 (Council Ref: PA/10/00182) for the demolition of all existing buildings within the Skylines Village site and the erection of six buildings with heights varying from 2 to 50 storeys and comprising the following:
- 806 residential units;
 - 123-bedroom hotel;
 - 2,020sqm, of Flexible retail, restaurant and office floor space;
 - 6,900sqm business centre providing flexible office floor space;
 - 5,575sqm crèche and school capable of accommodating 584 pupils together with a 1,765sqm associated sports hall;
 - 1,075 sqm community centre; and
 - A two-level basement containing 220 vehicular parking spaces, associated plant, storage and refuse facilities.
- 4.15 The application also proposed new public open space, associated hard and soft landscaping and the creation of a servicing and taxi parking bay on Marsh Wall and a vehicular site entrance from Limeharbour.
- 4.16 The application was refused under delegated powers on 16th December 2010 for the

following reasons (as summarised from the delegated report):

- i. Excessive height, scale and mass and poor quality design would appear out of character with the surrounding area and existing urban form and would significantly impact on the ability of adjoining sites to deliver sustainable residential development within the Isle of Dogs Opportunity Area;
- ii. An unacceptable amount of affordable housing and mix of units with the lack of a section 106 agreement failing to mitigate the impact of the development;
- iii. An inadequate quantum of private amenity space;
- iv. Impacts in terms of loss of privacy, increased overlooking, loss of sunlight and daylight and unacceptable noise upon future and existing residents;
- v. The scheme would impede the effective formulation and implementation of the emerging Marsh Wall East Masterplan Supplementary Planning Guidance;
- vi. Unacceptable traffic, highway safety and parking impacts
- vii. The Environmental Statement was considered to provide insufficient information and was therefore deemed incomplete.

Adjoining Sites

4.17 Application reference PA/12/02414 concerns the site of the Angel House, 225 Marsh Wall, located directly to the north of the application site beyond Marsh Wall. This planning application is pending determination and was submitted on 1st October 2012. It is an outline application for the demolition of the existing Angel House building and the erection of a building of 47 storeys in height with an 11 storey podium, comprising the following:

- 249 residential units (Use Class C3);
- 554 sq.m (GIA) of retail floor space (Use Class A1);
- 1,863 sq.m (GIA) of office floor space, including a business centre (Use Class B1)
- 155 bedroom Hotel, 6,695 sq.m GIA (Use Class C1);
- 10 disabled car parking spaces, cycle parking, associated plant, storage and refuse facilities
- Public open space.

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) (UDP)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV8	Protection of Local Views
	DEV9	Control of Minor Works

DEV12	Provision Of Landscaping in Development
DEV15	Tree Retention
DEV17	Siting and Design of Street Furniture
DEV43	Archaeology
DEV44	Preservation of Archaeological Remains
DEV50	Noise
DEV51	Contaminated Soil
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV57	Nature Conservation and Ecology
DEV63	Green Chains
DEV69	Efficient Use of Water
EMP1	Promoting Economic Growth & Employment Opportunities
EMP3	Change of use of office floorspace
EMP6	Employing Local People
EMP7	Enhancing the Work Environment & Employment Issues
EMP8	Encouraging Small Business Growth
EMP10	Development Elsewhere in the Borough
HSG4	Loss of Housing
HSG7	Dwelling Mix and Type
HSG13	Internal Space Standards
HSG15	Residential Amenity
HSG16	Housing Amenity Space
T3	Extension of Bus Services
T7	Road Hierarchy
T10	Priorities for Strategic Management
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrians Needs in New Development
S4	Local Shopping Parades
S10	Shopfronts
OSN3	Blue Ribbon Network
OS9	Children's Playspace
SCF8	Encouraging Shared Use of Community Facilities
SCF11	Meeting Places
U2	Development in Areas at Risk from Flooding
U3	Flood Protection Measures

Interim Planning Guidance (2007) for the purposes of Development Control (IPG)

Proposals:	ID46	Development Site ID46 (Residential, Employment, Public Open Space, Retail and Leisure) Flood Risk Zone 2 and 3
Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	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
	DEV15	Waste and Recyclables Storage

DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV25	Social Impact Assessment
DEV27	Tall Buildings Assessment
EE1	Industrial Land Adjoining Industrial Land
EE2	Redevelopment/Change of Use of Employment Sites
RT3	Shopping Provision Outside of Town Centres
RT4	Shopping Provision Outside of Town Centres
HSG1	Determining Housing Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing
CON5	Protection and Management of Important Views

Isle of Dogs

AAP Policies:

IOD1	Spatial Strategy
IOD2	Transport and Movement
IOD3	Health Provision
IOD4	Education Provision
IOD5	Public Open Space
IOD6	Water Space
IOD7	Flooding
IOD8	Infrastructure Capacity
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

Core Strategy Development Plan Document 2010 (CS)

Policies:	SP01	Refocusing on our town centres
	SP02	Urban living for everyone
	SP03	Creating healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP05	Dealing with waste
	SP06	Delivering successful employment hubs
	SP07	Improving education and skills
	SP08	Making connected places
	SP09	Creating attractive and safe streets and spaces
	SP10	Creating distinct and durable places
	SP11	Working towards a zero-carbon borough
	SP12	Delivering Placemaking
	SP13	Planning Obligations
Annexe 9:		Cubitt Town Vision, Priorities and Principles

Managing Development Plan Document - Submission Version May 2012 (MD DPD)

Allocations:	20	Marsh Wall East
Proposals:		
Policies:	DM2	Protecting Local Shops
	DM3	Delivering Homes

DM4	Housing Standards and amenity space
DM8	Community Infrastructure
DM9	Improving Air Quality
DM10	Delivering Open space
DM11	Living Buildings and Biodiversity
DM13	Sustainable Drainage
DM14	Managing Waste
DM15	Local Job Creation and Investment
DM20	Supporting a Sustainable Transport Network
DM21	Sustainable Transport of Freight
DM22	Parking
DM23	Streets and Public Realm
DM24	Place Sensitive Design
DM25	Amenity
DM26	Building Heights
DM27	Heritage and Historic Environment
DM28	World Heritage Sites
DM29	Zero-Carbon & Climate Change
DM30	Contaminated Land

Supplementary Planning Guidance/Documents

Planning Obligations SPD 2012

Spatial Development Strategy for Greater London (London Plan 2011)

2.1	London
2.9	Inner London
2.10	Central Area Zone
2.13	Opportunity Areas
2.14	Areas for Regeneration
2.15	Town Centres
3.1	Ensuring Equal Life Chances for All
3.2	Improving Health and Addressing Health Inequalities
3.3	Increasing Housing Supply
3.4	Optimising Housing Potential
3.5	Quality and Design of Housing Developments
3.6	Children and Young People's Play and Informal Recreation Facilities
3.7	Large Residential Developments
3.8	Housing Choice
3.9	Mixed and Balanced Communities
3.10	Definition of Affordable Housing
3.11	Affordable Housing Targets
3.12	Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
3.13	Affordable Housing Thresholds
3.14	Existing Housing
3.16	Protection and Enhancement of Social Infrastructure
3.17	Health and Social Care Facilities
4.12	Improving Opportunities for All
5.1	Climate Change Mitigation
5.2	Minimising Carbon Dioxide Emissions
5.3	Sustainable Design and Construction
5.5	Decentralised Energy Networks
5.6	Decentralised Energy in Development Proposals
5.7	Renewable Energy
5.9	Overheating and Cooling
5.10	Urban Greening

- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.22 Hazardous Substances and Installations
- 6.1 Strategic Approach to Integrating Transport and Development
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.6 Aviation
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.9 Access to Nature and Biodiversity
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.17 Metropolitan Open Land
- 7.19 Biodiversity and Access to Nature

London Plan Supplementary Planning Guidance/Documents

- London Housing Design Guide 2010
- Interim Housing SPG
- London View Management Framework 2010
- Draft London View Management Framework 2011
- Housing
- Land for Transport Functions 2007
- East London Green Grid Framework 2008
- Sustainable Design & Construction 2006
- Accessible London: Achieving an Inclusive Environment 2004
- Providing for Children and Young People's Play and Informal Recreation 2008
- Draft Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation 2012
- Draft All London Green Grid 2011
- Draft Housing 2011
- Draft London World Heritage Sites – Guidance on Settings 2011

Government Planning Policy Guidance/Statements

- The National Planning Policy Framework 2012 (NPPF)

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 the Directorate of Development and Renewal are expressed in the MATERIAL

PLANNING CONSIDERATIONS section below:

6.2 The following were consulted and made comments regarding the application:

LBTH Access

6.3 Following the confirmation of 10% wheelchair residential units, 10% of parking bays to be wheelchair accessible, lighting, street furniture, accessible cycle parking, inclusive play, surface treatments and gradients, fire escape and lifetime homes criteria, the proposal is considered acceptable in accessibility terms, subject to conditions.

(OFFICER COMMENT: Conditions have been attached to secure further details of the above, as well as a compliance condition for the provision of min 10% wheelchair housing and parking bays)

LBTH Environmental Health

6.4 Air Quality

LBTH Environmental Health are not satisfied with the background air quality data used within the modelling and therefore raise an objection on this basis

Contaminated Land

LBTH Environmental Health has also requested the inclusion of conditions relating to site investigation to investigate and identify potential contamination.

Noise

LBTH Environmental Health have objected on the grounds that the site is located within Category D (PPG24) as a result of its proximity to the DLR rail track. Many residential rooms are likely to be uninhabitable at present. No habitable rooms overlooking DLR, Vibration not adequately considered.

LBTH Communities Leisure and Culture

6.5 Cultural Services consider that there will be an increase in permanent population generated by the development which will increase demand on community, cultural and leisure facilities. Therefore, request contributions towards:

- Leisure.
- Open space.
- Library/Idea Store Facilities

LBTH Energy Efficiency

6.6 Energy

The information provided in the energy strategy is in accordance with adopted climate change policies and follows the revised "Energy Hierarchy". The scheme proposes BREEAM 'Excellent' and Code for Sustainable Homes Level 4. The proposed energy strategy exceeds the requirements of Draft Policy DM29. An appropriately worded Condition should be applied to ensure a detailed energy strategy and sustainability strategy are adhered to

Sustainability

The sustainability strategy should include the appropriate Code for Sustainable Homes and BREEAM pre-assessments to demonstrate how the development achieves the highest levels of sustainable design and construction and appropriate rating in accordance with the policies at the time of the subsequent submission.

(OFFICER COMMENT: Conditions have been attached as requested)

LBTH Highways

6.7 The applicants submitted a Transport Assessment as part of their proposals, which was interrogated by the Council's Highways section. Further information and amendments were requested.

- Highways will require a s278 agreement to reinstate/redesign the highways and access, and a s106 to improve the public realm, cycle route connectivity and the junction of Limeharbour and Marsh Wall,
- a modest commuted sum to improve Preston's Road roundabout. The cumulative impact of this and other committed and proposed large schemes in the area will impact negatively on the capacity of both of these;
- contributions to improving the junction from the recent approval at Asda, Crossharbour
- TfL has collected a reservoir sum for Preston's Road roundabout
- The increased permeability through the site provided for pedestrians and cyclists is welcomed
- concerned about the potential impact on on-st parking of the 82 no3 bed~+ flats, because of permit
- The proposed layby on Limeharbour is off the public highway as an in-out arrangement, which is acceptable provided this can be kept under surveillance to prevent non-delivery drivers using this private bay.
- The total parking of 208 spaces is acceptable, subject to a substantial number of spaces in the basement being allocated to those who qualify for the Permit Transfer Scheme. Limeharbour has a day-time occupancy figure over the parking stress threshold (80%).

The following non-financial obligations should also be secured:

1. Permit free agreement
2. All highways works to be undertaken by the Council at the applicant's cost

Conditions & Informatives

The following conditions should be imposed upon any planning permission:

- Section 278 Highways Agreement
- No blocking of footway and carriageway during construction
- Provision of car parking spaces specifically for those who qualify for the Councils 'Permit Transfer Scheme'.

(OFFICER COMMENT: Highways and transportation matters are discussed within the Material Planning Considerations section of the report. The requested s106 obligations and conditions/informatives have also been recommended, as detailed within section 3 of this report).

LBTH Waste Policy and Development

6.8 Statement required stating how refuse will be moved to ground floor level

Tower Hamlets Primary Care Trust (PCT)

6.9 PCT have confirmed the HUDU model requires:
A Capital Planning Contribution £1,071,696
A Revenue Planning Contribution £4,097,632

Canal and River Trust

- 6.10 The Canal and River Trust support the comprehensive master-planning process for the area and hope development of this site will be considered as part of this area, despite the early stages of the strategy. Planning contributions are requested for off-site enhancement of the waterspaces and docks.

English Heritage

- 6.11 The proposed development is located to the south of the main cluster, approximately 1.5km from the boundary of the World Heritage Site (WHS). The proposed development by virtue of its scale and distinctive massing form a noticeable part of the wider setting, particularly in the important view from the General Wolfe statue.

whilst the view from the General Wolfe has been subject to much change, particularly in the last twenty years, it has, to date, retained some sense of order with the tallest towers located at the northern end of the Isle of Dogs and some lower towers located slightly further south in developments centred around the Millennium Quarter. EH have also previously noted that the clear recessive planes - the impressive Palace complex, the trees of Island Gardens, followed by low rise buildings, beyond which rise the towers - are important characteristics. The visual layers of development instil a degree of visual order and, importantly, the distance serves to reduce the impact of the tall buildings

In particular, English Heritage raised concern regarding the outline form of the application, noting that *“the Council must satisfy itself that it has the necessary level of information and degree of certainty with regard to matters including the visual qualities of external finishes which potentially could have a considerable impact on the setting of the World Heritage Site (including the impact on the London Panorama from Greenwich Park towards Canary Wharf, from assessment point 5A.1)”*

(OFFICER COMMENT: The Heritage impacts of the proposal are discussed in greater detail below, within the material planning considerations section of this report. In summary, it is considered that sufficient detail has been submitted and assessed through the applicant’s Environmental Statement, to allow full consideration of the visual and heritage impacts of the proposal)

Environment Agency

- 6.12 The Environment Agency has no objections, subject to the imposition of the following conditions:
- Development to be carried out in accordance with the submitted Flood Risk Assessment
 - Contamination and verification reports to be approved prior to commencement/occupation
 - No commencement of development until such time as a scheme to ensure finished floor levels are set no lower than 3.65m above the predicted flood levels has been approved
 - No commencement of development until such time as the submission of a surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development have been submitted and approved
 - No infiltration of surface water drainage into the ground

(OFFICER COMMENT: The requested conditions have been attached as detailed above in section 3 of this report)

Greater London Authority (GLA)

- 6.13 In summary, the GLA advised that the proposal (as original submitted) did not comply with

the London Plan, but that there were possible remedies. In particular, the GLA made the following comments:

GLA Stage 1 letter was received on 24 May 2012; this has been forwarded to the applicant. It does not comply with the London Plan for the following reasons

- Design – concerns around layout, height and massing, particularly the height difference between southern 20 storey block and existing residential properties to the south
- Additional information required around density, access, affordable housing (i.e. Viability Assessment), child playspace (likely double counting), climate change, and transport
- The principle of residential led mixed-use development in the Isle of Dogs Opportunity Area is in the interest of good strategic planning in London;
- The proposed residential density exceeds the London Plan guidance of 650-1,100 HR/ha.

OFFICER COMMENT: No additional information has been received following receipt of the GLA's stage I report. More information upon the emerging Marsh Wall East Master Plan can be found within section 8 of this report

London City Airport

- 6.14 Objection received due to the new height of the building B1 (167.1 AOD) as this does not conform to criteria set out to safeguard the airport. As such LCA must object to the Skylines Village development of the grounds of safety.

London Fire and Emergency Planning Authority

- 6.15 Unable to make any meaningful observations as there is no detailed ground floor plan showing road access around and within the site, hydrant provision as provided on the roads adjoining the site, and main entry points to the proposed buildings

(OFFICER COMMENT – Pre-commencement conditions attached accordingly to be agreed by LFEPA)

London Underground Ltd

- 6.16 No comments received.

National Air Traffic Services Ltd (NATS)

- 6.17 No objections raised.

Natural England

- 6.18 Natural England consider that both brown and green roofs should be incorporated in order to provide habitat for Black Redstarts. Also they recommend the imposition of the following conditions
- § Methods to improve the surrounding landscape ecology; and
 - § Any trees to be felled are surveyed for their potential to support bats, a European Protected Species

Transport for London (TfL)

- 6.19 *Trip generation and Highway Impact*

TfL are satisfied with the discussions to continue between Tower Hamlets and the developer to determine the improvements along the Marsh Wall corridor and design of the junctions.

Buses

TfL welcome the total contribution of £224,700 to be secured through the S106 agreement.

DLR

TfL welcome the contribution towards improving the accessibility to South Quay station. TfL notes the suggested improvements for the area and consider £250,000 contribution from this development a reasonable amount towards the pool for the improvements TfL welcome discussion.

TfL accept the proposed real time information boards, providing timetabled information for a number of different modes. However, it is a requirement that DLR information must be included and this is to be confirmed through S106.

In relation to the DLR Radio Communications, TfL request that a S106 planning condition is secured to allow before and after tests of signal strengths. This will allow TfL to assess the level of mitigation required and the subsequent S106 condition for contribution towards a signal booster if required.

Pedestrian Crossing

TfL support the plans for the pedestrian crossing and the proposed junction layout submitted within Appendix A.

PERS

If the public realm improvements are to include removal of the guard railing on the section of the footway on the south side of Marsh Wall, between South Quay DLR station and the Bus Stop 'SH', TfL recommend that bollards are installed for the section, currently the railings prevent any vehicles driving onto the station forecourt.

TfL consider the contribution of £15,000 towards Legible London way finders to be a reasonable amount. Other developments of a similar scale in the area have contributed the same amount and therefore TfL regard £15,000 to be reasonable contribution from this development.

Parking

TfL understands the parking ratio and are satisfied with these figures. TfL welcome the permit parking suggested, this should be secured through a S106 agreement.

Crossrail/CIL

Contributions are applicable.

Summary

Overall TfL has no significant objections to the principle of the proposed development however request contributions for improvements to South Quay Station and Legible London to be confirmed.

Design Council/CABE

6.20 Design Council/CABE made the following comments:

- § Need a coherent landscape strategy
- § Support the proposed height when 45 Storeys
- § Consider design to be high quality

British Broadcasting Corporation (BBC)

6.21 No comments received.

Greenwich Maritime World Heritage Site

6.22 No comments received

Association of Island Communities

6.23 No comments received.

London Borough of Greenwich

6.24 No objections raised.

London Wildlife Trust

6.25 No comments received.

Metropolitan Police

6.26 The scheme is extremely large and has wide ranging implications for policing. The Police have the following comments:

- Lack of ground floor active uses meaning that the buildings would be an attractive place for crime and anti-social behaviour in the evening and at night;
- Lack of clarity about how uses will work together;
- The building layout fronting Marsh Wall could create hidden space which is likely to attract youths to congregate; and

National Grid

6.27 The proposed works are likely, unless controlled, to adversely impact the safety and integrity of National Grid apparatus.

Port of London Authority

6.28 No objections raised.

EDF Energy

6.29 No objections.

Thames Water

6.30 Condition requiring drainage strategy, piling method statement – not sufficient capacity for waste water infrastructure currently.

(OFFICER COMMENT: The requested conditions have been attached as well as an informative relating to the drainage strategy)

7. LOCAL REPRESENTATION

7.1 A total of 2699 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. This was done on twice, in March 2012 and July 2012, as the proposals were amended during the course of the application.

7.2 The number of representations received from neighbours and local groups in response to

notification and publicity of the application were as follows (duplicated representations made as part of the first consultation and the re-consult on the amended scheme have only been counted once).

No of individual responses: 20 Objecting: 19 Supporting: 1 Neither: 0
 No of petitions received: none

7.3 The following local groups/societies made representations following a consultation an organised consultation event at the St John’s Community Centre on Monday 15th October 2012 at 7:30pm:

- St Johns Tenants and Residents Association (there were approximately ten attendees) – Awaiting written response.

Issue	Number of Representations raising this issue
1. Local services (GP surgeries, schools and dentists) cannot support the level of development proposed.	11
2. The development is excessively tall / overbearing	6
3. The proposals will result in significant overshadowing and microclimate impacts.	4
4. The proposal is excessively dense and will result in overcrowding	2
5. Existing businesses do not want to move / protect existing SME space	2
6. Additional office space is not required	2
7. The local transport network cannot support the proposed level of development.	2
8. Homes in Aste Street and Chipka Street will experience a loss of privacy and suffer worse security	2
9. The proposals will exacerbate high parking stress levels in the area	1
10. House prices in the area will fall as a result of the development	1

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by this application that the committee are requested to consider are:

- General Principles.
- Design
- Housing
- Amenity
- Transport, Connectivity, and Accessibility
- Energy and Sustainability

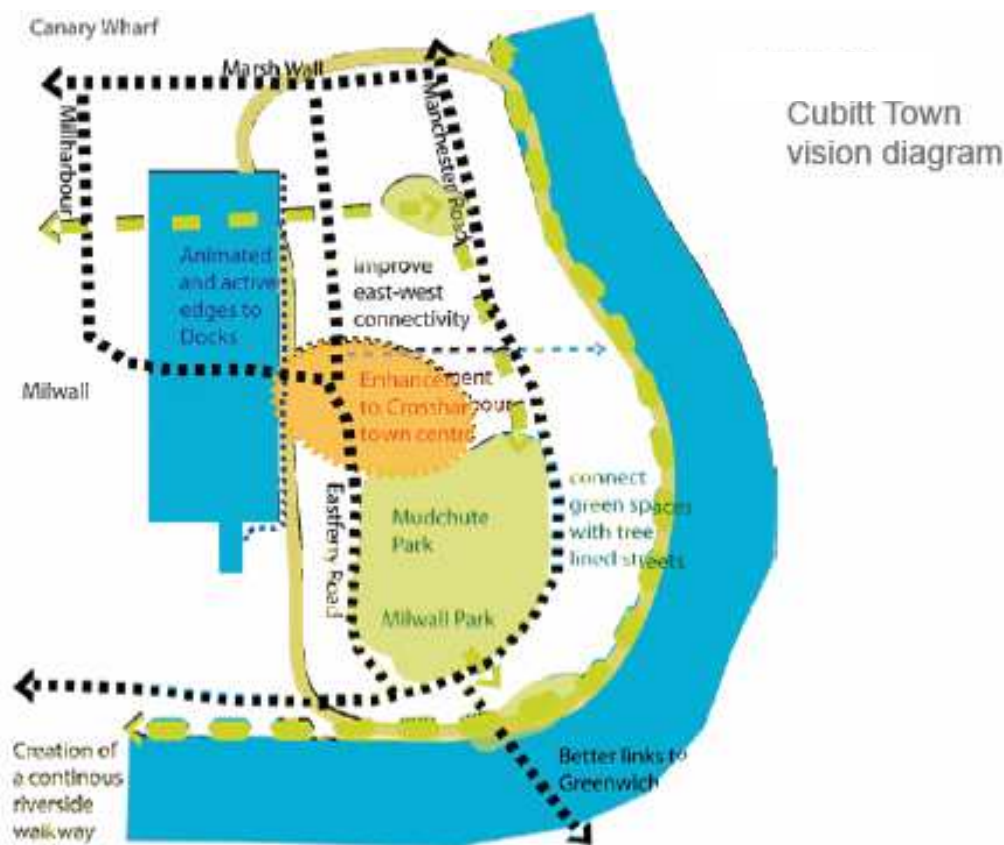
- Environmental Considerations
- Health Considerations
- Planning Obligations and CIL
- Localism Act

General Principles

- 8.2 At national level, the NPPF (2012) promotes a presumption in favour of sustainable development, through the effective use of land through a plan-led system, driving sustainable economic, social and environmental benefits. The NPPF promotes the efficient use of land with high density, mixed-use development and encourages the use of previously developed, vacant and underutilised sites to achieve national housing targets
- 8.3 At a strategic level, the site is identified in the London Plan (2011) as falling within the Central Activities Zone and the Isle of Dogs Opportunity Area (Policy 2.13) which seek to optimise residential and non-residential output and is identified as being capable of delivering 10,000 new homes.

Land Use

- 8.4 The Council's Core Strategy 2010, within which Cubitt Town is identified as an area where there will be residential led growth as part of mixed use development. CS policy SP12 and Annexe 9 "Delivering Placemaking" sets out the vision for Cubitt Town, as depicted by figure 4 below.
- 8.5 At a local level, the Skylines site falls within the Marsh Wall East site allocation within the Managing Development DPD (Submission Version 2012). The vision for Marsh Wall East is to deliver comprehensive high-density mixed-use development as such the principle for a residential led development of that proposed at Skylines Village accords with the site allocation objectives for this area



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Figure 4: Cubitt Town Vision diagram (Source: LBTH Core Strategy 2010, figure 2)

- 8.6 The Vision provides guiding principles including:
- New development focussed in the north of Cubitt Town;
 - Housing types suitable for families promoted south of Cubitt Town and around Millwall Park;
 - Development should protect the setting of Mudchute and Millwall Park and protect general views from these parks towards Canary Wharf,
 - Development should provide a transition between higher rise commercial area to the north and low-rise residential to the south and east.
- 8.7 The application site is a designated development site (ID7) within the Interim Planning Guidance (2007). Policy IOD22 within the IPG Isle of Dogs Area Action Plan states that site ID7 shall have preferred uses of residential (Use Class C3), employment (Use Class B1) and public open space. Policy IOD5 states that the open space shall be a minimum of 0.29ha in area.
- 8.8 The principle of the delivery of a residential-led mixed-use development is therefore supported at strategic and local level. With regard to the Core Strategy's vision for Cubitt Town, the 764 residential units as well as, retail, business and community floorspace, and new public open space meet its objectives.
- 8.9 Policy SP03 of the Core Strategy seeks the creation of "healthy and liveable" neighbourhoods. The proposal includes a new public square, new pedestrian links through to the communities to the south, and new community space. The proposed community use is therefore considered to accord with policy SP03, which encourages provision of "high quality social and community facilities".
- 8.10 In line with the Mayor of London's objectives for the Isle of Dogs Opportunity Area; along side the vision and priorities of LAP 7 & 8 of the Council's adopted Core Strategy (2010), and the priorities of the Managing Development DPD (Proposed Submission Version 2012) which identifies the site as falling within the Marsh Wall East Site Allocation, the principle of supporting and ancillary uses such as retail and community uses are encouraged
- 8.11 With the above in mind, the proposed development is considered to accord with the above policies which together seek to encourage mixed use development and as such officers have no objections to the proposal in principle land use terms.
- Loss of Employment
- 8.12 The existing site contains 59 small-scale business units. The application details that the site presently employs an estimated 280 people. The proposal details that up to 430 new jobs would be created by the proposal through the following elements of the scheme:
- A 5,991sq.m business centre providing flexible business space for SMEs;
 - A total of 2,252sq.m of flexible retail/restaurant/office space for use classes A1-A5 and B1 at ground and first floor levels;
 - Flexible Community / Office floorspace of 2,466sq.m with the potential use as a GP surgery, dentist, nursery or other employment generating use.
- 8.13 UDP policy EMP3 considers the change of use and redevelopment of outmoded or surplus office floorspace. The following factors are taken into account by the Council:
- The length of time that surplus office floorspace has been vacant; and
 - The level of vacant floorspace and unimplemented planning permissions for office floorspace in the surrounding area.
- 8.14 Policy EE2 of IPG Core Strategy states that proposals that seek to reduce employment floor space may only be considered where, inter alia, there is evidence that there is intensification

of alternative employment uses on site.

- 8.15 Whilst the proposal would result in the net loss of office floorspace (presently 8,969sq.m) within Skylines Village, the proposed scheme includes 10,709.m of floorspace for A1-A5, B1 (office) and D1 (non-residential institutions) usage. Accordingly, the proposal would provide a wide range of employment opportunities.
- 8.16 Policy DM15 of the Managing Development DPD (Submission Version) seeks to ensure that development should not result in the loss of active and viable employment uses, c
- 8.17 However modifications are being considered to this policy which remove the requirement to provide 12 months marketing evidence that the employment uses are unviable. During the recent DM DPD Examination in Public it was suggested by the Inspector and agreed by Council Officers that the following amendment be made:

'Exclusion of a 12 months marketing exercise for site allocations will be referenced within supporting text of policy DM15. Replace last sentence in paragraph 15.4 to read, "As such Part (1) of the policy does not apply to Site Allocations'.

- 8.18 The Inspectors report confirming whether the DM DPD is considered 'sound' is expected at the end of November 2012. This amendments is currently subject to further public consultation which ends on 12 November 2012.

Design

- 8.19 The NPPF promotes high quality and inclusive design for all development, optimising the potential of sites to accommodate development, whilst responding to local character.
- 8.20 CABE's guidance, By Design (Urban Design in the Planning System: Towards Better Practice) (2000) lists seven criteria by which to assess urban design principles, as follows: character, continuity and enclosure, quality of the public realm, ease of movement, legibility, adaptability and diversity.
- 8.21 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the local character, pattern and grain of the existing spaces and streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that compliment the local character, quality adaptable space and optimising the potential of the site.
- 8.22 Saved UDP policies DEV1, DEV2 and DEV3 seek to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and use of materials. CS policy SP10 and Policy DM23 and DM24 of the MD DPD seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds.

Design Strategy

- 8.23 The application is supported by a Design and Access Statement, which includes the masterplan layout shown in Figure 5 below. The proposal is based on principles of keeping the street edge, minimising building footprints and giving more space to landscape, allowing the creation of a large south facing public and semi-private open space. This is illustrated in Figure 4 below.
- 8.24 The triangular form of the site at the corner of Marsh Wall and Limeharbour encourages the development of buildings running along Marsh Wall and Limeharbour, creating active

frontages to these two main thoroughfares and creating space for the provision of a significant new open space within the site. A new square is also located where the streets converge creating a gap in the built form and allowing access into the courtyard.

- 8.25 The siting of the tall building at the corner of Marsh Wall and Limeharbour, mark this key junction and acts as a landmark to the adjacent public square. All buildings have also been set back from the street edge to provide wide pedestrian pavements and create 25m wide boulevards along both Limeharbour and Marsh Wall



Figure 5: the indicative masterplan

- 8.26 The proposal incorporates blocks along both Marsh Wall and Limeharbour which are separated by a new public square is illustrated in Figure 6. As set out earlier each building comprises of the following uses and heights.

- Block A1 which is ten storeys with social rented town houses fronting onto the new open space. Building A1 will accommodate 47 Social Rent dwellings.
- Block A2 which is sixteen storeys with social rented town houses fronting onto the new open space. Building A2 will accommodate 74 intermediate residential dwellings.
- Block B1 which is fifty storeys in height (167 AOD) and includes a three storey podium. It comprises flexible, retail/office on first three floors with private residential above. Building B1 will accommodate 332 private residential dwellings.
- Block B which is twenty seven storeys, and will accommodate 107 Social Rent dwellings. Including community floorspace within the levels 2 - 7 floors 2,557 sq. m GEA. This is described as flexible D1 or B1 uses
- Block C1 which is twenty four storeys
- Block C2 which is eighteen storeys, and
- Block C3 which is nine storeys. Buildings C1, C2, and C3 will accommodate 204



Figure 6: The blocks as presented in the design and access statement (addendum)

8.27 Key amendments were made to the design of the scheme submitted to the November 2011 to take account of concerns from the Council, GLA, Design Council/CABE amongst others. The changes to the design were re-consulted on in July 2012 and are summarized as:

- Height reductions to Buildings A1 (minus 2 storeys), A2 (minus 4 storeys), B1 Podium (minus 2 storeys) and C3 (minus 1 storey);
- Height increase to Buildings B (plus 2 storeys) and B1 (plus 5 storeys);
- Floorspace area updates to reflect the massing amendments;
- Residential unit schedule and mix updates to reflect the massing amendments
- An enhanced landscaping strategy including further details on safety and security, open space and children's playspace.

Justification for Tall Buildings

- 8.28 With regards to appropriateness of the development for tall buildings, this has been considered in the context of London Plan and local plan policies. A tall building is described as one which is significantly taller than their surroundings and /or having a significant impact on the skyline. Policy 7.7 of the London Plan (2011) deals with tall and large buildings, setting out criteria including appropriate locations such as areas of intensification or town centres, that such buildings do not affect the surrounding area in terms of its scale, mass or bulk; relates to the urban grain of the surrounding area; improves the legibility of the area; incorporates the highest standards of architecture and materials; have ground floor uses that provide a positive experience to the surrounding streets; and makes a significant contribution to local regeneration.
- 8.29 The tall buildings guidance paper prepared by CABE and English Heritage (EH), 'Guidance on Tall Buildings' (2007) recognises that in the right place, tall buildings can make a positive contribution to city life.
- 8.30 SP10 of the Core Strategy also provides guidance on the appropriate location for tall buildings requiring them to relate to design and context, environment, socio-economic factors, access and transport and aviation requirements. The Core Strategy also seeks to restrict the location of tall buildings to Canary Wharf and Aldgate. Policy DM26 of the MD DPD reinforces the Core Strategy and states that for buildings outside of the areas identified for tall buildings, building heights will be considered in accordance with the town centre hierarchy and will be of a height and scale that is proportionate to its location within it, whilst also being sensitive to the context of its surroundings. The policy also states that development will need to provide a transition between taller buildings in Canary Wharf and the lower heights of the surrounding areas.
- 8.31 The general bulk, scale and mass of the building blocks proposed are considered acceptable as the overall massing steps down from the taller buildings to the north (Canary Wharf), following an established pattern of development set by developments such as Baltimore Wharf as one moves south down the Isle of Dogs. The tallest element of the proposal is situated at the north-western corner of the site, providing a marker and assisting with wayfinding, with scale stepping down toward the lower scale developments to the south. The distribution of heights is considered to be appropriate and conducive to successful placemaking.
- 8.32 Canary Wharf and the Isle of Dogs in general are recognised as a key location for high density development and iconic tall buildings - reflecting its status as an important commercial/corporate hub in London. A larger scale of development has extended beyond the original commercial cluster in recent years to include new high density mixed-use and residential developments, particularly to the south, east and west of Canary Wharf. Higher density residential developments have replaced older low density commercial buildings (which traditionally bounded Canary Wharf) and have started to change the skyline around Canary Wharf. Indeed, these new buildings have started to form new clusters/landmarks which define the transition between the commercial heart of Canary Wharf and the more residential aspects to the south. Marsh Wall (both east and west) sits on the border of this transition point and has been the focus for a number of new mixed-use and residential

developments

- 8.33 The transition in scale is achieved through the implementation of a number of design approaches, including a rational stepping down of height from the corner of Marsh Wall and Limeharbour, the location and orientation of the tallest building (Block B1) on the north western corner of the site, the use of set backs and step backs in building massing and the introduction of generous spaces of clear sky between the taller element.
- 8.34 Building B1 is the tallest building which has been designed to help define the neighbourhood. It will provide a civic role and form part of the wider city context. Using the existing scale of transition from small to tall, the inclusion of Building B1 to mark the intersection of Limeharbour and Marshwall provides a landmark for the neighbourhood.
- 8.35 Building B1 has a unique architectural quality and has been designed and detailed to stand out as an outstanding element and act as a focal point for the area. It provides an address and destination. The scale and placement of Building B1 on the site has been carefully considered to strongly identify this key position whilst also reduce its visual impact from adjoining streets and provide an identifiable separation from the lower scale buildings proposed and existing lower buildings in the wider area, particularly to the south.
- 8.36 In compliance with these policies, Building B1 demonstrates an exemplar level of design quality and will constitute an elegant addition to the local and wider skyline, acting as a focal point for the wider Marsh Wall East regeneration area. The height of the building provides the opportunity to respect Canary Wharf and other large consented schemes in the local area, whilst the remainder of the development can respond to the scale of the built form to the south. It has been set back from Marshwall and Limeharbour in order to frame a new high quality public square on the site and an existing viewing corridor from the south east of the site across the docks to the city beyond. This can be seen in the CGI view from St John's Park which is included in the Townscape and Visual Impact Assessment (View L9).
- 8.37 The proportion and articulation of the tower has been designed to emphasise slenderness as has its orientation. Its narrow north-south profile minimises its impact on the developable land to the North and its visual perception from existing residential areas to the southeast. It will frame a new high quality public square for the local community as well as provide an attractive setting for a substantial new public park within the site. Furthermore, the facades of the building have been designed to reflect the importance of the role of the building as a landmark element of the proposals. As shown in the CGI's for the scheme there is a level of layering and subtlety to the facades of the building which provide an articulation that can be read from long, medium and short distances
- 8.38 The application site is located within the Canary Wharf Activity Area and forms part of the Marsh Wall East regeneration area which is allocated in the Managing Development DPD (Submitted Version) for comprehensive high-density mixed-use development to include up to 3,000 net additional homes, intensification of existing employment floorspace, open space and other compatible uses. The emerging DPD also states that a series of tall and medium scale buildings can be developed to provide a transition between the tall building cluster in Canary Wharf and the lower rise buildings of Cubitt Town to the south-east. For any redevelopment scheme to accord with these development objectives for the Marsh Wall area there will inevitably be a degree of contrast in built form between the Skylines site and its immediate lower density neighbours;
- 8.39 It is acknowledged that the proposed buildings at Skylines are larger in scale and height than many of the buildings to the south of the site, particularly the 2 and 3 storey residential properties at Aste Street. However, this is not an unusual situation on the Isle of Dogs and many examples of similar transition sites can be cited. These include Wood Wharf (PA/08/1215), City Pride (PA/08/2293), Alberta House (PA/07/00241) and 22-28 Marsh Wall (PA/07/02744)

Townscape

- 8.40 The proposed development provides a transition in scale between the high rise office buildings of Canary Wharf, and residential scale of the area to the south of Skylines. Of particular note is are extant consents for a 43 storey tower on the former London Arena site, now known as 'Baltimore Wharf', 31 storey tower on 'Dollar Bay' and 23 storey tower on the Asda, Crossharbour site. Skylines is north of the later two, providing a marker by which to signalise a reduction in scale from Canary Wharf to the proposed scheme. Figure 7 provides an eastern view of the Isle of Dogs, demonstrating this transition, and subject to localised impacts concerning amenity and heritage as discussed below, the principle of a tall building within the north-west corner of this triangular site is considered acceptable in principle.

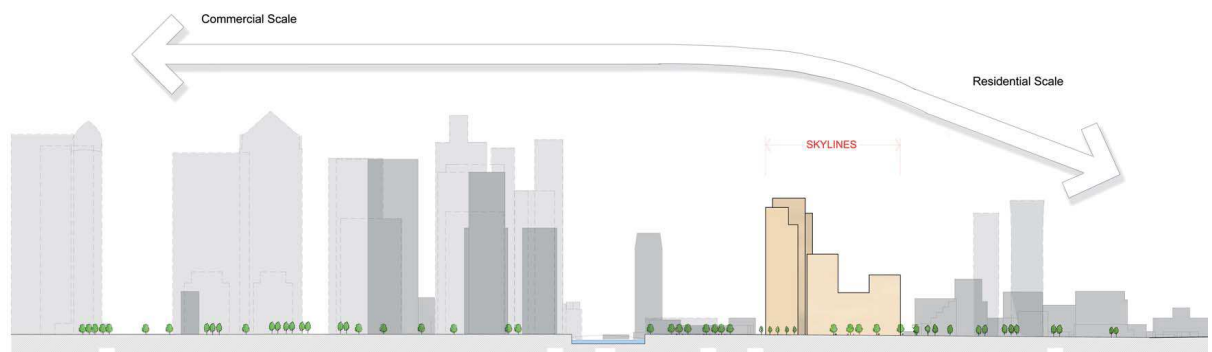


Figure 7 – Eastern view of key buildings, Isle of Dogs

Impact of Height to the South-West

- 8.41 Concerns from both LBTH and the GLA noted that the difference in height between the November 2011 scheme proposals and the existing residential buildings was abrupt and potentially had a negative impact (due to scale) on the neighbouring residents. The current proposals respond to these comments by reducing the height of three of the buildings (A1, A2 and C3) closest to the adjacent terraces to the south.
- 8.42 The height of the buildings (as can be seen from the adjacent elevations), now step further down towards the existing scale of Limeharbour and Marshwall. This reduction in height creates a more sensitive and complementary massing with the additional benefit of more daylight / sunlight infiltrating through the scheme.

Strategic Views

- 8.43 Assessment point 5A.1 of the Draft Revised London View Management Framework is relevant to the application (relating to the view from the General Wolfe Statue in Greenwich Park overlooking Maritime Greenwich World Heritage Site). The townscape conclusions suggest that the proposed development would be visible but there would be no significant impact on the setting of the view or the Outstanding Universal Value of the World Heritage Site. The GLA does not raise any objections in this respect. English Heritage suggested that the Borough satisfy itself with regard to matters including the visual qualities of external finishes which potentially could have a considerable impact on the setting of the World Heritage Site.
- 8.44 Verified views have been considered by officers of the Council and English Heritage.. The taller elements of the development would be visible, however they blend in with the existing cluster of tall buildings within the area, and break down the scale of the commercial buildings within Canary Wharf. English Heritage commented that:

“whilst the view from the General Wolfe has been subject to much change, particularly

in the last twenty years, it has, to date, retained some sense of order with the tallest towers located at the northern end of the Isle of Dogs and some lower towers located slightly further south in developments centred around the Millennium Quarter. EH have also previously noted that the clear recessive planes - the impressive Palace complex, the trees of Island Gardens, followed by low rise buildings, beyond which rise the towers - are important characteristics. The visual layers of development instil a degree of visual order and, importantly, the distance serves to reduce the impact of the tall buildings”

Heritage & Conservation

- 8.45 The NPPF sets out the Government’s objectives in respect of conserving and enhancing the historic environments.
- 8.46 Policies 7.3, 7.4, 7.8, 7.9 and 7.10 of the London Plan (2011) and the draft London World Heritage Sites – Guidance on Settings SPG (2011), saved policies DEV1 and DEV34 of the UDP, policies DEV2, CON1 and CON2 of the IPG, policies SP10 and SP12 of the CS and policies DM24, DM26, DM27 and DM28 of the MD DPD seek to protect the character, appearance and setting of heritage assets and the historic environment, including World Heritage Sites.
- 8.47 London Plan (2011) policies 7.11 and 7.12, policy SP10 of the Core Strategy Development Plan Document (2010) and policies DM26 and DM28 of the Managing Development DPD (Submission Version May 2012) seek to ensure large scale buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.
- 8.48 On balance it is considered that the proposed development safeguards local and strategic views, conserving and enhancing the setting of the Greenwich Naval College (World Heritage Site), as well as nearby Crossharbour Conservation Areas.

Local Views and Impacts

- 8.49 In terms of local views, the application is accompanied by a number of verified views and a full townscape analysis in the ES which, following consideration, indicates that the proposal will relate positively to the surrounding site context. The development is considered to form a positive addition to London’s skyline, without causing detriment to local or long distant views. This is further discussed below in the heritage and conservation section of this report.
- 8.50 Key views surrounding the site have been considered and assessed, although there are no protected local views.

Aste Street/ Chipka Street

- 8.51 Properties that back onto the site along Aste Street would have clear views of the proposed development. The current proposals have been reduced to be less overbearing and are of a smaller scale at the edges. The tower elements are most as far away from the smaller scale properties as the site allows which would minimise views of the proposal in close proximity so that taller elements would not dominate properties on Aste Street and Chipka Street.. However, it is noted that due to the suburban feel of Aste Street and Chipka Street the views of the completed development would alter views currently enjoyed, bringing the ‘the City’ closer to views from this area.

Marsh Wall

- 8.52 The completed development would create a landmark building within the streetscene of Marsh Wall, creating an edge to the road and a more vibrant streetscene.

Blue Bridge, Preston’s Road

- 8.53 The development is visible from the blue bridge but this would be interrupted when other

sites in the Marsh Wall East allocation come forward for redevelopment, particularly Dollar Bay and Angel House.

St Johns Park

- 8.54 Views within St John's Park will remain relatively uninterrupted due to the screening effect of trees. The middle and upper storeys of the completed development would be visible from St Johns Park. The setback of tower elements away from the southern boundary would minimise views of the proposal in close proximity so that taller elements would not dominate.

Open Space

- 8.55 The landscape strategy outlines the hierarchy of the spaces starting with the public square, the route / communal gardens (and possible future connection with Aste Street and /or Chipka Street), and the private amenity spaces / gardens provided for the Skylines residents. It also summarises the play space provision for the site. The routes through the site will be active areas both for the residents and for visitors day-users of the site. Benches and cycle parking are distributed along their lengths as well as elements of landscape design such as low level perineal planting, variety of materials, street furniture and lighting.

- 8.56 New routes which connect the key public spaces are fully accessible and are open during daylight hours. When the routes are closed to the public, residents will still have access via pass gates located at all locations. The routes will be well illuminated allowing residents to use them safely and securely throughout the evenings and early mornings. This addresses previous concerns raised by Design Council / CABE.

Crime and Safety

- 8.57 The secured by design officer expressed concerns regarding the proposals first consulted on. In response to those concerns the revised Proposed Skylines Development aims for an integrated approach with regards to the guidelines set out by the Secured by Design principles produced by the Association of Chief Police Officers (ACPO). Residences will benefit from Secured by Design inclusions. This includes an access control regime, concierge service and door and windows specified by the ACPO's guidelines.

- 8.58 The public realm will be landscaped with high quality material and lighting to create an attractive environment and a positive contribution to the area. Planting will be well maintained to ensure they do not become screening devices that create dark corners around the site. In addition, pivot gates have been added to the design of the landscaping to allow the public realm associated with the revised Proposed Skylines Development to be treated as any other local park. The gates will allow for the closure of the community space after dark/ at dusk. This will significantly enhance the safety and security of the amenity space and the residents of the revised proposed Skylines development.

- 8.59 Policy 7.18 of the London Plan supports the creation of new open space in London to ensure satisfactory levels of local provision to address areas of deficiency. London Plan Policy 7.5 seeks to ensure that London's public spaces are secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces and the development proposals will accord with the objectives of this policy.

- 8.60 Policies DEV12 and HSG16 of the UDP, Policy DEV13 of the IPG, and policies SP02, SP04 and SP12 of the CS promote the good design of public spaces and the provision of green spaces.

- 8.61 It is calculated that 1,601 people will live in the revised Proposed Skylines Development and 359 people will be employed at commercial premises. Based on the occupant and employee yield of the development, the proposal should deliver approximately 22,153sqm of public open space. However the scheme delivers 6,462sqm of public open space (excluding

playspace). The Isle of Dogs AAP highlights the site as having the potential to deliver a minimum open space provision of 0.29ha which is exceeded.

- 8.62 The revised proposed Skylines development includes provision of 6,462sqm open spaces. This includes a new public square, additional public realm, soft landscaping, playspace, and biodiversity area.
- 8.63 This public open space and public realm improvements will help to mitigate the impact of the new population and provide a new area of public open space accessible to new local residents and employees as well as existing residents and employees in the area. The addition of new open space will also complement the five Local Parks and Small Open Spaces within 1.2km of the revised Proposed Skylines Development and help to mitigate the existing deficiency of Local Parks within the wider Borough.
- 8.64 The proposed amount of open space provided within the development falls below LBTH's standard of 12 sqm per one occupant (in order to achieve 1.2 ha per 1,000 residents as set out in the LBTH 2006 Open Space Strategy), and would provide approximately 4sqm per person. Accordingly, the applicant has agreed to a financial contribution of £675,253 to mitigate this impact, which would be used to provide and improve public open spaces in the borough which is below that required by the Planning Obligations SPD of £860,483 but is justified as the child play space will be open to the public during the day and the site is considered to maximising the provision on open space which is of high quality.
- 8.65 The southern aspect of the majority of the public open space and playspace will ensure good levels of sunlight which will not suffer from permanent overshadowing. It is proposed that the public square, and public realm improvements will be accessible 24 hours a day, and the public park at the south of the development will be open during daylight hours.
- 8.66 It is considered that the scheme benefits outweigh the shortfall in open space per head of population. The submitted public realm and landscape strategy have provided officers with sufficient comfort that the quality of open space that would be provided within the development would be of a high standard, and a financial contribution toward public open space serves to mitigate against this shortfall. Accordingly, it is considered that the proposal is acceptable in this regard.

Layout

- 8.67 The podium adjoining building B1 and building C provide a more gradual height transition along Marshwall. The height of the lowest building (C3) has also been reduced by a further storey to assist with this relationship. The edge buildings of the scheme have been lowered to respond to the existing neighbourhoods
- 8.68 As the affordable accommodation has been relocated in buildings A1, A2 and B, the location of the community uses within Building C was reviewed. The proposals site the community uses within the lower floors of Building B, meaning they are located more centrally for all residents to use. In addition the social accommodation begins at a higher level, reducing the impact of noise from the DLR opposite.
- 8.69 The Figure 4 illustrates those elements being proposed ground level, which include, flexible retail space, town houses, a lay-by servicing area, together with access to basement car and cycle parking and new public square. The pavilion fronting on to the public square is considered to provide animation and a human scale at ground level.
- 8.70 The overall improvement to the site's permeability is welcomed as this will greatly enhance connectivity and permeability through the site, providing step-free access through the site. The location of pedestrian routes, open spaces and play space is considered to be acceptable, as the building layout ensures that they are legible and have good surveillance.

- 8.71 It is considered that the location of retail frontages aligning the Limehabour and Marsh Wall and public square will create activity, and a new hub is appropriate and in accordance with CS and MD DPD policies.
- 8.72 The proposal is therefore considered to provide a high standard of urban design, having regard to the pattern and grain of the existing spaces and streets in the area. The proposal appears sensitive to the character of their surroundings in terms of overall layout, bulk, scale and use of materials.

Detailed Design

- 8.73 The proposed materials and appearance of the two groups of buildings comprise a varied textural and colour palette which is complimentary to each building group - buildings A and B adopt a more solid 'hole-in-wall' (e.g. recessed balconies within a flat façade), appearance, whereas buildings B1 and C take a more sculptural, interlocking geometry and their façades are simpler.
- 8.74 Buildings A and B are designed to reflect the surrounding residential community. The façades will use a mixture of precast concrete panels, dark aluminium cladding and coloured glass balustrade. The main material of the façades of buildings B1 and C will be glass panels that vary in opacity and colour, with protruding balconies and projected panels to add a three dimensional character to the buildings exterior. This is illustrated in Figure 2 above.
- 8.75 The facades have been designed to reflect the importance of the role of Building B1 as landmark element of the proposals. There is a level of layering and subtlety to the facades which provides an articulation that can be read from long, medium and short distances.
- 8.76 As such, the scheme accords with Chapter 7 of the London Plan (2011), saved policies DEV1, DEV2 and DEV3 of the Council's UDP (1998), Policies SP10 and SP12 of the Core Strategy (2010) and Policy DM23, DM24 and DM26 of the MD DPD (submission version 2012) which seek to ensure buildings and places are of a high quality of design and suitably located.

Housing

- 8.77 Policy 3.3 of the London Plan (2011) seeks to increase London's supply of housing, requiring Boroughs to exceed housing targets, and for new developments to offer a range of housing choices, in terms of the mix of housing sizes and types and provide better quality accommodation for Londoners.
- 8.78 Policy SP02 of the CS seeks to deliver 43,275 new homes (equating to 2,885 per year) from 2010 to 2025 in line with the housing targets set out in the London Plan. The application proposal will deliver 764 residential units.

Residential Density

- 8.79 Policies 3.4 of the London Plan (2011) and SP02 of the Core Strategy (2010) seek to ensure new housing developments optimise the use of land by relating the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of the immediate location.
- 8.80 The site has a good public transport accessibility level (PTAL) of 4. For central locations with a PTAL of 4, both London Plan (Policy 3.4, Table 3.2) and LBTH Core Strategy seek to provide a density of between 650 and 1,100 habitable rooms per hectare on the site. The proposed density would be approx. 1,580 habitable rooms per hectare (or approximately 530

units per hectare). However, the intent of the London Plan and Council's DM DPD is to optimise the intensity of use compatible with local context, good design principles and public transport capacity.

- 8.81 The scheme incorporates new pedestrian routes through the application site, as well as planning obligations towards transport infrastructure, public realm and connectivity to improve sustainable travel options.
- 8.82 It should be noted that density only serves as an indication of the likely impact of a development and as discussed in later sections of this report, the development does not present any symptoms of overdevelopment or have any significantly adverse impacts on the quality of the residential development. As such a density which exceeds the recommended guidance is considered acceptable in this location. This is further supported by the site's designation within the Central Activities Zone, the Isle of Dogs Opportunity Area, the Marsh Wall East Site Allocation and the Isle of Dogs Action Area Plan, all of which encourage high density development in central locations. It is therefore considered that the proposal maximises the intensity of use on the site and is supported by national, regional and local planning policy, and complies with Policy 3.4 the London Plan (2011) and Policy SP02 of the Core Strategy (2010) which seek to ensure the use of land is appropriately optimised in order to create sustainable places.

Affordable Housing

- 8.83 As detailed in table 1 below, the overall indicative proposal includes 36% affordable housing provision by habitable room, or 228 units.

	Units	% of units	Habitable rooms	% Hab rooms
Affordable Social Rent	154	20%	584	39%
Affordable Intermediate	74	10%	241	5%
Total Affordable	228	30%	904	36%
Market Sale	536	70%	1486	64%
Total	764	100%		100%

Table 1: The proposed indicative overall tenure mix

- 8.84 The proposed overall delivery of 36% affordable housing by habitable is meets the Council's minimum requirement of 35%, however policy requires affordable housing to be maximized within 35-50%.
- 8.85 The affordable housing offer complies with policy as it is in the range of 35%-50%. In addition the applicant is able to meet all the necessary planning obligations required to mitigate the impact of the development.
- 8.86 As the affordable housing offer complies with policy there is not a requirement to test viability, however the applicant has provided a viability assessment to support the applications. The Council's independent review of the viability assessment concludes that the affordable housing offer and other financial contributions are the optimum that this development could deliver (at the time of the assessment).
- 8.87 Notwithstanding the above the applicant has agreed to include a review clause in the s106 agreement to reassess development viability immediately prior to implementation of the scheme with the effect that additional affordable housing could be secured but with a guarantee that a minimum of 36% affordable housing (by habitable room) based on the tenures set out in this report will be provided.

8.88 Officer consider that in the current economic climate that current offer is generous particularly as the applicant has committed to delivering social rented homes which are more affordable to local people and meet local need better than other models of delivering affordable housing.

Housing Type and Tenure Mix

8.89 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type.

8.90 Further to this, Saved Policy HSG7 of the UDP requires new housing to provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms.

8.91 Policy SP02 of the CS also seeks to secure a mixture of small and large housing, requiring an overall target of 30% of all new housing to be of a size suitable for families (three-bed plus), including 45% of new rented homes to be for families.

8.92 Policy DM3 (part 7) of the MD DPD requires a balance of housing types including family homes. Specific guidance is provided on particular housing types and is based on the Councils most up to date Strategic Housing Market Assessment (2009).

8.93 In order to assess the acceptability of the proposed mix against the Council's preferred mix as set out in the Policy SP02 of the Core Strategy, the table below describes the proposed overall mix in the context of the Borough's preferred dwelling mix:

Unit size	Total units in scheme	affordable housing						market housing		
		social rented			intermediate			private sale		
		scheme units	scheme %	Core Strategy target %	scheme units	scheme %	Core Strategy target %	scheme units	scheme %	Core Strategy target %
studio	53		0%	0%		0%	0%	53	10%	0%
1 bedroom	270	46	30%	30%	19	25%	25.0%	198	37%	50.0%
2 bedroom	233	40	26%	25%	36	49%	50.0%	175	33%	30.0%
3 bedroom	172	43	28%	30%	19	26%	25%	83	15%	20%
4 bedroom	21	18	12%	15%		0%		27	5%	
5 bedroom	7	7	5%	0%		0%			0%	
6 bedroom	0		0%			0%			0%	
TOTAL	764	154	100%	100%	74	100%	100%	536	100%	100%

Table 5: Indicative overall unit and tenure mix

8.94 Within the Affordable Housing tenure, the application proposes social rented, and Intermediate housing.

8.95 Social rented housing is defined as: Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

- 8.96 Intermediate affordable housing is defined as: Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent but does not include affordable rented housing.
- 8.97 The affordable element is split 71:29 in favour of rented, this is considered to be in line with the Council's policy target of 70:30.
- 8.98 The housing mix is entirely policy compliant and includes the provision of much needed larger family accommodation, providing a policy compliant 45%, including 4 and 5 bed homes for social rent. There is also a policy compliant levels of family housing in the intermediate and private tenures.
- 8.99 If planning permission is granted it is recommended that a condition be attached to ensure that a minimum of 10% of units are wheelchair accessible, details of which to be submitted and approved.
- 8.100 The proposal would provide an acceptable mix of housing and contributes towards delivering mixed and balanced communities across the wider area. Furthermore, the emphasis on the provision of family housing within the social rented tenure is welcomed. Therefore it is considered that the application provides an acceptable mix in compliance with Policy 3.8 of the London Plan (2011), Policy SP02 of the CS and Policy DM3 of the MD DPD which seek to ensure developments provide an appropriate housing mix to meet the needs of the borough.

Internal Space Standards

- 8.101 The submitted plans demonstrate that the applicant has met the internal space standards set out within both the Housing Design Guide and London Plan. All proposed affordable family homes include a separate kitchen and dining room.

Private and Communal Amenity Space

- 8.102 Policy DM4 of the MD DPD sets out standards for new housing developments with relation to private and communal amenity space. These standards are in line with the Mayor's Housing Design Guide (2010), recommending that a minimum of 5 sq. m of private outdoor space is provided for 1-2 person dwellings and an extra 1 sq. m is provided for each additional occupant.
- 8.103 The overall scheme should provide 4,936 sqm of communal amenity space to accord with policy DM4 of the MD DPD. Overall, the proposal delivers 6,552sqm of private communal amenity space, which exceeds policy and is therefore considered acceptable. There is provision for a total of approximately 9,232sqm open spaces, including private gardens, communal amenity space and child playspace within the revised proposals which includes a combination of public open space, communal amenity space, and child playspace (considered below).
- 8.104 All residential units have private amenity space, in the form of terraces or balconies, which is considered acceptable.

Child Play Space

- 8.105 Policy 3.6 of the London Plan (2011), Saved Policy OS9 of Tower Hamlets UDP (1998), Policy SP02 of Tower Hamlets Core Strategy (2010) and Policy DM4 of the MD DPD seeks to protect existing child play space and requires the provision of new appropriate play space within new residential development. Policy DM4 specifically advises that applicants apply

LBTH child yields and the guidance set out in the Mayor of London's SPG on 'Providing for Children and Young People's Play and Informal Recreation' (which sets a benchmark of 10 sq.m of useable child play space per child).

- 8.106 Using LBTH child yield calculations and based on the overall submitted indicative unit mix, the overall development is anticipated to accommodate 277 children and accordingly the development should provide a minimum of 2,770sq.m of play space in accordance with the London Plan and the emerging MD DPD's standard of 10sq.m per child. The submitted landscape strategy details that the development proposes to deliver 3,035sq.m of play space, resulting in additional provision of 265sqm.
- 8.107 As such, given the on-site provision of children's play space and adjacent playable soft landscaped area and availability of public play space within 800m of the site (i.e. Millwall Park, Sir John McDougal Park and St John's Park) it is judged that the revised Skylines development will have a beneficial impact on play space in the local area
- 8.108 A condition has been attached requiring the submission of details of accessible play equipment.

Wheelchair Housing and Lifetime Homes Standards

- 8.109 Policy 3.8 of the London Plan and Policy SP02 of the LBTH Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 8.110 Any planning permission will be conditioned to ensure that the detailed design of units will accord with the above London Plan and LBTH requirements in terms of wheelchair accessibility and Lifetime Homes Standards.

Amenity

Daylight and Sunlight

- 8.111 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 8.112 Saved Policies DEV1 and DEV2 of Tower Hamlets UDP (1998), Core Strategy Policy SP10 and Policy DM25 of the draft Managing Development DPD (2012) seek to protect amenity, by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.
- 8.113 The Environmental Statement considers the impacts of the development with respect to daylight and sunlight and has been independently reviewed by a specialist consultant.
- 8.114 For calculating daylight to neighbouring properties, affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 8.115 British Standard 8206 recommends ADF values for new residential dwellings, these being:
- >2% for kitchens;
 - >1.5% for living rooms; and
 - >1% for bedrooms.
- 8.116 The submitted daylight and sunlight report assesses the impact of the proposed development

upon neighbouring properties, as well as its impact on the development potential of neighbouring sites within the Marsh Wall East allocation (DM DPD – Submission Version)

- 8.117 The BRE Report (2011) recommends that where possible all dwellings should have at least one living room which can receive a reasonable amount of sunlight. A reasonable amount of sunlight is defined in BS 8206:2008 as follows:

“Interiors in which the occupants have a reasonable expectation of direct sunlight should receive at least 25% of probable sunlight hours. At least 5% of probably sunlight hours should be received in the winter months, between 21 September and 21 March. The degree of satisfaction is related to the expectation of sunlight. If a room is necessarily north facing or if the building is in a densely built urban area, the absence of sunlight is more acceptable than when its exclusion seem arbitrary”

Proposed Development

- 8.118 The daylight/sunlight assessment for the new blocks to be constructed demonstrates that all main facades will receive good levels of sunlight. A total of 338 units are single aspect (233 are within the private sale properties) none of which are north facing.

Neighbouring Properties

- 8.119 The BRE report recommends that for existing buildings, sunlight should be checked for all main living rooms of dwellings and conservatories, if they have a window facing within 90 degrees of due south. If the centre of the window can receive more than one quarter of annual probably sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the rooms should still receive enough sunlight. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value then the occupants of the existing building will notice the loss of sunlight

- 8.120 The daylight, sunlight and overshadowing assessment for the neighbouring properties has been carried out by testing regular points on the elevations of the buildings surrounding the development site, those being that are most affected, as considered by the Council’s independent specialist. Those dwellings in close proximity of the Site and where those dwellings have windows which have a direct outlook onto the Site itself are shown in the table below.

Address	Percentage of windows that exceed 40% reduction in daylight
26-44 East Ferry Road	45%
6-13 Cipka Street	68%
1-39 Aste Street	98%
1-6 Roffey Street	19%

Table 6: Daylight impacts on properties with direct outlook onto Skylines Village

- 8.121 When these failings are assessed against historical standards previously adopted by the Council, they would be assessed as unacceptable as the impact on the existing levels of natural daylight will exceed a 40% reduction, and in many cases well above 40%. This will result in demonstrable harm to the amenity and in particular principal living rooms and rear bedrooms.

- 8.122 Buildings further away from the Site or buildings which do not have windows with a direct outlook onto the Site which were assessed are as follows:

- 1-114 Meridian Place

- 1-52 Antillies Bay
- 12-24 East Ferry Road
- 22-25 Chipka Street
- 30-33 Chipka Street
- 1-30 Landovery House
- 1-12 Ash House
- 1-18 Rugless House
- 13-14 Roffey Street
- Limeharbour Court

- 8.123 The impact on properties named above which are remote from the site or do not have a direct outlook onto the Site could perhaps be described as “moderate/major adverse”.
- 8.124 The analysis identifies that the proposed development will, in some cases, result in an impact on daylight levels to the residential properties to the south of the site that is in excess of the maximum levels set out in BRE guidance. However it should be acknowledged that in a city centre or urban context, such as the Skylines site, are anticipated by the BRE which allow a degree of pragmatism. The 2011 BRE report states that numerical guidelines “should be interpreted flexibly because natural lighting is only one of many factors in site layout design.”
- 8.125 In many instances residential properties to the south of the application site, including those on Chipka Street, Roffey Street and Aste Street, already receive daylight levels which are below the BRE targets. These properties are therefore particularly sensitive to relatively small changes in lighting conditions. As the Skylines site is currently occupied by very low rise buildings and has a raised site level (of c.3 metres) when compared to the residential properties to the south, the construction of any meaningful scale of development on the site will inevitably cause some impact on daylight levels to these properties;
- 8.126 A substantial new public open space will be created at the southern end of the site including the creation of a new biodiversity area along the southern boundary, the proposed development will in fact improve the aspect to existing residential properties to the immediate south. As detailed in the design and access statement, the final height of the set-back buildings proposed along Limeharbour will be below the sight-line created by the existing buildings (when viewed from the rear gardens along Aste Street).
- 8.127 Despite letters of objection received on the basis that neighbouring properties would be affected by these proposals in terms of losing existing levels of daylight and sunlight, considering the overall proportion of failures, of the residential properties surrounding the subject site, on balance it is considered that the daylight impacts of the proposal upon surrounding existing residential properties is acceptable.

Sense of Enclosure, Outlook and Privacy

- 8.128 Policy SP10 of the CS seeks to protect residential amenity and policy DM25 of the MD DPD requires development to ensure it does not result in the loss of privacy, unreasonable overlooking, or unacceptable increase in sense of enclosure, or loss of outlook. These policies are further supported by policies DEV1 of the IPG and DEV2 of the UDP.
- 8.129 In terms of impacts upon neighbouring properties, those which are the most sensitive are to the north fronting Aste Street and Chipka Street. In accordance with policy DM25 of the MD DPD, a reasonably acceptable separation distance between directly facing habitable rooms windows to ensure privacy is maintained is 18 metres.
- 8.130 Accordingly the separation distances between the proposed development and directly facing neighbouring properties is considered acceptable given the urban context of the site.

- 8.131 With relation to overlooking to existing residential properties, it is not considered that levels of overlooking will be any worse than existing. The existing Skylines Business Village includes a number of business units along the southern boundary with windows fronting directly on to the rear gardens of lower scale residential properties at Aste Street. When combined with a circa 3 metre difference in site levels this relationship contributes to an existing sense of enclosure and overlooking.
- 8.132 The Skylines proposal seeks to relieve this situation by demolishing the existing business units along the southern boundary and replacing them with new high quality buildings set further back from the boundary. Although these buildings will be taller, their position further away from these properties will ensure that separation distances between opposing windows are substantially increased thereby minimising opportunities for overlooking or loss of privacy.
- 8.133 In terms of impacts on itself the scheme has been designed to minimise directly facing habitable rooms within 18 metres. The proposals are therefore generally in keeping with the abovementioned policies.

Development Proposals on Adjacent Sites

- 8.134 A further material planning consideration is the impact of Skylines proposal on the submitted application for Angel House (PA/12/02414), mentioned in the relevant planning history section of this report. The review by an independent specialist confirmed the assessment in support of the application which concludes that the proposed Skylines building will not affect the opportunity to develop the site as the proposed residential facades achieve acceptable VSC levels. Figure 8 below illustrates the relationship between the proposed Skylines development and the proposed Angel House development (PA/12/02414).
- 8.135 A typical proposed residential floor for Angel House application shows accommodation will be dual aspect and thus enjoy daylight reaching the fenestration from two orientations, one of which is not impacted by the Skylines proposal. Therefore even at the lowest residential floor the VSC levels achieved by Angel House would suffice to ensure that the proposed dual aspect accommodation would meet or exceed the minimum internal daylight levels for Average Daylight Factor.

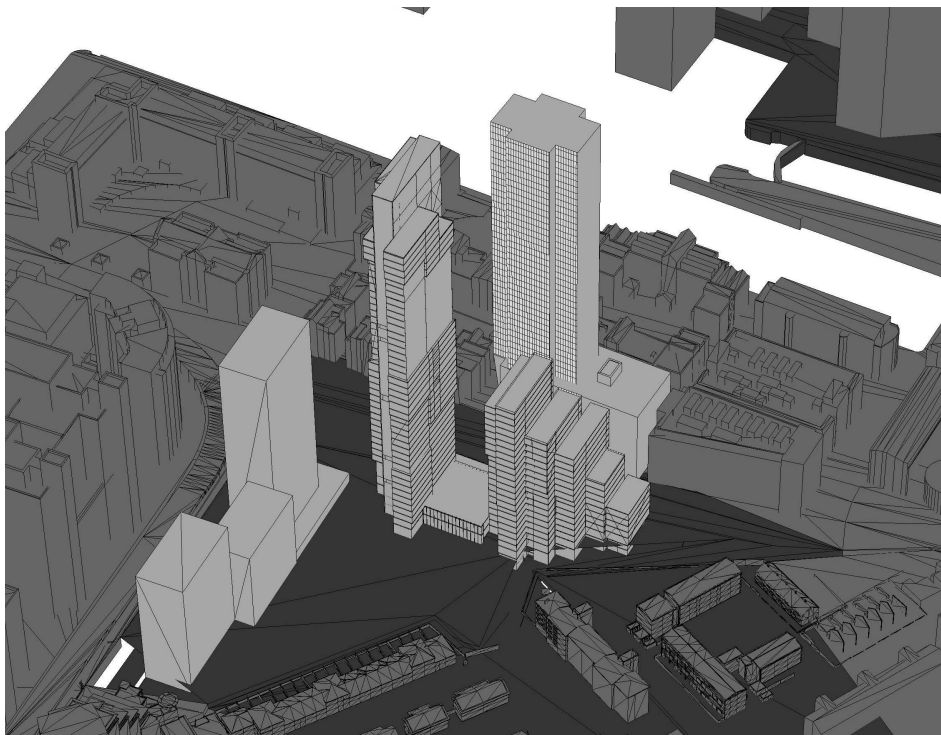


Figure 8 relationship between Angel House proposal and Skylines

- 8.136 On balance, the daylight and sunlight results for both the proposed and existing residential units and public spaces indicate that the scheme will deliver good levels of amenity for new residents, whilst ensuring the amenity of neighbouring properties is not unduly detrimentally affected, and is not

Air Quality

- 8.137 Policy 7.14 of the London Plan seeks to ensure design solutions are incorporated into new developments to minimise exposure to poor air quality. Saved Policy DEV2 of the UDP, Policy SP02 and SP10 of the CS and Policy DM9 of the MD DPD seek to protect the Borough from the effects of air pollution, requiring the submission of air quality assessments demonstrating how it will prevent or reduce air pollution in line with Clear Zone objectives.
- 8.138 The Air Quality assessment (chapter 11 of the Environmental Statement) suggests there are two key distinct elements regarding changes to air quality – during construction and the development itself. During construction it is intended that the construction process will be managed in accordance with the Council's Code of Construction Practice, which clarifies a number of obligations to mitigate against potential air quality deterioration.
- 8.139 The statutory review and assessment of local air quality within the LBTH resulted in the entire borough being declared an Air Quality Management Area (AQMA).
- 8.140 An assessment has been undertaken of potential impacts associated with the forecast changes in traffic flows on nearby access routes; dust and vehicular emissions during demolition and construction; and the anticipated emissions from vehicles associated with the completed development. The impact assessment has been updated to reflect the recently issued vehicle emissions factors. These vehicle emissions factors have been issued by the Department for Environment Food and Rural Affairs (Defra). The results of the updated assessment are presented in Chapter A15: Air Quality of the July 2012 ES Addendum.
- 8.141 Any air quality impacts arising from demolition and construction dust are predicted to be minor adverse at the nearest sensitive receptors, lasting only for the duration of the demolition and construction phase. An EMP will be prepared for the Site prior to the commencement of any onsite works and will be agreed with the LBTH, which will include a whole suite of measures to reduce dust emissions.
- 8.142 On balance and subject to the imposition of appropriate conditions, it is considered that the impacts on air quality are acceptable and any impacts are outweighed by the regeneration benefits that the development will bring to the area. The Borough's Environmental Health Officer has confirmed acceptance of the assessment, subject to conditions to ensure that dust monitoring during the demolition and construction phase are incorporated as part of the Construction Environmental Management Plan.
- 8.143 As such, the proposal is generally in keeping Policy 7.14 of the London Plan, policy DEV2 of the UDP, CS policy SP02, policy DM9 of the MD DPD and the objectives of Tower Hamlets Air Quality Action Plan (2003).

Noise and Vibration

- 8.144 Chapter 11 of the NPPF gives guidance for assessing the impact of noise. The document states that planning decisions should avoid noise giving rise to adverse impacts on health and quality of life, mitigate and reduce impacts arising from noise through the use of conditions, recognise that development will often create some noise, and protect areas of tranquillity which have remained relatively undisturbed and are prized for their recreational and amenity value for this reason.

- 8.145 Policy 7.15 of the London Plan, saved policies DEV2 and DEV50 of the UDP, policies SP03 and SP10 of the CS and policy DM25 of the MD DPD seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.146 The site is within Noise Exposure Category D - for proposals in this category planning permission will normally be refused.
- 8.147 Facades of the rear blocks which are acoustically screened from Marsh Wall and Limeharbour, and the DLR The most affected blocks are B, A1 and A2. These blocks are designed with the lift core facing Limeharbour to minimise the impact on habitable room and proposed façade attenuation measures and specifications are stated as available to ensure required level of sound insulation for good resting /sleeping conditions in dwellings. It is recommended that the approval of these details are conditioned to facilitate detailed consultation with Environmental Health officers to better protect the amenity of residents.
- 8.148 The proposed development has considered the likely effects of noise both positive and negative on the local amenity and any sensitive receptors, the cumulative noise impact as part of the Environmental Impact Assessment and to mitigate any impacts. Conditions are also recommended which require the approval of noise insulation measures in consultation with Environmental Health, restrict construction hours and noise emissions and requesting the submission of a Construction Management Plan which will further assist in ensuring noise reductions, and requiring the submission for approval of hours of operation for any A1-A5 uses
- 8.149 As such, it is considered that the proposals are in keeping with the NPPF, policy 7.15 of the London Plan, saved policies DEV2 and DEV50 of the UDP, policies SP03 and SP10 of the CS and policy DM25 of the MD DPD.

Transport, Connectivity and Accessibility

- 8.150 The NPPF and Policy 6.1 of the London Plan 2011 seek to promote sustainable modes of transport and accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within the relative capacity of the existing highway network.
- 8.151 Saved UDP policies T16, T18, T19 and T21, CS Policy SP08 & SP09 and Policy DM20 of the MD DPD together seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.
- 8.152 As detailed earlier in this report, the site has a good public transport accessibility level (PTAL) of 4 (1 being poor and 6 being excellent). The site lies 200 metres to the east of South Quay Docklands DLR station, which has recently been relocated to accommodate the three-car upgrade. Crossharbour DLR station is located 250 metres to the south of the site, and Canary Wharf Underground Station is 600 metres from the site to the northeast. Five bus routes can be accessed within 300 metres of the site (nos. 135, D3, D6, D7 and D8).

Highways

- 8.153 The application proposes vehicle two entrances to the subject site one off Marsh Wall and the other off Limeharbour. Both provide access to underground car park and servicing area. The proposal also includes a lay-by which is off the public highway and is accessed from Limeharbour.
- 8.154 The submitted transport assessment demonstrates that the development will generate a net

decrease of 3 AM peak hour and 13 PM peak hour two-way vehicle trips on the surrounding highway network compared to the existing business village. The existing highway network in the vicinity of the site operates within capacity and this assessment shows that the development proposals can be accommodated on the surrounding highway network which TfL and LBTH have not disputed.

Servicing and Deliveries

- 8.155 London Plan Policy 6.13 states that developments need to take into account business delivery and servicing. This is also reiterated in IPG CS Policy DEV17, which states that developments need to provide adequate servicing and appropriate circulation routes.
- 8.156 The proposed layby off the public highway on Limeharbour provides for most servicing and deliveries. The basement allows sufficient headroom for delivery and serving vehicles if required which are able to enter and exist in forward gear.
- 8.157 Servicing and deliveries would be managed and co-ordinated through a Delivery & Servicing Plan (DSP) to be prepared and submitted prior to occupation of the detailed scheme and further phases.

Waste, Refuse & Recycling

- 8.158 Full details of the waste, refuse and recycling would also be managed and co-ordinated through a Delivery & Servicing Plan (DSP) to be prepared and submitted prior to occupation.
- 8.159 Full details of the waste, refuse and recycling would also be managed and co-ordinated through a Delivery & Servicing Plan (DSP) to be prepared and submitted prior to occupation. Notwithstanding the above, the indicative scheme shows that within the residential block, residents have access to communal waste stores within the basement where they deposit their waste. Waste collection vehicles enter the basement and collect full bins from designated presentation areas or directly from the waste rooms. The inclusion of large lifts and ramps allows waste to be transferred from the basement to ground levels, where refuse vehicles using the Limeharbour drop-off, to minimise any impact on traffic flows, can collect the waste if required. Commercial waste is stored and collected from the basement.

Car Parking

- 8.160 Policies 6.13 of the London Plan, Saved Policy T16 of the UDP, Policy SP09 of the CS and Policy DM22 of the MD DPD seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 8.161 IPG Planning Standard 2 sets a policy maximum car parking ratio of 0.5 spaces per residential unit, where it can be shown that the proposed level would not result in a detrimental impact on the safe and free flow of traffic on the surrounding highway network. MD DPD Parking Standards sets specific parking levels for the Isle of Dogs. These levels are 0 parking for units of less than 3 bedrooms, and 0.1 for 3 bedrooms plus.
- 8.162 The scheme proposes a maximum of 189 car parking spaces within a basement. All of these spaces are allocated for residential use (170 standard, 19 disabled). Spaces are to be allocated for affordable housing units according to the number of new residents which qualify for the Council's Permit Transfer Scheme. This will be secured through planning obligation. The overall parking provision reflects a ratio of 0.25 spaces per residential unit which exceeds MD DPD policy but is considered acceptable by LBTH Highways on the basis that provision is made for those new residents who qualify for the Council's Permit Transfer Scheme. This is to prevent the exacerbation of existing parking stress levels on local roads. It is also justified by the fact that there are existing car parking spaces, the replacement of which is not considered to increase local traffic.

- 8.163 The residential parking is in accordance with LBTH IPG Planning Standard 2, which sets a policy maximum car parking ratio of 0.5 spaces per residential unit. However is in excess of the MD DPD Planning Standard 1 which allows for 0.1 spaces per family unit (3 bed plus), and no parking for smaller units which has been justified. Electric vehicle charging points are provided with each car parking space which will be secured by condition.
- 8.164 The applicant has submitted a Transport Assessment which considers the impact of the development upon the highway network. This assessment was based upon the initial proposal which included a total of 205 parking spaces (although 189 are now proposed), with the results indicating that Preston's Road roundabout is currently operating at capacity and will be over capacity in future years. The proposed development would result in a small impact in the PM peak on Aspen Way (East) and Preston's Road.
- 8.165 Considering the above, the Borough's Highways department support the proposed parking levels subject on street parking permit-free agreement be secured through the planning obligations restricting new residents from securing parking permits (other than those qualifying for the Permit Transfer Scheme).
- 8.166 In addition to the above, further measures to discourage car use in this development proposal include 1060 cycle parking spaces, improved pedestrian access and permeability within the site, together with financial obligations towards bus and DLR services and public realm improvements beyond the site boundary.
- 8.167 Accordingly, it is the view of officers that subject to securing the provisions outlined above, the proposed car parking on site is considered acceptable. It will serve to meet the demands of the proposed development, whilst not causing detriment to the free flow of traffic on the surrounding highway network.

Provision for Cyclists

- 8.168 The proposal includes improvements to the local cycle network through the inclusion of cycle routes through the development. In addition, a total of 1,060 cycle parking spaces are proposed within the development for all land uses, which complies with London Plan policy 6.13. Provision is proposed to be within the basement. TfL welcomes the provision of 1020 cycle parking spaces for occupiers of the proposed development and the 40 visitor spaces to be provided at grade throughout the development.

Public Transport Improvements

Docklands Light Railway

- 8.169 TfL considers that it is likely that most trips will be made from South Quay DLR station. A programme of works has already been identified to improve this station, relating to the installation of additional lifts to improve accessibility. TfL and the applicants have requested a financial contribution of £250,000. The applicants have refused to meet this request on the basis that it will not increase capacity of the local public transport system and therefore is not required to mitigate the impact of the proposed development.
- 8.170 A condition to provide DAISY boards or appropriate alternative real time information displays within the reception areas of the proposed development should be secured. This will assist the delivery of the travel plan mode share targets.
- 8.171 Given the height and proximity of the proposed development, TfL may require a contribution towards a signal booster to mitigate the impact of the proposals on the DLR radio communications. TfL therefore require the developer to conduct before and after tests of signal strength to allow TfL to assess the level of mitigation needed. The funding of any mitigation measures required as a result of the test will need to be secured via the section

106 agreement, and a commitment to carry out the tests should be included as a condition

Crossrail

- 8.172 The development will be required to make a contribution of £2,343,285 towards the Mayor of London's Community Infrastructure Levy (CIL) which pools funds to help meet the cost of delivering Crossrail across London. CIL takes precedence over the Mayor of London's Crossrail SPG contribution as the overall figure is higher.

Buses

- 8.173 The PTAL rating for the site is good. Five bus routes (135, D6, D8, D3 and D7) are within close proximity of the site, and the new South Quay DLR station is approximately 200m to the west of the proposal site. The site is also approximately 980m (12-13 minutes walk) from the Canary Wharf Underground station. The site has good pedestrian access to the aforementioned public transport modes via the adjacent Marsh Wall.
- 8.174 As the development site is within walking distance of Canary Wharf for the Jubilee Line, TfL assume a lower bus trip generation, and therefore accept the lower figure of 39 bus trips. TfL have requested £224,700 towards London Buses, to be secured via the section s106 agreement.

Pedestrian Environment

- 8.175 The development will undoubtedly result in an increase in the number of walking trips, mainly due to the improved accessibility in and around the site. The proposal incorporates a new diagonal north-south route linking Marsh Wall and Chipka Street. The proposal seeks to ensure active retail frontages in the pavilion and residential overlooking to this route, ensuring a high level of passive surveillance.
- 8.176 The proposal secure high quality public realm within the site, with high quality materials, the use of natural stone paving, lighting and street furniture. The applicants have also agreed to a financial contribution of £675,253 towards public realm/open space improvements within the vicinity of the site. It is expected that this will contribute towards:
- A new urban square at the junction of Marsh Wall and Limeharbour, and new pedestrian routes linking East Ferry Road, Marsh Wall and Limeharbour.
 - 'Legible London' directional signage is also proposed to assist the pedestrian environment and general wayfinding through a financial contribution of £15,000.
- 8.177 In addition, the introduction of a raised table and new pedestrian crossing via a s278 highways agreement would further serve to improve the pedestrian experience along Marsh Wall and Limeharbour.
- 8.178 Conditions are recommended seeking full details of the improvement works to be delivered as a result of the above agreed financial obligations towards public realm improvements.

Inclusive Access

- 8.179 Policy 7.2 of the London Plan (2011), Saved UDP Policy DEV1, Policy SP10 of the CS and Policy DM23 of the MD DPD seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 8.180 A growing awareness of the importance of creating environments that are accessible for all people has led the Council to emphasise the importance of 'inclusive design'. It is considered that the proposed development has been designed with the principles of inclusive design in mind.
- 8.181 The site's location within a good PTAL area, alongside the provision of step free access

routes across the site where possible indicates that the site will be accessible, usable and permeable for all. The proposed public realm strategy for the site, including the private and communal gardens appear accessible to all. A number of principles have also been adopted by the applicant to ensure inclusive access and this will be discussed in later sections of this report. (e.g. commitment to Lifetime Homes standards; commitment towards provision of 10% wheelchair accessible homes; non segregated entrance points; compliance with Part M Building Regs to ensure level/ramped access).

Energy & Sustainability

8.182 At a National level, the NPPF encourage developments to incorporate renewable energy and to promote energy efficiency.

8.183 The London Plan sets out the Mayor of London's energy hierarchy which is to:

- Use Less Energy (Be Lean);
- Supply Energy Efficiently (Be Clean); and
- Use Renewable Energy (Be Green)

The London Plan 2011 also includes the target to achieve a minimum 25% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy (Policy 5.2).

8.184 The information provided in the submitted energy strategy is principally in accordance with adopted the climate change policies. Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. The London Borough of Tower Hamlets Core Strategy Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation. The Council's Sustainability & Renewable Energy Team have commented that the proposed development will need to ensure it complies with draft Policy DM29 of the draft Managing Development DPD (2012) which requires:

- 2011-2013 = 35% CO2 emissions reduction;
- 2013-2016 = 50% CO2 emissions reduction; and
- 2016-2031 = Zero Carbon

8.185 The emerging Managing Development 'Development Plan Document' Policy DM29 includes the target to achieve a minimum 35% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. Policy DM 29 also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require all non-residential development to achieve a minimum of BREEAM Excellent.

8.186 Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. The London Borough of Tower Hamlets Core Strategy Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.

8.187 The Energy Statement (July 2012), follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean). The proposals are to link to the Barkantine District Heating System to supply the space heating and hot water requirements in accordance with policy

5.6 of the London Plan will also reduce energy demand and associated CO2 emissions by 38% (Be Clean).

- 8.188 Photovoltaic cells are proposed to provide a source of on site renewable energy (Be Green). The technologies employed would result in a 4.4% carbon savings over the regulated energy baseline. It is acknowledged that achieving a 20% reduction in CO2 emissions through renewable energy technologies is technically challenging and not feasible for all developments. The applicant has demonstrated that the proposed CO2 emission reduction through PV's (110m2 PV array) is the maximum that can be achieved from renewable energy technologies for the site. Whilst the proposed development is not meeting Core Strategy Policy SP11, the Sustainable Development Team support the application as the applicant has demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible.
- 8.189 The total anticipated CO2 savings from the development are 38% (573 tonnes CO2 per annum), through a combination of energy efficiency measures, a CHP power system and renewable energy technologies. The proposed energy strategy therefore exceeds the requirements of Draft Policy DM29 which seeks a 35% reduction in CO2 emissions. Therefore the CO2 savings proposed for this development are considered acceptable and it is recommended that the strategy is secured by Condition and delivered in accordance with the submitted Energy Statement.
- 8.190 In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating and all non residential development to achieve a BREEAM Excellent rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan 2011 and Policy DM29 of the London Borough of Tower Hamlets emerging Managing Development DPD.
- 8.191 The submitted Sustainability Statement (including Code Pre-assessment and BREEAM pre-assessment) details how the development will achieve a Code for Sustainable Homes Level 4 and BREEAM Excellent for the offices and retail elements. It is recommended that the achievement of a Code Level 4 rating for all residential units and BREEAM Excellent ratings for the office and retail elements are secured through an appropriately worded Condition with the Code for Sustainable Homes Final Certificates submitted to the Council within 3months of occupation.

Environmental Considerations

Contamination

- 8.192 In accordance with the requirements of the NPPF, saved UDP policy DEV51 and policy DM30 of the MD DPD, the application has been accompanied by an Environmental Statement which assesses the likely contamination of the site.
- 8.193 The Councils Environmental Health Officer has reviewed the documentation, and noted that further characterisation of the risks are necessary via a detailed site investigation. A condition to secure further exploratory works and remediation has been requested,
- 8.194 Council records show that the site and surrounding area have been subjected to former industrial uses which have the potential to contaminate the area. As ground works and soft landscaping are proposed and therefore a potential pathway for contaminants may exist and will need further characterisation to determine associated.

Microclimate - Wind

- 8.195 Wind microclimate is an important factor in achieving quality developments, with appropriate levels of comfort relative to the area being assessed.
- 8.196 The submitted Environmental Statement assessed the microclimate of the proposed development, and found that the majority of testing points were suitable for the purpose of the use (for example, amenity areas were suitable for sitting out and walking) during the summer season, with windier results for the worst case winter season. Appropriate mitigation can ensure that entrances to buildings are appropriate in microclimate terms and these can be conditioned. The results for the detailed element of the proposal are acceptable.

Flood Risk

- 8.197 The NPPF, policy 5.12 of the London Plan, and policy SP04 of CS relate to the need to consider flood risk at all stages in the planning process.
- 8.198 The development falls within Flood Risk Zone 3. The application is supported by a flood risk assessment and describes various potential flood mitigation options.
- 8.199 The Application Site lies within Flood Zone 3 as shown on the EA Flood Map. This zone comprises of land assessed as having 1 in 100 or greater annual probability of fluvial flooding (>1%) or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year. There are raised man-made flood defences along this stretch of the River Thames that protect the site against tidal flooding which has a 0.1% annual probability of occurring up to the year 2030.
- 8.200 The Site elevation is between 4m AOD and 5m AOD. As a result of this it is proposed that for part of the development levels will be raised to 5m AOD. Finished floor levels (FFLs) at ground floor, and basement entrances will be at a minimum level of 5.1m AOD. Based on the River Thames levels, this provides ground floor levels 300mm above the 1 in 200 tidal peak level for the year 2107. Safe refuge and evacuation routes from the basement and ground floor levels will also be provided. This has been agreed with the EA which has confirmed that the proposed mitigation is acceptable.
- 8.201 In order to meet with the regulatory and planning policy requirements to reduce rainwater run-off, an attenuation tank (located in the basement) will be installed at the Site to slow down the rate of surface water run-off. Increased requirements for water supply will be mitigated by providing water efficiency measures such as low flow fittings and metering. Rainwater will be recycled for use on gardens, and grey water will be collected from residential units to be used for flushing of toilets to ground floor commercial units. In addition Thames Water Utilities Limited (TWUL) are implementing a series of measures to increase capacity and deal with waste water (e.g. including Thames Tunnel).
- 8.202 Subject to the inclusion of conditions as per the recommendation of the Environment Agency, it is considered that the proposed development by virtue of the proposed flood mitigation strategy complies with the NPPF, Policy 5.12 of the London Plan and Policy SP04 of the CS.

Biodiversity

- 8.203 The London Biodiversity Action Plan (2008), policy 7.19 of the London Plan, policy SP04 CS and policy DM11 of the MD DPD seek to protect and enhance biodiversity value through the design of open space and buildings and by ensuring that development protects and enhances areas of biodiversity value in order to achieve a net gain in biodiversity. Policy DM11 of the MD DPD also requires elements of living buildings.
- 8.204 Through the provision of a landscaping scheme that includes the creation of a biodiversity area including native planting at ground level such as trees, scrubs and ornamental planting

the proposed Development provides an ecological enhancement to the local area.

8.205 Through planning conditions any impact to the existing biodiversity and ecology value can be minimised, and the proposed development is not considered to have adverse impacts in terms of biodiversity. The development will ultimately provide an enhancement for biodiversity for the local area in accordance with the above mentioned policies.

Health Considerations

8.206 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough.

8.207 Policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.

8.208 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:

- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
- Providing high-quality walking and cycling routes.
- Providing excellent access to leisure and recreation facilities.
- Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
- Promoting and supporting local food-growing and urban agriculture.

8.209 The applicant has agreed to a financial contribution of £1,017,150 to be pooled to allow for expenditure on health care provision within the Borough.

8.210 The application will also propose public open spaces within the site which are to be delivered. This will also contribute to facilitating healthy and active lifestyles for the future occupiers of the development and existing residents nearby. This new open space will complement the surrounding area by introducing a new public square and route through to existing public open space.

8.211 It is therefore considered that the financial contribution towards healthcare and new open space will meet the objectives of London Plan Policy 3.2 and Policy SP03 of the Council's Core Strategy which seek the provision of health facilities and opportunities for healthy and active lifestyles.

Planning Obligations and CIL

8.212 Planning Obligations Section 106 Head of Terms for the proposed development at the Skylines Village site, based on the priorities set out in the adopted Tower Hamlets Planning Obligations SPD (January 2012).

8.213 The NPPF requires that planning obligations must be:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Are fairly and reasonably related in scale and kind to the development.

8.214 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

8.215 Securing appropriate planning contributions is further supported by saved policy DEV4 of the UDP and Policy IMP1 of the Council's IPG and policy SP13 in the CS which seek to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development.

8.216 The Council's Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides the Council's guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. The document also set out the Borough's key priorities being:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education

The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

8.217 In order to ensure that the proposed development was deliverable and viable, a financial appraisal was submitted by the applicants. This was independently assessed on behalf of the Council, and through the course of negotiations the proportion of affordable housing has been secured at 36% affordable housing based on a social rent to intermediate split of 71% and 29% respectively.

8.218 Also factored into this was a maximum financial contribution secured through planning obligations (s106) of **£8,086,000**, and in addition to this the application would be liable for a CIL charge of approximately **£2.34 million**.

8.219 The applicant is able to meet the Planning Obligation SPD requests for financial contributions as set out below:

- a) A contribution of £277,020 towards enterprise & employment.
- b) A contribution of £668,039 towards leisure and community facilities.
- c) A contribution of £202,982 towards libraries facilities.
- d) A contribution of £2,269,169 to mitigate against the demand of the additional population on educational facilities.
- e) A contribution of £1,017,150 towards health facilities.
- f) A contribution of £675,253 towards public open space.
- g) A contribution of £23,385 towards sustainable transport.
- h) A contribution of £368,754 towards streetscene and built environment.
- i) S106 Monitoring fee (2%)

Localism Act (amendment to S70(2) of the TCPA 1990)

8.220 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local

planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:

8.221 In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

8.222 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.223 In this context “grants” might include:

- a) New Homes Bonus;
 - a. These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.
 - b. *(Officer Comment): Officers are satisfied that the current report to Committee has had regard to the provision of the development plan. As regards local finance considerations, the proposed S.106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.*

8.224 *As regards Community Infrastructure Levy considerations, following the publication of the Inspector’s Report into the Examination in Public in respect of the London Mayor’s Community Infrastructure Levy, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. The likely CIL payment associated with this development would be in the region of £2,343,285*

8.225 *With regards to the New Home Bonus. The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides un-ring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.*

8.226 *Using the DCLG’s New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £1,345,324 - £1,589,690 in the first year and a total payment £8,071,944 - £9,538,141 over 6 years. There is no policy or legislative requirement to discount the new homes bonus against the s.106 contributions, and therefore this initiative does not affect the financial viability of the scheme.*

Conclusions



9.0 The proposed development would form and integral part of the Marsh Wall East site allocation to deliver the objectives of the Core Strategy. It provides much needed affordable housing in a high quality, well designed, mixed use development. The proposals comply with



the national, London and local policies and would include contributions to local facilities and infrastructure to mitigate the impact of development.

- 9.1 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.

Planning Application Site Map



-  Planning Application Site Boundary
-  Consultation Area

-  Locally Listed Buildings
-  Statutory Listed Buildings

 Land Parcel Address

0 15 m



 1:4,500

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. **Page 128**