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| Committee: Strategic Development Committee | Date: 5 January 2005 | Classification: Unrestricted | Report Number: | Agenda Item Number: |
| Report of: Corporate Director of Development and Renewal | | Title: Town Planning Application | | |
| Case Officer: Michael Bell | | Location: ICELAND WHARF, ICELAND ROAD, LONDON, E3 2JP | | |
| | | Ward: Bow East | | |

1. SUMMARY

1.1 Registration Details

Reference No: PA/05/01339
Date Received: 4/10/2005
Last Amended Date: N/A

1.2 Application Details

Existing Use: Metal recycling yard and car wash.
Proposal: Full application - demolition of the existing buildings. Erection of 5 new blocks consisting of a basement, ground and up to 8 upper storeys. Use of the new blocks as 205 residential units (42 x studio, 47 x one-bedroom, 108 x two-bedroom and 8 x three-bedroom), 67 car parking spaces and 2 offices (Class B1)

Applicant: Henley Homes plc
Ownership: Kingsview Solutions
Historic Building: N/A
Conservation Area: N/A

2. RECOMMENDATION:

2.1 That the Development Committee **refuse** planning permission for the following reasons:

1. The site lies within the Lea Valley Industrial Employment Area and Lower Lea Valley Strategic Employment Location and the proposed non-industrial use would conflict with Policies EMP2 and EMP13 of the Tower Hamlets Unitary Development Plan 1998, Policy EE2 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005, Policy LS2 of the Preferred Options: Leaside Area Action Plan 2005 and Policy 3B.5 of the adopted London Plan 2004.
2. The proposal would amount to an over development of the site substantially in excess of the density guidelines provided by Policy HSG9 of the Tower Hamlets Unitary Development Plan 1998, Policy HSG1 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005 and Policy 4.3B of the adopted London Plan 2004 (including the Density, location and parking matrix at Table 4B.1).
3. The development would conflict with Policies DEV1, DEV2 and DEV57 of the Tower Hamlets Unitary Development Plan 1998 and Policies UD1 and OSN1 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005 as it would be insensitive to the context of the surrounding area and the River Lea by reason of design, mass, scale and height, fail to take account of the development capabilities of the site and adversely affect the development potential of adjoining land.
4. The affordable housing contribution measured by habitable rooms and floorspace would fail to meet either the target set by Policy 3A.7 of the London Plan 2004 or

Policy HSG3 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005.

5. Both the development as a whole and the proposed affordable housing provision would fail to provide a proper mix of accommodation to meet the needs of the Borough contrary to Policy HSG7 of the Tower Hamlets Unitary Development Plan 1998 and Policy HSG6 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005.
6. The proposed ratio between affordable rental and intermediate housing would fail to meet either the London Plan's objective at Policy 3A.7 that 70% of the affordable housing should be rental and 30% intermediate or Policy HSG5 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005 that stipulates a rental to intermediate ratio of 80:20 for all grant-free housing.
7. The development would fail to provide a satisfactory standard of residential accommodation. In a number of instances internal space would be below that recommended by the Council's Supplementary Planning Guidance 'Residential Space' and there would be inadequate amenity space contrary to Policies HSG13 and HSG16 of the Tower Hamlets Unitary Development Plan 1998 and Policy HSG13 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005. The applicant has also failed to demonstrate that all of the dwellings meet Lifetime Homes Standards and that 10% are wheelchair accessible contrary to Policy 3A.4 of the adopted London Plan 2004 and Policy HSG.2 of the Preferred Options: Core Strategy and Development Control Development Plan Document 2005.
8. The development would fail to provide adequate turning facilities for service or emergency vehicles on Iceland Road in accordance with Planning Standard No. 3 of the Tower Hamlets Unitary Development Plan 1998 and consequently would fail to comply with Policy T17 of the Plan.
9. The proposal is located within the Olympic OLY4 site, which has outline consent for an Olympic car and coach parking facility. As such the proposal is not considered to be compatible with the approved OLY4 development.

3. BACKGROUND

Site and surroundings

- 3.1 Iceland Wharf comprises a 0.49 hectare site lying on the western bank of the River Lea and the southern side of Iceland Road. The site also has a 15 metre frontage to Wick Lane and abuts the Iceland Public House on the corner of Wick Lane / Iceland Road. It is currently used for the metal recycling and a car wash. There is a fall in level of about 3 metres from Wick Lane to the Lea.
- 3.2 To the north, on the opposite side of Iceland Road, No. 419 Wick Lane comprises a vacant industrial building where in September 2004, the Development Committee decided to grant planning permission for redevelopment by a lower ground plus 7-storey building comprising 104 live/work units, 1,123 sq. m of business floorspace and a shop. The S106 agreement in respect of this development was subsequently signed in October 2005. North beyond No. 419, No. 417 Wick Lane is being redeveloped by a building up to nine storeys high (seven storeys to the River Lea) to provide 75 live/work units, 960 sq. m of B1 (Business) and a riverside walk.
- 3.3 To the south, alongside Iceland Wharf, lies a distribution warehouse and business premises that run the length of Autumn Street from Wick Lane to the Lea. Nos. 429-431 Wick Lane, a former foundry, intervenes along half of the boundary between Iceland Wharf and the properties along Autumn Street.
- 3.4 Opposite, on the western side of Wick Lane lies the modern low rise Old Ford Trading Estate.
- 3.5 The principle vehicular access to Iceland Wharf is from Iceland Road. There is also a secondary access from Wick Lane to an open yard. Iceland Road is a local access road. Wick Lane is an unclassified distributor road providing access to the A12 East Cross Route some 500 metres to the west.

Planning history

- 3.6 In 1967, planning permission was granted for the use of Iceland Wharf for the storage, sorting and smelting of non-ferrous metals. A 1999 application for redevelopment by a waste transfer station went undetermined.
- 3.7 In 2004 an application was submitted for an identical scheme to the current full application (PA/04/1621). This application was subsequently withdrawn.
- 3.8 The site lies within the OLY4 Olympic site, which will provide a temporary coach drop-off facility together with coach and Olympic family car parking. The Olympic proposals were granted outline planning permission in 2004.

Proposal

- 3.9 Application is now made for full planning permission to redevelop Iceland Wharf by demolition of the existing buildings and erection of 5 new blocks consisting of a basement, ground and up to 8 upper storeys. Use of the new blocks as 205 residential units (42 x studio, 47 x one-bedroom, 108 x two-bedroom and 8 x three-bedroom), 67 car parking spaces and 2 offices (Class B1)
- 3.10 The submitted drawings show the development would comprise five blocks mostly inter-linked. The business accommodation would occupy the ground floor Wick Lane frontage of a nine storey affordable housing block that would wrap around the Iceland P.H. Two nine-storey blocks would be laid out in a crescent fronting the Lea and Iceland Road. At ground level between the two blocks facing Iceland Road there would be a pair of 'water features.' Recessed from the water features, a link block would span the two buildings facing Iceland Road between 1st and 5th floor levels.
- 3.11 The building would be set back a minimum of 8 m from the River Lea with a riverside walk provided. Pedestrian access would be from Wick Lane and at two points on Iceland Road.

There would be a semi-basement/lower ground car park accessed from Iceland Road. The car park would contain 67 car spaces (10% for use by disabled people) and accommodation for 17 motor cycles and 72 bicycles.

4. PLANNING POLICY FRAMEWORK

4.1 The following Unitary Development Plan **proposals** are applicable:

1. Archaeological importance or potential
2. Flood Protection Area
3. Green Chain
4. Lea Valley Industrial Employment Area
5. Sites of Nature Conservation Importance

4.2 The following Unitary Development Plan **policies** are applicable:

DEV1 and DEV2 – General design and environmental requirements
DEV3 – Mixed use developments
DEV4 – Planning obligations DEV47 – New development adjacent to rivers
DEV45 – Proposals involving ground works in areas of archaeological importance or potential
DEV48 – Walkways within new development adjacent to a waterway frontage
DEV51 – Contaminated land
DEV57 – Nature conservation and ecology
DEV58 and DEV63 – Enhancement of Green Chains
EMP1 – Employment growth
EMP2 – Loss of employment sites
EMP11 and 13 – Industrial Employment Areas
HSG1 – Quantity of housing
HSG2 – New housing development
HSG9 – Density
HSG16 – Amenity space
T15-17 – Transport and development

4.3 The following Preferred Options: Core Strategy and Development Control Development Plan Document / Leaside Area Action Plan 2005 **proposals** are applicable:

1. Strategic Employment Location (subject to change due to the Olympics / Paralympics)
2. Flood protection area
3. Green chain
4. Site of Nature Conservation Importance
5. Area of archaeological importance or potential
6. LS4 –Fish Island South

4.4 The following Preferred Options: Core Strategy and Development Control Development Plan Document / Leaside Area Action Plan 2005 **policies** are applicable to this application:

EE2 – Strategic Employment Locations (SELS)
EE5 – Mixed-Use Development
EE7 – Redevelopment / Change of Use of Employment Sites
HSG1 – Housing Density
HSG2 – Lifetime Homes
HSG3 – Affordable Housing Provisions
HSG4 – Calculating Affordable Housing
HSG5 – Social rented/intermediate ratio
HSG6 – Housing Mix
HSG13 – Housing Amenity Space
HSG14 – Eco-homes
TR1 – High density development in areas of good public transport accessibility
TR2 – Parking (including Parking Standards)
TR3 – Transport assessments
TR7 – Walking and Cycling
UD1 – Scale and density

UD5 – High Quality Design
SEN1 – Disturbance from noise pollution
SEN3 – Energy Efficiency
SEN4 – Water Conservation
SEN6 – Sustainable Construction Materials
SEN7 – Sustainable Design
SEN9 – Waste disposal and recycling
SEN10 – Contaminated Land
SEN11 – Flood Protection and Tidal Defences
ONS1 – The Natural Environment
LS1 – 2012 Olympics
LS2 – Employment Floorspace
LS9 – Transport Principles
LS10 – Transport Capacity
LS11 – Connectivity
LS12 – Infrastructure and Services

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

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

London Plan

- 4.6 The London Plan was published in February 2004 and provides the Spatial Development Strategy (SDS) for London. There is a requirement for Boroughs' Unitary Development Plans (UDPs) and emerging Local Development Frameworks (LDFs) to be in 'general conformity' with the London Plan whilst the London Plan itself has 'Development Plan' status under the 2004 Planning and Compulsory Purchase Act.
- 4.7 To assist in the implementation of the London Plan, the Mayor has published Sub-Regional Development Frameworks (SRDFs) for each of the 5 sub-regions, of which Tower Hamlets is located in the East sub-region. The draft East London SRDF was published for consultation in May 2005 and includes the application site within the defined Lower Lea Valley Strategic Employment Location.

Comments of Chief Legal Officer

- 4.8 The relevant policy framework against which the Committee is required to consider planning applications includes the adopted London Plan 2004, the Council's Community Plan, the adopted Unitary Development Plan (UDP) 1998, the Draft UDP and Interim Planning Guidance Notes 4 (Public Transport), 7 (Environmental Sustainability Initiatives) and 8 (Employment Initiatives and Local Labour).
- 4.9 Decisions must be taken in accordance with sections 54A and 70(2) of the Town and Country Planning Act 1990. Section 70(2) of the Town and Country Planning Act 1990 is particularly relevant, as it 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.
- 4.10 Whilst the adopted UDP 1998 is the statutory development plan for the Borough, it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework (LDF). The emerging policies in the Draft UDP and the Interim Planning Guidance will inform the LDF and, as the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 4.11 The report takes account not only of the policies in statutory UDP 1998 but also the emerging plan which reflect more closely current Council and London-wide policy and

guidance on residential/employment mixed uses, proposals, transport and density levels.

5. CONSULTATION

5.1 The following have been consulted regarding this application:

- (1) **London Borough of Newham.** No representations received.
- (2) **Environment Agency.** Objects on 2 counts: (1) The submitted Flood Risk Assessment does not use the EA's most up to date flood levels, has not taken into account tidal flood risk and requires further consideration of attenuating surface water run-off. (2) The proposal includes development in close proximity to the River Lea that would prejudice the Agency's environmental obligations and preclude an adequate buffer zone. The development proposed would have a negative impact on the ecology and landscape of the river corridor. No buildings greater than 2 storeys or 11m in height (whichever is greater) should be constructed within 10 metres of the bank top of the River Lea and an 8 metres buffer should be provided free of all structures including paths.
- (3) **Olympics Joint Planning Authorities Team.** Objects. Given that the current planning permission for OLY4 will be enacted for the London 2012 Games, coupled with the lack of information regarding the Legacy proposals for this site, it is considered that these application are premature in their timing and would prejudice the current planning permission for the OLY4 site.
- (4) **British Waterways.** No objection to residential redevelopment in principle but is concerned about the height, design, bulk and massing adjacent to the River Lea Navigation where a 9-storey building would be inappropriate due to overshadowing that could potentially affect the river ecology. Does not favour a riverside walk due to effect on ecology and negative impact on mooring opportunities. Would prefer to see a private walkway within the site. Requests a single a lane access from Wick Lane to the canal [sic] for use by British Waterways' contractors.
- (5) **Fish Island Business Club.** No objection. Considers the development would use the site skilfully with a design sympathetic to both the river and Iceland Road but would prefer to see more business floorspace. Requests an appropriate section 106 contribution towards the funding of a Fish Island Business Community Centre.
- (6) **London Thames Gateway Development Corporation.** Objects. The application should be refused as being contrary to development plan policies for the area and particularly given the current work being carried out to confirm the overall area of land and the location of sites which are needed for the relocation of businesses from the Olympics zone
- (7) **London Development Agency.** Objects. Considers that the proposed development is not compatible with the current plans for the OLY4 development. The LDA has indicated to the applicant, on an entirely without prejudice basis, that it is willing to work with them to explore ways in which the two schemes could be made compatible. However a final decision on possible changes to the current OLY4 proposal cannot be made until there is more clarity on the detailed design for OLY4 which itself will need to be agreed with key stakeholders and interested parties.
- (8) **Civil Aviation Authority.** No observations
- (9) **English Heritage Archaeology.** Recommends that any permission be conditioned to secure an archaeological investigation. The investigations should include the Lea Waterfront and possibilities for preserving the stone retaining wall which is defined as of 'moderate importance'.
- (10) **Environmental Health.** Requests that any permission be conditioned to investigate site contamination and secure mitigation. With regard to the daylight / sunlight assessment there are concerns regarding the overshadowing of the amenity space and the river Lea. In addition, the applicant should provide an assessment of the

shadowing of the River Lea in relation to each of the 4 equinox, not simply March, with and without the Iceland Wharf proposals. The applicant should also assess the daylight / sunlight levels within the habitable rooms of the proposed Iceland Warf development itself.

- (11) **Strategic Planning Team.** It is recommended that the application be resisted on the grounds that this site has been designated as a Strategic Employment Location, which should be safeguarded for the purpose of industrial development and employment growth. Further residential development also under minds the industrial development as a cluster remaining viable. It is considered that the loss of employment space and opportunity has not been adequately provided for within the proposed development.

As a residential led, mixed use development the provision of housing mix is inappropriate for Tower Hamlets and does not assist the Council (or the East subregion) in meeting the identified housing need. Also the density exceeds what is considered appropriate, considering the limited transport opportunities for this site. This results in over development of the site and has wider ramification for unsustainable growth in Tower Hamlets.

- (12) **Social Housing Group.** The proposed development does not meet the Council's requirement for 35% affordable housing provision in terms of gross floorspace. Whilst the applicant has undertaken the GLA Affordable Housing 'Toolkit' Assessment, it does not provide sufficient justification as to why the 35% target cannot be met. The dwelling mix, with an overwhelming number of 2 bedroom units and lack of family accommodation, is not satisfactory nor is the proposed rental/intermediate ratio.

- (13) **Head of Highways Development.** Advises the details of pedestrian and vehicular access to the eastern end of Iceland Road are inadequate. In particular, no turning arrangements are shown for service or emergency vehicles. It is also considered that the proposals to increase the PTAL of the site to a level '4' are too optimistic with concerns regarding the deliverability of the proposed public transport improvements. If permission is granted it should be subject to a car free agreement, a contribution to the improvement of bus services on Fish Island and the funding of associated repairs to the public highway.

- (14) **Greater London Authority.** The application is referable to the Mayor as it involves development not in accordance with the development plan and comprises more than 150 dwelling units. If the Council is minded to approve the application, the Mayor has asked to be given 14 days to decide whether or not to direct the Council to refuse permission. At Stage 1 referral in respect of the previous application (PA/04/1621), the Mayor concluded that the scheme was unacceptable as :-

- The application provides inadequate justification for a loss of employment land within a strategic employment location.
- The level of affordable housing is not satisfactory
- The density is unjustifiably high
- There are issues of accessibility and urban design that should be addressed

GLA Officers have confirmed that they will not be making a further Stage 1 referral report and that the Mayor's previous points of objection apply equally to the new application.

- (15) **Corporate Access Officer.** Objects. The applicant has not demonstrated that 100% of the dwellings comply with the 16 Lifetime Homes criteria, nor that 10% of the dwellings comply with the Weheelchair standard.

- (16) **Metropolitan Police Crime Prevention Design Advisor.** States that the scheme should provide extensive CCTV, that all external and private space boundaries should be 2.4 metres in height and that all windows and doors should meet secured by design standards. There are concerns about the potential of the under crofts leading to anti social behaviour if they are not secured and that non-residents will

have access to the amenity space and external stair cases. In addition there is not any security for the ground floor premises, particularly from the riverbank.

- (17) **English Nature.** No representation received.
- (18) **Thames Water Utilities.** No representation received.
- (19) **Tower Hamlets Primary Care Trust.** States that if the development is approved then a contribution of £4,476 should be made towards health provision in accordance with the London Healthy Urban Development Unit (HUDU) Model.

5.2 The application has also been advertised on site and in the press and consultation undertaken with adjoining owner/occupiers. No representations have been received.

6. ANALYSIS

6.1 It is considered that the planning issues in this case are:

- the compatibility of the application with the Olympic Proposals;
- land use in a defined industrial employment area (IEA / SEL), including the acceptability of residential development;
- whether the density, scale and mass is acceptable;
- affordable housing, dwelling mix and housing standards;
- transport and highway considerations.

Compatibly with Olympic Proposals

6.2 There is no instruction from the Government that the Council should not continue to deal with applications for planning permission that fall within the Olympic area. The London Development Agency considers that the proposed development is not compatible with the current plans for the OLY4 development. The LDA has indicated to the applicant, on an entirely without prejudice basis, that it is willing to work with them to explore ways in which the two schemes could be made compatible. However a final decision on possible changes to the current OLY4 proposal cannot be made until there is more clarity on the detailed design for OLY4 which itself will need to be agreed with key stakeholders and interested parties. Detailed design work is due to commence in early 2006 and until this work is completed, the application is considered premature.

Land Use

- 6.3 Policy EMP1 of the statutory 1998 UDP encourages employment growth through the re-use of vacant land and derelict buildings by the re-development and upgrading of sites already in employment uses and through the development for employment uses of those sites shown on the Proposals Map and listed in the Schedules. Iceland Wharf lies within the Lea Valley Industrial Employment Area defined on the Proposals Map but is not individually itemised in the Schedules.
- 6.4 Policy EMP2 of the Plan seeks to retain existing employment uses subject to a suite of nine exceptions and Policy EMP12 promotes Use Classes B2 (General Industry) and B8 (Storage and distribution) within industrial employment areas. Policy EMP13 states that residential development will only be permitted where the loss of industrial land is justified.
- 6.5 The 1st deposit UDP published for consultation in 2004 sought to consolidate areas safeguarded for industrial uses and facilitate the managed transfer of industrial land in appropriate locations. To this end the southern part of the Lea Valley Industrial Employment Area, including the application site, was re-designated as a mixed-use opportunity site. This designation envisaged the potential for residential uses to compliment new employment development.
- 6.6 However, subsequent to the 1st Deposit UDP the Mayor has published the draft East London Sub Regional Development Framework (SRDF) to provide more specific guidance on the implementation of London Plan policies, including Policy 3B.5 relating to Strategic Employment Locations. In particular the draft SRDF builds on the recommendations of the Mayor's Draft Industrial Capacity SPG 2003 and the findings of the Mayor's Industrial and

Warehousing Demand Study 2004 to confirm that Tower Hamlets is within the 'limited' category for the release of industrial land. It also provides indicative working boundaries of the sub-region's Strategic Employment Locations for consultation. This includes the Lower Lea Valley SEL, which is based on the original boundaries of the Lea Valley Industrial Employment Area as identified in the Adopted UDP, rather than the consolidated area identified in the 1st Deposit UDP.

- 6.7 The Council has taken into account the draft SRDF, together with the Mayor's strategic assessment of industrial demand and its own local assessment of employment capacity, in preparing the Preferred Options for the LDF and Leaside Area Action Plan. In this respect the Preferred Options confirm the Lower Lea Valley SEL designation in accordance with the indicative boundaries provided in the SRDF, as opposed to the consolidated area identified in the 1st Deposit UDP. Thus the Preferred Options and the London Plan are in general conformity in that both seek to safeguard this area for industrial employment. This takes into account the need to provide strong protection of existing industrial areas given the planned release elsewhere in the Leaside area, including Fish Island East.
- 6.8 The Preferred Options make provision for the part of the SEL, including the application site, to be safeguarded for the Olympics Proposals. It confirms that this area should be reinstated for employment purposes after the Olympics to provide a range of employment opportunities for local residents and maintain London's strategic reservoir of industrial capacity.
- 6.9 The adopted and emerging strategic and local planning policy context relating to the application site therefore seeks to protect the area for industrial employment activity. The application however proposes the replacement of the existing industrial use with a residential led scheme incorporating a limited amount of office floorspace. This is considered to be contrary to the planning policy context with the proposal resulting in a loss of employment generating development. In addition, residential development is not considered acceptable within the defined Strategic Employment Location. There will be significant amenity impacts associated with adjoining industrial uses - including noise, vibration, dust, odour, fumes, heavy vehicle traffic, safety and security and hours of operation – and the introduction of residential development is likely to increase pressure to curtail industrial activity in the surrounding area, compromising the function of the SEL beyond the application site.
- 6.10 The applicant has submitted an employment study to justify the loss of industrial employment on the site. However, it is considered that this evidence does not fully take into account the strategic review of employment land within the Borough and the East London sub-region as a whole that has informed the Council's LDF Preferred Options. The employment study does not therefore justify an exception to planning policy in this instance.

Density and design

- 6.11 The scheme would result in a residential density of 1,004 hrph (habitable rooms per hectare). This substantially exceed the normal guideline of 247 hrph for new residential development provided by Policy HSG9 of the 1998 UDP. Policy HSG9 sets out four circumstances where higher densities may be acceptable non of which are considered applicable in this instance:
1. The development would be for special needs housing or non-family housing
 2. The development is located within easy access to public transport, open space and other local facilities
 3. The dwellings are part of a substantial mixed use development or are a small in fill
 4. It can be demonstrated that the development meets all other standards for new dwellings in the Plan and does not conflict with the Council's policies for the environment
- 6.12 UDP policy HSG9 has largely been superseded by the density policies of the London Plan 2004 and Policy HSG1 of the LDF Preferred Options. These both involve the implementation of a Density, location and parking matrix that links density to public transport availability that is defined by PTAL scores on a scale of 1 (low) –6 (high).
- 6.13 The site is poorly served by public transport with a PTAL '2'. For 'urban' sites with a PTAL range 2 to 3, the appropriate density for residential developments of flats with low parking

provision (as proposed) should be within the range 300-450 hrph. The proposed density of 1,004 hrph is over twice the upper level of the density range indicating a potentially significant level of over development of the site.

- 6.14 The applicant proposes public transport improvements to increase the PTAL of the site to '4'. However the Council has a number of concerns regarding the deliverability of these improvements, whilst this does not address the lack of the other social and physical infrastructure necessary to support a residential population – such as education, health shopping and open space facilities – within the locality.
- 6.15 There are also a number of concerns regarding the scale and design of the proposed development which further demonstrates that the proposal would represent a significant over development of the site.
- 6.16 The layout proposed seems to have been shaped by the intention of creating as much usable perimeter as possible, leading to a dense development and tightness to site boundaries to the extent that the scheme would prejudice the development potential of the adjoining sites in Autumn Street. At their closest, the buildings would have habitable rooms set just 4 m from the southern boundary that would preclude development on the adjoining sites from complying with the 18 m separation guideline set out at paragraph 4.9 of the 1998 UDP.
- 6.17 It is considered that the proposed scale of building would be excessive and overbearing in this location evidenced by:
- Current or consented developments, as noted above, are generally somewhat lower, closer to six storeys on average, despite the fact that they are often on sites which are wider and less constricted than Iceland Wharf;
 - The scheme would appear as an east-west nine storey 'wall' of building with only short gaps;
 - The uniform height of most of the development would be monotonous and fail to exploit the potential interest offered by variety in building heights. To the contrary, the scheme would appear as a series of high slabs of building;
 - The impact of the full nine storeys would be particularly severe on the frontage to Wick Lane, where it would dominate unacceptably the two storey public house;
 - The applicant's daylight / sunlight assessment shows that much of the limited amount of open space within the development would be overshadowed;
 - The applicant's daylight / sunlight assessment shows significant overshadowing of the River Lea, which is likely to impact on the ecology of the river;
 - A layer of car parking, forming a deck on which the blocks sit would take up the slope in the site towards the river. Its exposed frontage is shown as a blank louvered wall facing the open spaces on both north and south faces of the buildings, compromising the amenity of these spaces. There would be a similar treatment to the River Lea with a blank wall to the car park instead of an active frontage.
- 6.18 The scheme also proposes gated private housing alongside the river. Whilst the provision of a riverside walk, to link with walkways permitted at Nos. 417 and 419 Wick Lane, is welcomed there would be no public access to the walkway from Iceland Road which is considered unacceptable.
- 6.19 In addition to density policies, the proposal would therefore conflict with the environmental Policies DEV1 and DEV2 of the 1998 UDP and LDF Preferred Options Policy UD1 which require the bulk, height and density of development to relate to that of the surrounding building plots and blocks, and the scale of the street. It would also conflict with Policy DEV 57 of the Adopted UDP and LDF Preferred Options Policy ONS1 which seek to protect sites of Nature Conservation Importance.
- 6.20 In conclusion the proposal is considered to be insensitive to the development capabilities of the site, the nature conservation value of the River Lea, the character of the surrounding area and would adversely affect the development potential of sites in Autumn Street.

Affordable housing

- 6.21 Adopted UDP Policy HSG3 seeks an affordable housing provision on sites capable of providing 15 or more units in accordance with the Plan's strategic target of 25%. Policy 3A.8 of the London Plan states that Borough's should seek the maximum reasonable amount of affordable housing taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Borough's own affordable housing targets.
- 6.22 The LDF Preferred Options Policy HSG3 seek 50% affordable housing provision on site capable of providing 10 or more dwellings, with a minimum requirement of 35%. For sites capable of providing 15 or more units a minimum of 25% affordable housing must be providing without access to public subsidy. Policy HSG4 confirms that affordable housing will be calculated in terms of habitable rooms with the exception of where this yields a disparity of 5% or more compared to calculation in terms of gross floorspace.
- 6.23 The applicant has offered to provide 50 affordable housing units without subsidy representing 32% provision in terms of habitable rooms (30% in terms of gross floorspace and 24% in terms of the total number of units). This does not meet the Council's minimum target of 35% and whilst the applicant has undertaken the GLA Affordable Housing 'Toolkit' Assessment, this does not provide sufficient justification as to why the 35% target cannot be met.
- 6.24 Of the affordable housing provision 68% would comprise social rented accommodation and 32% intermediate in terms of habitable rooms. This does not comply with the London Plan's objective that 70% of the affordable housing should be social rented and 30% intermediate or Policy HSG5 of the LDF Preferred Options that requires a social rented to intermediate ratio of 80:20 for grant free affordable housing.

Dwelling mix

- 6.25 On appropriate sites, UDP Policy HSG7 requires new housing schemes to provide a mix of unit sizes including a "substantial proportion" of family dwellings of between 3 and 6 bedrooms.
- 6.26 LDF Preferred Option Policy HSG6 requires an appropriate mix of units to reflect local need and provide balanced and sustainable communities. Family accommodation is again identified as a priority reflecting the findings of the Borough's Housing Needs Survey as well as the draft East London SRDF. The Policy provides the required breakdown of provision for development proposing 10 units and above. In terms of family accommodation, the Policy requires 45% of social rented housing without subsidy, 40% of social rented housing with subsidy, 10% of intermediate and 25% of market housing to comprise units with 3 or more bedrooms respectively.
- 6.27 The breakdown of units in the proposed development in terms of the number of bedrooms is provided in the table below.

| Unit size | Market | | Social Rented | | Intermediate | | Total | |
|-----------|--------------|-------|---------------|-------|--------------|-----|--------------|-------|
| | No. of Units | % | No. of Units | % | No. of Units | % | No. of Units | % |
| Studio | 42 | 27.1 | 0 | 0.0 | 0 | 0 | 42 | 20.5 |
| 1 bed | 47 | 30.3 | 0 | 0.0 | 0 | 0 | 47 | 22.9 |
| 2 bed | 66 | 42.6 | 25 | 75.8 | 17 | 100 | 108 | 52.7 |
| 3 bed | 0 | 0.0 | 8 | 24.2 | 0 | 0 | 8 | 3.9 |
| 4 bed | 0 | 0.0 | 0 | 0.0 | 0 | 0 | 0 | 0.0 |
| total | 155 | 100.0 | 33 | 100.0 | 17 | 100 | 205 | 100.0 |

- 6.28 No units are provided larger than 3 bedrooms across the scheme as a whole. 3 bedroom units comprise 24.2% of the social rented provision but only 3.9% of the development as whole. No market or intermediate units are provided above 2 bedrooms in size.
- 6.29 It is therefore considered that the proposed development would not meet the identified housing needs of the Borough and as such is contrary to the adopted and emerging housing mix policies as identified above.

Housing Standards

- 6.30 Room sizes meet the Council's minimum SPG guidelines but the overall floorspace of flats in a number of instances fall below recommended standards. Of particular concern is the entire absence of any private amenity space for the affordable units in Blocks A and B. These buildings would occupy almost the entire ground level and the high footprint means that there is no usable space at ground level as amenity for residents of a 9-storey building. There is also no compensatory public open space in the vicinity.
- 6.31 In addition the applicant has also failed to demonstrate that all of the dwellings meet Lifetime Homes Standards and that 10% are wheelchair accessible contrary to Policy 3A.4 of the adopted London Plan 2004 and Policy HSG.2 of the LDF Preferred Options.

Environmental Sustainability

- 6.32 The LDF Preferred Options contain a number of policies to ensure the environmental sustainability of new development. Policy HSG14 required all new housing to meet a minimum of EcoHomes rating of 'very good'. In addition all new development is required to adopt a resource efficient approach to use of water (Policy SEN4) and construction materials (Policy SEN6) whilst developments of 10 or more dwellings are required to demonstrate the feasibility of providing at least 10% of predicted energy requirements through renewable means (Policy SEN3). All new development is required to make sufficient provision for waste disposal and recycling facilities (Policy SEN9).
- 6.33 The applicant has submitted a sustainability report to demonstrate that the proposal exceeds these requirements and confirms that the proposed design scores an 'Excellent' rating under the BRE EcoHomes Scale.

Transport and Highway considerations

- 6.34 The junction with Wick Lane would be capable of accommodating traffic generated by the new development. However, no turning facilities are proposed for servicing or emergency vehicles on Iceland Road and the scheme is not considered acceptable in that respect.
- 6.35 The car parking provision of 67 spaces is in accordance with the maximum standards defined in the London Plan and LDF Preferred Options. Cycle parking would exceed the adopted UDP standard and that contained in the LDF Preferred Options.
- 6.36 Whilst the applicant has identified a number of improvements to public transport services to increase the PTAL of the site from '2' - poor to '4' – above average, the Council's Transport Officers have expressed a number of concerns regarding the deliverability of these improvements.

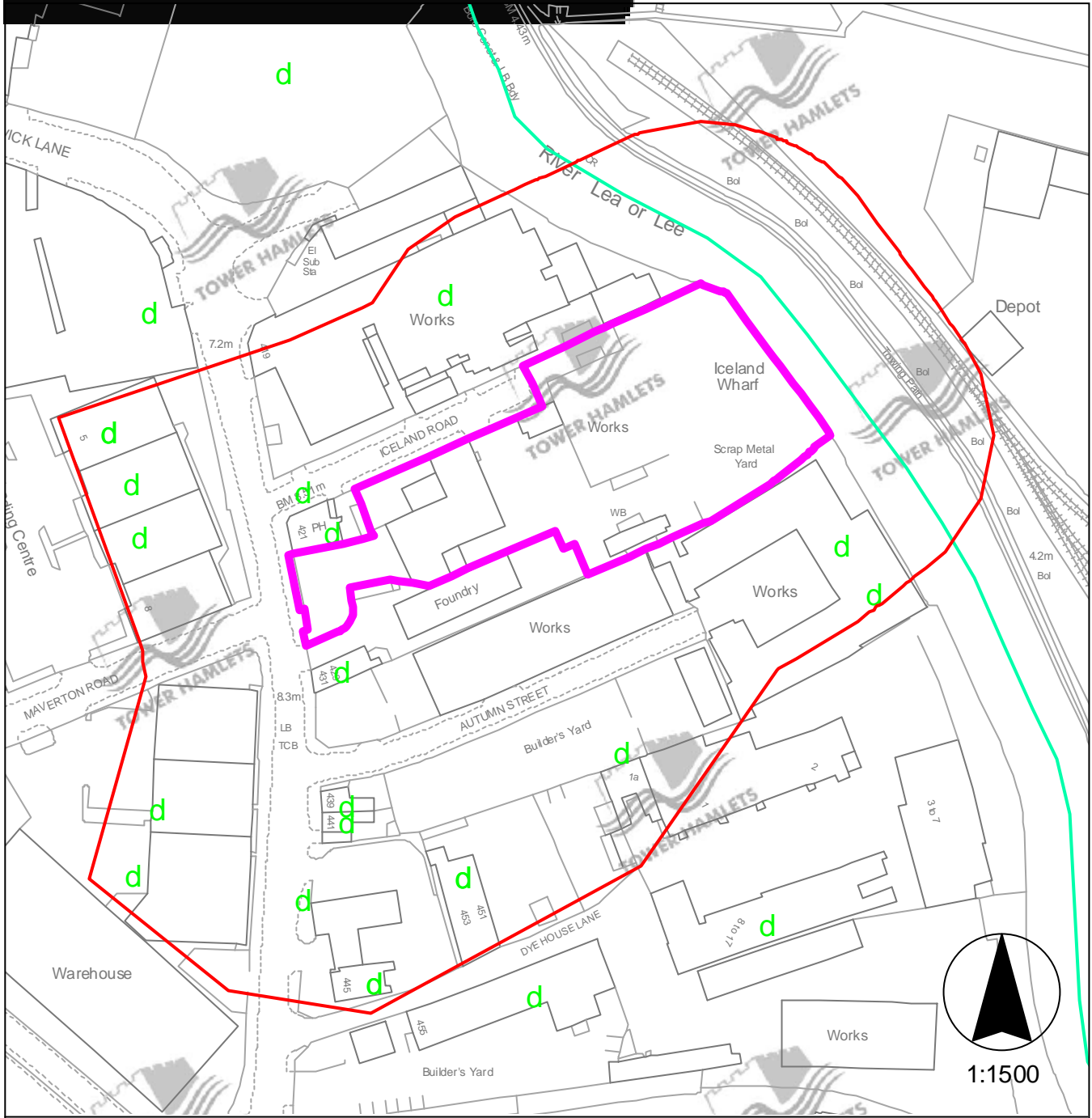
7. SUMMARY

- 7.1 The sites lies within the Lea Valley Industrial Employment Area and the Lower Lea Valley Strategic Employment location and as such is protected in the adopted UDP, London Plan and emerging LDF for industrial use. The proposal to replace the existing industrial use with a residential led scheme incorporating a limited amount of office floorspace is therefore clearly contrary to planning policy.
- 7.2 The site is also located within the OLY4 Olympics site, which has outline consent for an Olympic coach and car parking facility. The LDF Preferred Options make provision for this part of the Strategic Employment Location, including the application site, to be safeguarded for the OLY4 Olympics Proposals and for reinstatement for employment use after the Olympics. The proposal is considered to be incompatible with both the OLY4 consent and the LDF Preferred Options proposed use for the sites post Olympic use.
- 7.3 The proposed residential density would significantly exceed that recommended by both the London Plan and LDF Preferred Options. No justification is seen for such a proposal in an area which has a poor level of public transport accessibility and also lacks the other social and physical infrastructure necessary to support a residential population. The proposal

clearly represents an over-development of the site with a series of buildings that would result in an unsatisfactory layout, not respect the local context and prejudice the redevelopment of land to the south.

- 7.4 The proposal also fails to make sufficient provision of affordable housing and the dwelling mix would not meet identified local needs. An unsatisfactory standard of housing with inadequate amenity space would ensue.
- 7.5 The application is further flawed as there would be no turning facilities for service or emergency vehicles on Iceland Road.
- 7.6 The proposal is thus contrary to the policies and objectives of the Council and the objectives of the London Plan. It is thus recommended that the application be refused on the grounds referred to above.

Site Map



Legend

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

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

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