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| Committee: Strategic Development Committee | Date: 2 nd March 2006 | Classification: Unrestricted | Report Number: SDC011/056 | Agenda Item Number: 5.1 |
| Report of: Director of Development and Renewal | | Title: Town Planning Application | | |
| Case Officer: Renee Goodwin | | Location: 22-28 MARSH WALL AND 2 CUBA STREET AND 17 TO 23 WESTFERRY ROAD, MARSH WALL, LONDON | | |
| | | Ward: Millwall (February 2002 onwards) | | |

1. SUMMARY

1.1 Registration Details

Reference No: PA/05/00052

Date Received: 12/01/2005

Last Amended Date: 14/11/2005

1.2 Application Details

Existing Use:

Industrial buildings

Proposal:

Construction of one building of 40 storeys, one building of 27 storeys and two buildings of eight storeys to provide 691 dwellings, and a total of 3,107sq.m of retail (A1, A2, A3), Office (B1) and Community Uses (D1) at lower ground, ground and level 1, 6636 sq.m plant, public spaces and parking. (The application is accompanied by an Environmental Impact Assessment).

Applicant:

Redwell Investments Ltd C/- GVA Grimley

Ownership:

Glenelg Limited, Cala Commercial Holding Limited

Historic Building:

N/A

Conservation Area:

N/A

2. RECOMMENDATION:

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

2.1.1 The satisfactory completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (and other appropriate powers) to include the matters outlined in Section 2.2 below, and the conditions and informatives outlined in Sections 2.4 and 2.5 below; and Section 278 of the Highways Act 1980, to include the matters outlined in paragraph 2.3 below.

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

2.1.3 That if the committee resolve that planning permission be granted that the committee **confirms** that they have taken the environmental information into account, as required by Regulation 3 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

2.1.4 That the committee **agree** that following the issue of the decision, a Statement be placed on the Statutory Register confirming that the main reasons and

considerations on which the committee's decision was based, were those set out in the Planning Officer's report to the committee (as required by Regulation 21(1)(c) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

Legal Agreement

2.2 Section 106 agreement to secure the following:

- (1) A proportion of 25.25% on habitable room basis of the proposed units (i.e. 125 units) to be provided as on site affordable housing with the mix as specified in 7.1.13 of this report.
- (2) Provide £345,000 towards open space improvements to relieve the pressure that will arise from the new housing on existing overcrowded open space and recreational facilities within the borough.
- (3) Preparation of a right of way "walking agreement" for crossing through the proposed site across to Marsh Wall. (The walkway agreement is usually under Section 35 of the Highways Act).
- (4) Provide £390,000 (being £130,000 per annum for three years) to London Buses towards bus capacity.
- (5) Equipment upgrade to mitigate the adverse effects on DLR radio communications (Such as a booster to offset signal interruption).
- (7) Provide £100,000 towards the upgrade of the section of highway south of Westferry Circus.
- (8) Provide £350,000 for pedestrian and cycle environment improvements (i.e. to make 20m/ph zone or pedestrian friendly) to Cuba Street, Manilla Street, Tobago Street and Byng Street.
- (9) Provide £252,000 towards employment initiatives such as the Local Labour in Construction (LliC) or Skillsmatch in order to maximise the employment of local residents.
- (10) Provide £349,120 towards education to mitigate the demand of the additional population on education facilities.
- (11) Provide £2,522,216 towards healthcare to mitigate the demand of the additional population on health care services.
- (12) Preparation and implementation of a public art strategy including involvement of local artists.
- (13) TV reception monitoring and mitigation.
- (14) Preparation of a Travel Plan (for both the residential and commercial component).
- (15) Completion of a car free agreement to restrict occupants applying for residential parking permits.

2.3 Section 278 agreement to secure the following:

- (1) Off site highway works from Byng Street to the roundabout south of Westferry Circus Roundabout, and along boundary of property on Marsh Wall prior to the commencement of works on site. (This work is currently estimated at £400,000. Should the work not cost this amount the Council will reimburse the difference, should it cost more, the developer will be invoiced direct).

Conditions

2.4 That the following conditions be included:

- (1) Time limit for Full Planning Permission
- (2) Details of the following are required:
 - Samples of materials for external fascia of building
 - Ground floor public realm (including children's play space and pedestrian route)
 - All external landscaping (including lighting and security measures), walkways, screens/ canopies, entrances, seating and litter bins;
 - The design of the lower floor elevations of commercial units including shopfronts; and
 - Signage strategy.
- (3) Landscape Management Plan required
- (4) Parking – maximum of 192 cars and a minimum of 715 cycle and 20 motorcycle spaces
- (5) Hours of construction limits
- (6) Details of insulation of the ventilation system and any associated plant required
- (7) Hours of operation limits – hammer driven piling (10am – 4pm)
- (8) Wheel cleaning during construction required
- (9) Details required for on site drainage works
- (10) Black redstart habitat provision required
- (11) Land contamination study required to be undertaken
- (12) Implementation programme - archaeological works and historic analysis of buildings
- (13) Details of foundation design and ground works required
- (14) Details of surface and foul water drainage system required
- (15) Impact study of water supply infrastructure required
- (16) Details regarding the operation and use of barges for construction traffic required
- (17) Full particulars of the refuse/ recycling storage required
- (18) Code of Construction Practice (referred to as Construction Method Statement in the ES), including a Construction Traffic Management Assessment required
- (19) Statement required to minimise the impact on Air Quality
- (20) Details of finished floor levels required
- (21) Details of surface water source control measures required
- (22) Adequate sewerage infrastructure to be provided
- (23) Biomass heating to be implemented
- (24) Monitoring Control Regime for construction phase to be implemented
- (25) Details to confirm that the risk of finding unexploded ordnance on the site is low
- (26) Details to ensure that the development incorporates gas protection measures
- (27) Bat Survey to be undertaken
- (28) Bat roosts and bird nest boxes to be incorporated into the fabric of the new buildings
- (29) Renewable energy measures to be implemented
- (30) Ground borne vibration limits
- (31) Details of the design of the cycle store required
- (32) Employment Relocation Strategy to be implemented

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

- (1) British Waterways Code of Practice for Works affecting British Waterways
- (2) Thames Water advice
- (3) Metropolitan Police advice
- (4) Environment Agency advice
- (5) Surface water drainage advice
- (6) Entertainment licensing advice
- (7) Site notice specifying the details of the contractor required
- (8) Standard of fitness for human habitation, means of fire escape and relevant Building Regulations

3. EXECUTIVE SUMMARY

3.1 The proposal is for a mixed use development, consisting of a total of 4 buildings, ranging in height from 40 storeys to 8 storeys. The scheme comprises 691 units, and a total of 3,107sqm of retail, office and community use.

- 3.2 The following is a summary of the assessment of the proposed scheme:
- The Environmental Impact Assessment is satisfactory, including the cumulative impact of the development, with mitigation measures to be implemented through conditions and the Section 106 agreement;
 - The Greater London Authority provided their First Stage Response. The report concluded that the proposal is a high quality response to the Canary Wharf context;
 - The proposed mix of uses comply with the UDP and in particular, the emerging LDF;
 - The site has a Public Transport Accessibility Level (PTAL) of 6a (on a scale of 1 – 6, where 6 is the highest);
 - Improvements to the existing infrastructure capacity will be undertaken through the Section 106 agreement;
 - 25.25% of the affordable housing (on a habitable room basis) is provided or a total of 125 affordable housing units. The proposed affordable housing mix is in accordance with the Council's Housing Needs Survey in that 54% of the units provided are family housing (3 bedrooms or larger); and
 - the proposal incorporates a number of sustainable development/ renewable energy initiatives.
- 3.3 The proposed development is considered appropriate in terms of townscape, environmental and infrastructure considerations. The proposal includes contributions towards transport, health, education, employment, training and open space. The scheme accords with the Council's and the GLA's policy objectives.

4. BACKGROUND

Location

- 4.1 The site is bound by Marsh Wall to the north east, Westferry Road to the west and Cuba Street to the South. The sites primary frontage is Mash Wall to the north east, overlooking West India Dock to Canary Wharf.

Description of Site

- 4.2 The total site area is 1.03 hectares. The site is currently occupied by a series of mostly vacant industrial buildings (3 – 4 storeys). The raised north eastern part of the site, with frontage to Marsh Wall is currently unoccupied.
- 4.3 The site has a level difference of three metres from the south west corner to the north eastern boundary. The highest part of the site is at the north east portion at Marsh Wall.

Surrounding Land Use

- 4.4 Land use surrounding the site is characterised by a mix of uses, including high density office developments to the north and east (as part of Canary Wharf) and residential blocks to the south.
- 4.5 Directly north of and adjacent to the site is the City Pride Public House, which is two stories high. Adjacent to the site on the eastern boundary is No. 30 Marsh Wall, a six storey building. To the west of the site on the other side of Marsh Wall are "Sufferance Wharf" and "Anchorage Point", residential developments of approximately five and eight stories, respectively. North west of the site is "Cascades", a 20 storey residential building.
- 4.6 Opposite the site, on the corner of Westferry Road and Cuba Street is the Rogue Trader Public House, which is three stories high. Directly to the east of the site is the International Hotel and an office block. These buildings are approximately 9/5 storeys high. South of the site, the buildings along Westferry Road range in height from 4 – 6 storeys. Further south of the site are the medium-rise buildings such as Knighthead Point, Topmast Point, and Bowspirit Point.
- 4.7 North west of the site (approximately 150m away) is Riverside South, an office development of two towers of 43 and 27 storeys.

Description of the Proposal

- 4.8 The proposal consists of four buildings positioned around a central open space. Block 1 is 27 storeys (maximum height of 100.6m AOD) and is situated at the northern portion of the site. Block 2 is 40 storeys (maximum height of 142.2m AOD) and is located along the eastern frontage of the site. Blocks 3 and 4 are 8 storeys and are positioned with frontage to Westferry Road and Cuba Street, respectively.
- 4.9 A diagonal pedestrian route across the site is proposed to link to the Canary Wharf cluster, the DLR station at Heron Quays and the Canary Wharf Jubilee underground station.
- 4.10 A total of 3,107sqm (NIA) is provided as non-residential floorspace. 2,183sqm of which is for Retail (A1/ A2/ A3)/ Office (B1) located at ground and level 1, and 924sqm is provided as community use (D1) at lower ground and ground.

5. PLANNING POLICY FRAMEWORK

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

(1) Flood Protection Areas

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

DEV1 Design Requirements
DEV2 Environmental Requirements
DEV3 Mixed Use Development
DEV4 Planning Obligations
DEV6 Buildings Outside the Central Area and Business Core
DEV7 Protection of Strategic Views
DEV8 Protection of Local Views
DEV12 Provision of Landscaping in Development
DEV13 Design of Landscaping Schemes
DEV18 Art and Development Proposals
DEV50 Noise
DEV51 Soil Tests
DEV55 Development and Waste Disposal
DEV56 Waste Recycling
DEV67 Recycled Materials
DEV68 Transportation of Materials
EMP1 Encouraging New Employment Uses
EMP2 Retaining Existing Employment Uses
EMP6 Employing Local People
EMP10 Development Elsewhere in the Borough
HSG1 Quantity of Housing
HSG2 New Housing Development
HSG3 Affordable Housing
HSG7 Dwelling Mix
HSG8 Access for People with Disabilities
HSG9 Density
HSG13 Internal Standards for Residential Developments
HSG16 Amenity Space
T15 Transport and Development
T16 Impact of Traffic
T17 Parking Standards
T19 Pedestrians
T21 Pedestrians
T23 Cyclists
T26 Use of Waterways for movement of Bulky Goods
S6 New Retail Development
OS0 Children's Play Space
U2 Tidal and Flood Defences

U3 Flood Protection
U9 Sewerage Network

5.3 The following Draft LDF **proposals** are applicable to this application:

- (1) Flood Protection Areas
- (2) Development Sites – See AAP for more details

5.4 The following Draft LDF Core Strategy Development Plan Policies/ IOD Area Action Plan **policies** are applicable to this application:

IOD1 Mixed Use Development
IOD5 New Housing
IOD6 Community Facilities
IOD9 Connectivity
IOD10 Environmentally Sustainable Design
IOD11 Transport Improvements
IOD12 Transport Capacity
IOD13 Infrastructure and Services
IOD14 Reception and Television Signals
IOD15 Waste
IOD17 Tall Buildings and Views
EE5 Mixed Use Development
EE6 New Office Development
EE7 Redevelopment/ Change of Use of Employment Sites
EE11 Relocation of Businesses
RT4 Retail Development and the Sequential Approach ??
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
SCF1 Social and Community Facilities
TR1 High Density Development in Areas of Good Public Transport Accessibility
TR2 Parking
TR3 Transport Assessments
TR4 Travel Plans
TR5 Freight, Water Transport and Distribution
TR7 Walking and Cycling
UD1 Scale and Density
UD2 Tall Buildings
UD3 Public Art
UD4 Accessibility and Linkages
UD5 High Quality Design
UD6 Important Views
SEN1 Disturbance from Noise Pollution
SEN2 Air Pollution/ Quality
SEN3 Energy Efficiency
SEN4 Water Conservation
SEN5 Disturbance from Demolition and Construction
SEN6 Sustainable Construction Materials
SEN7 Sustainable Design
SEN8 Waste Management Sites/ Facilities
SEN9 Waste Disposal and Recycling
SEN10 Contaminated Land
SEN11 Flood Protection and Tidal Defences
OSN3 Landscaping and Trees
IM3 Securing Benefits
IM2 Social Impact Assessment

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

- (1) Creating and sharing prosperity
- (2) A better place for living well
- (3) A place for living safely

6. CONSULTATION

6.1 The following were consulted regarding this application:

(1) **Greater London Authority**

The GLA considered the application on the 13th July 2005 and recommended that

“The proposal was acceptable in principle with regard to strategic planning policy in that the proposal is a high quality response to the Canary Wharf context but that the provision of children’s play areas is insufficient. The density exceeds the density range given in the London Plan, and will only be acceptable if adequate supporting infrastructure is provided, including social infrastructure. In summary, although the development is broadly supported by strategic planning policy, the following outstanding issues should be addressed:

- *More and better children’s play spaces must be provided for the development;*
- *Local training and employment, including childcare facilities, should be secured within the legal agreement;*
- *The development is broadly in line with the London Plan policies for improving London’s transport infrastructure but further information is needed on the Section 106 agreement for transport infrastructure improvements, in order to ensure that the proposed development can be accommodated within the transport network;*
- *The development is broadly acceptable in terms of air quality, biodiversity, accessibility and inclusive design, waste strategy and noise and vibration but further information is requested on a number of issues, as outlined in the appropriate sections”.*

Subsequent to the amendments to the scheme, the GLA considered the application on the 9th February 2006 and recommended that

“The proposal is a high quality response to the Canary Wharf context. The high number of units will provide the necessary level of activity, while the commercial space will provide activity on the lower floors. The density exceeds the density range given in the London Plan, and will only be acceptable if adequate supporting infrastructure is provided. The development is broadly supported by strategic planning policy and the outstanding issues from the previous Stage 1 report have been positively addressed. The revised proposal includes appropriate children’s play spaces.

- *The revised proposal includes a biomass heating plant at basement level and 740sqm solar water heating panels. These changes are welcome and the proposal is now consistent with the London Plan energy policies.*
- *A crèche is to be provided on the ground floor of block 4, next to the play space for children aged 0 – 6 years.*
- *The revised public open space is fully accessible and provides an inclusive environment within the topographical constraints of the site.*
- *A sum of £252,000 is proposed for local skills match.*
- *The revised application includes positive measures to increase biodiversity.*
- *The development is broadly in line with the London Plan policies for improving London’s transport infrastructure but further information is needed on the Section 106 agreement for transport infrastructure improvements, in order to*

ensure that the proposed development can be accommodated within the transport network”.

(2) **Environment Agency**

Recommended a number of conditions to ensure that the development is subject to minimum risk of flooding, to prevent pollution of the water environment and ground water.

(3) **Countryside Agency**

No comment

(4) **English Nature**

No comment

(5) **English Heritage**

No objection

(6) **English Heritage Archaeology**

Recommended a number of conditions to secure a programme of archaeological work and a historic buildings assessment.

(7) **Docklands Light Railway**

Recommended a number of items to be included as part of the S106 agreement:

- Equipment upgrade to mitigate the adverse effects on DLR radio communications (such as a booster to offset signal interruption). [The developer has agreed that this will be included as an item in the S106 agreement]; and
- A contribution will be required towards DLR capacity enhancement scheme, recognising that the proposal's greatest impact is on the non-critical sections of the DLR line. This contribution will also be required to enhance pedestrian links to Heron Quays, South Quay and Canary Wharf stations.

[The DLR advised that as the development is located at the end of Marsh Wall towards Westferry Road, the impact on the DLR is minimal. (South Quay station is moving further away from the site and the Jubilee Line/Canary Wharf is a similar walking distance as Heron Quays station which is already built to 3-car standard). Based on this, TFL do not seek a sum of money towards DLR improvements].

(8) **Transport for London**

Recommended a number of items to be included as part of the S106 agreement:

- London Buses contribution towards bus capacity enhancements and increased frequencies within the Isle of Dogs on the D7 and D3 routes and towards the new D5 service resulting from the proposed development. The developer has agreed to pay a sum of £130,000 per annum for three years.

(9) **London Underground**

No objection

(10) **London Fire and Emergency Planning Authority**

No comment

(11) **Commission for Architecture & Built Environment (CABE)**

No comment

(12) **London Borough of Southwark, Planning & Regeneration**

No material observations

(13) **London City Airport**

No safeguarding objection

(14) **National Air Traffic Services Ltd.**

No safeguarding objection

(15) **BBC - Reception Advice**

TV reception mitigation measures required

(16) **British Waterways**

No objection. However, the Council should consider the potential shadowing of Harbour Quay Hotel when deciding this application

(17) **Thames Water Authority**

Recommended a number of conditions to ensure that foul and/ or surface water discharge from the site does not prejudice the existing sewerage system and to ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand.

(18) **Head of Highways Department**

- Planning obligations for pedestrian and cycle environment improvements (i.e. to make 20m/ph zone or pedestrian friendly) to Cuba Street, Manilla Street, Tobago Street and Byng Street;
- A right of way "walking agreement" for crossing through the proposed site across to Marsh Wall. The walkway agreement is usually under Section 35 of the Highways Act;
- S278 agreement required to carry out off site highway works from Byng Street to the roundabout south of Westferry Circus Roundabout, and along boundary of property on Marsh Wall prior to the commencement of works on site;
- Satisfied with visibility issues;
- A Travel Plan is required for both the residential and commercial component;
- The transport assessment is satisfactory and includes a cumulative assessment of future traffic conditions; and
- Recommended that a condition to ensure that a Construction Traffic Management Assessment is carried out and approved prior to the commencement of the development. (This must also be a cumulative assessment that considers the exiting construction traffic at the time).

(19) **Environmental Health**

Contaminated Land Officer

Recommended that a condition be imposed requiring an investigation to assess the nature and extent of contamination (or otherwise) and consider the most appropriate mitigation measures (if any).

Air Quality

Recommended the following:

- Development should be 'car free';
- Condition and Informative to ensure that the Code of Construction Practise (called Construction Method Statement in the ES) is approved by LBTH prior to

- the commencement of site works; and
- Condition to protect the amenity of future occupants and/ or neighbours in terms of air quality.

Noise and Vibration

Recommended the following:

- Night time works are not allowed and will be considered via dispensation process under a Section 61 agreement;
- The LBTH impulsive vibration limits are 1mm/s ppv and 3mm/s ppv at residential and commercial respectively;
- Adequate mitigation measures for the construction noise will be required and should be submitted as part of the Section 61 consent application in order to ensure the Council's 75dB(A) limit is complied with;
- The mitigation measures suggested for road traffic noise are adequate; and
- The developer is to obtain a Section 61 consent from the Environmental Health Department before commencement of work onsite.

Micro-climate (Sunlight/ Daylight and Wind Assessment)

"The Daylight/ Sunlight Reports, including all the amendments by Gordon Ingram Associates are considered acceptable. However, the impact of shadowing on the City Pride public house is still a concern. The level of shadowing and the impact of the development on the seating area of the pub (although within BRE guidelines) does still affect the commercial use of this area, because it will be in shadow from 10:00-15:00hrs, during the crucial lunchtime business periods.

I would have preferred either of the following mitigation options:

- (a) Alteration of the size, location/and or orientation of the blocks to allow sufficient access to direct sunlight in the lunchtime periods.*
- (b) Advice the Developer/ Objector to relocate the seating area of the public house to the present car parking in the pub.*

The Wind study reports, including the amendments by ARUP are satisfactory. Taking into consideration the above comments for Daylight/Sunlight/Wind Reports,

EH considers the scheme to be acceptable, although with reservations [with regard to the rear garden of the public house]."

Please note, the parties are in negotiation to agree to relocate the garden area.

(20) **Housing Strategy Group**

- *"The developer is intending to produce 566 units for sale and 125 units for affordable rent.*
- *The development falls within the Isle of Dogs area and should be considered within the Local Development Framework analysis for the area.*
- *The private open market units are predominantly small units with 356 one bed units being planned or 62% of the total private units*
 - 161 units are 2 bed units equating to 28% of the open market sale units*
 - 25 units are 3 bed units equating to 4% of the open market sale units*
 - 30 units are studio units equating to 5% of the open market sale units*
- *It might be suggested that the developer increase the Nos. of family units within the out right sale element as the existing number is extremely small. The total nos. of habitable rooms within the private element of the site is 1313.*
- *In terms of affordable housing provision, the developer is offering 25% of accommodation by hab rooms.*
 - The affordable total no of units is 125. The total number of:*
 - 1 bed units is 24 =20%*
 - 2 bed units is 33 =26%*
 - 3 bed units is 44 =35%*
 - 4bed units is 24 =19%*
- *The total no of hab rooms in the affordable element is 443*

- *In terms of dwelling mix over 50% is of family size with the council's target being 45%*
- *We need to ensure that this scheme has an element of wheelchair accessible units and homes are to lifetime standards. The standards appear to be minimum standards.*
- *In terms of floor space 12444m² is offered as affordable =25% of total residential*
- *49156 m² is proposed as private accommodation
By hab rooms - Affordable habitable rooms proposed = 443= 25% of the total
Private hab rooms 1313*
- *The developer is using the GLA toolkit as assessment for viability and is relying on a GLA assessment backing their assertion on viability.*
- *Whilst the dwelling mix is acceptable, the proposition that the intermediate housing should be restricted to key workers is not acceptable and should be subject to further negotiation.”*

(21) **Cleansing Officer**

Satisfied with the proposals for refuse and recycling provision.

(22) **Leisure Services/ Landscape Section**

“The nearest public open space to this site (with areas and space for ball games) is Sir John McDougal Gardens (0.5km south down the busy Westferry Road). This is further away than the London Plan’s accessibility standard of 0.4km to the nearest local park, which should be at least 2ha in size. Sir John McDougal Gardens was designed primarily to cater for the outdoor leisure needs of the Barkantine Estate, let alone the new population of this part of the Isle of Dogs.

The development site is about a 1.7km walk from the nearest large park (Millwall Park) which is itself below the London Plan district park threshold size of 20ha at only 8.6ha. The London Plan indicates that all Londoners should live within a 1.2km walk of a district park. Obviously this development would not comply with these accessibility standards.

The residents of this proposed development would be able to make use of the gardens and parks of Canary Wharf but none of these provide for the play or sports needs of local residents.

We object strongly to the grossly inadequate provision for the open space needs of the residents of this proposed development, including children and young people”.

(23) **Head of Building Control**

A number of comments made to be incorporated as part of the building application.

(24) **Corporate Access Officer**

Satisfied subject to the public realm being usable by all and incorporates the principles of inclusive access, i.e. accessible to people with disabilities, children, the elderly and infirm.

(25) **Crime Prevention Officer**

Made a number of comments with regard to access, safety, lighting and design.

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

No. Responses: 37 In Favour: 1 Against: 36 Petition: 0

6.3 Comments:

Land Use

- Loss of Employment Space
- Retail is not needed, as the Canary Wharf shopping complex fully caters for the enlarged working and local population;
- Office space is not needed. There are several office buildings in Canary Wharf that are sitting empty;
- Inclusion of office space in the plan risks extending the office environment of Canary Wharf into this residential area.

Height/ Density/ Scale

- Excessive height/ scale/ density
- Overdevelopment

Microclimate

- Negative impacts on the amount of sunlight/ daylight received (including the City Pride Public House)
- Creation of wind tunnels

Overlooking and Loss of Privacy

- There will be increased overlooking and a subsequent loss of privacy
- Increased noise pollution by trapping sound from the DLR

Design

- The overall design of the tower and proposed cladding is unsympathetic
- Landscaping should be given priority with additional soft landscaping and trees;
- Support the application as tall buildings will even out the cluster, create a more diverse and less generic cluster and create a vibrant focal point/ skyline.

Construction Impacts

- Negative construction impacts such as noise and dust;

Transport/ Parking

- Not enough parking is proposed for residents in the area
- Negative impact on the surrounding road network and public transport links

Housing

- The social housing element does not meet the planning guidelines;
- More family units are required to accommodate young couples with children;

Infrastructure

- Current foul and surface water drainage systems are at capacity;
- There is a lack of public services, with no library, dentist, doctors surgery, kindergarten, pre-school, and sports and recreation facilities;

7. ANALYSIS

7.1 Land Use

- 7.1.1 The site is currently occupied by a series of vacant industrial buildings. The site is outside of the "Central Area Zone" designation of the UDP and the Millennium Quarter Master Plan area. However, the high rise Canary Wharf Estate is located to the immediate north and north east of the site, whilst east of the site are the high rise buildings of the Millennium Quarter area. Lower residential scale buildings are located to the west and south of the site.

Residential Component

- 7.1.2 The proposal provides 691 residential units, and is therefore consistent with the requirements of Policy HSG1 and Draft Core Strategy CS6 of the LDF which seeks to ensure that the Borough's housing targets are met. The London Plan housing target for Tower Hamlets is set at a minimum of 41,280 new homes to 2016. The revised Draft London Plan targets (late July 2005) propose to increase Tower Hamlets housing target for 1997 – 2016 to 51,850.

Commercial Component

- 7.1.3 A total of 3,107sq.m of Retail (A1, A2, A3), Office (B1) and Community Uses (D1) at lower ground, ground and level 1 are proposed. The precise composition of the mix of the commercial and community uses has not yet been determined. However, the Community Use (D1) is approximately 900sqm. The remainder of the uses are specified as retail/ café/ office and thus comprise approximately 2200sqm.
- 7.1.4 The proposed retail component is considered to comply with Policy S6 of the UDP and Policy RT4 of the Draft LDF Core Strategy document. The proposal accords with Policy EMP1 and in particular Policy EMP2(1) of the UDP. The existing employment site, which is currently used for industrial use, will be made good by the replacement with good quality buildings likely to generate a reasonable density of jobs. The applicant has provided information that the building currently employs approximately 30 people and that the proposed commercial component would generate employment for a total of 136 people. Similarly, the proposal is considered to satisfy Policy EE7 of the Draft LDF Core Strategy document. In addition, the applicant has prepared a Re-location Strategy in accordance with the requirements of the London Development Agency (LDA). The strategy ensures that the current leaseholders identify suitable premises. The LDA have confirmed that they are satisfied with the strategy.
- 7.1.5 The Draft IOD AAP designates the site as "ID25" which specifies a preferred use of "Mixed Use Residential (C3), Business (B1a/b), and Retail/ Leisure (A1, A2, A3, A4)". The proposal is thus considered to satisfy the mixed uses specified by this allocation.

Flood Protection Area

- 7.1.6 Both the UDP and the Draft LDF Proposals Map designate the site within a "Flood Protection Area". Council has consulted with the Environment Agency in relation to tidal and flood defences, in accordance with Policy U2 of the UDP. In accordance with Policies U3 and U5, appropriate mitigation measures to protect against flooding, have been recommended by the Environment Agency. These will be enforced via planning conditions.

7.2 EIA

- 7.2.1 The Council's consultants, Casella Stanger undertook a review of the Environmental Statement. The review highlighted a number of areas where additional information or clarification should be provided. Further to the Council's request, the applicant submitted information under Regulation 19, which was re-advertised in accordance with the legislation and again reviewed by both Casella Stanger and the Council's Environmental Health Department.
- 7.2.2 The Environmental Statement has been assessed as satisfactory, with mitigation measures to be implemented through conditions and/ or Section 106 obligations.

7.3 Height, Density and Scale

Height

- 7.3.1 In terms of scale, UDP Policy DEV6 specifies that high buildings may be acceptable subject to considerations of design, siting, the character of the locality and their effect on views. Considerations include, overshadowing in terms of adjoining properties, creation of areas subject to wind turbulence, and effect on television and radio interference.
- 7.3.2 Policy UD1 of the Draft LDF Core Strategy specifies that the bulk, height, and density of development must consider the surrounding building plots, scale of the street, building lines, roof lines, street patterns and the streetscape. The development must also respond in a sustainable manner to the availability of public transport, community facilities and environmental quality.
- 7.3.3 The Council's Urban Design Officer considered the height of the scheme and concluded that the site is very intensely developed and is at odds with the local prevailing local development

context. However the GLA considered the urban design aspects of the scheme and concluded that

“As a result of the very high design quality of the buildings, the development will not have an intrusive character and will be a positive marker for further regeneration of the Isle of Dogs. The heights of the buildings are not considered to be out of character with the context”.

7.3.4 Policy UD2 of the Draft LDF Core Strategy states that tall buildings will be permitted in identified clusters as detailed in the Area Action Plans subject to a number of criteria. Further, the site is included in the “Proposed Tall Buildings Areas” in the Draft AAP. The proposal satisfies the relevant criteria of Policy UD2 as follows:

- the architectural quality of the building is considered to be of a high design quality;
- it contributes to an interesting skyline, and contributes to the general graduation of maximum building heights from north to south as set out in the adopted Millennium Quarter Masterplan;
- it meets the standards of sustainable construction and resource management;
- it meets the Council’s requirements in terms of micro-climate;
- it enhances the movement of people, in particular the pedestrian movement from the southern portion of the site to Marsh Wall;
- appropriate planning obligations are included to mitigate the impact of the development on the existing social facilities in the area;
- the proposal satisfies the Council’s requirements in terms of impact on privacy, amenity and overshadowing;
- the London City Airport and the National Air Traffic Services Limited have assessed the proposal in terms of conformity with the Civil Aviation Requirements and concluded that they have no safeguarding objection. The BBC have considered the proposal in terms of the impact on the telecommunications and radio transmission networks and concluded any impacts of the development can be mitigated via an appropriate clause in the S106 agreement;
- the transport capacity of the area now and in the future was considered as part of the Environmental Impact Assessment process. The Council’s Highways Authority have concluded that the transport assessments submitted satisfy the Council’s requirements (including the cumulative impact);
- a total of 3,170sqm of amenity space is provided at ground floor, which includes a central square of 1,770sqm, a north east square of 770sqm and a community garden of 670sqm. The proposal also includes two separate child play spaces and an appropriate S106 contribution to improve existing open spaces. The amenity space arrangements are considered to satisfy the Council’s requirements;
- the mix of uses proposed are considered appropriate. The Council’s urban design officer has recommended that the detailed design of the ground floor be conditioned to ensure that the development contributes to its surroundings at street level;
- the overall sustainability of the project is considered satisfactory.

Density

7.3.5 Policy HSG9 states that new housing developments should not exceed approximately 247 habitable rooms per hectare. However, higher densities may be achieved where accessibility to public transport is high. Policy 4B.3 of the London Plan requires Borough’s to maximise the potential of sites.

7.3.6 Policy HSG1 of the Draft LDF Core Strategy Document requires the Council to seek the highest reasonable delivery of housing provision for the Borough within sustainable development constraints and with consideration of the character of the local area. In achieving this, the Council will consider both the sites accessibility to, and capacity of the physical and social infrastructure intended to service the site.

Densities for sites must take into account:

- (1) development density as identified in an AAP;
- (2) the findings of any capacity study affecting the site;
- (3) the appropriate density range in accordance with the density matrix, based on agreed

- PTAL's and the borough area classification; and
- (4) the defined development and design principles of the area and/or any relevant borough character assessment.

The Council may require major developments to correspond with necessary improvements in social and physical infrastructure to support the growth in housing proposed.

- 7.3.7 The Draft LDF IOD AAP states that the density to apply to the site is 435 dwellings per hectare. The London Plan Density Matrix specifies a range of 650 – 1100 hr/ ha or 240 – 435 units/ ha.
- 7.3.8 In this instance, proposed density is 671 units per hectare (691 units/ 1.03 hectares) or 1705 habitable rooms per hectare (1756 habitable rooms/ 1.03 hectares). The site has a Public Transport Accessibility Level (PTAL) level of 6 (which is the highest level on a scale of 1 to 6). The density is thus some 50% greater than the advised range in the London Plan 'Density Location and Parking Matrix'.
- 7.3.9 The Council's Strategic Planning Team indicated that they considered that the density was inappropriate and unsustainable and should be resisted. In response, the applicant stated that they were confident that the potential impacts of the proposed development have been thoroughly tested, as demonstrated in the detailed supporting information submitted with the application. Where impacts have arisen, appropriate mitigation measures have been included as part of the S106 agreement. With regard to the appropriate weight to be given to the IOD AAP, the applicant considers that it is at a very early stage of preparation and that the London Plan, rather than the adopted UDP or the Draft IOD AAP, should form the appropriate policy document for the consideration of the appropriate level of density.

- 7.3.10 The GLA have assessed the scheme in terms of density and determined that:

"Given the quality of the design...and the location of the site so close to Canary Wharf, the proposed density could be acceptable, subject to the delivery of a sufficient services infrastructure and social infrastructure...The proposal would perhaps not be appropriate in a more traditional setting but in this urban context it strengthens the image of Canary Wharf and its public perception as a modern, high quality urban quarter".

- 7.3.11 In consideration of the above, the height, density and scale of the development is appropriate subject to the delivery of sufficient services infrastructure and social infrastructure. The developer has agreed to provide appropriate contributions to services and social infrastructure.

7.4 Views

- 7.4.1 The site does not lie within the foreground or background of any of the safeguarded strategic views listed in the Regional Planning Guidance (RPG) 3 Annex A: Supplementary Guidance for London on the Protection of Strategic Views, nor in the foreground or background of any of new views that are introduced in the Draft SPG London View Management Framework (GLA, April 2005).
- 7.4.2 A number of photomontages were submitted to assess the impact of the development on local views and local Conservation Areas. There are a small number of views within the conservation areas where the buildings would be seen, although the character and appearance of conservation areas and the settings and appearance of listed buildings seen in conjunction with the proposed buildings would be preserved. The impact on the character or appearance of a conservation area or the setting of a listed building would be insignificant since, in all such cases, modern buildings are already seen and influence the settings. Therefore, the impact of the development on these features would be insignificant.

7.5 Privacy and Overlooking

- 7.5.1 Concerns were initially raised with regard to the setback between the proposed dwellings (i.e. the distance between buildings 2 and 4 is 7m and buildings 3 and 4 is 16m) and the impacts on privacy, sunlight and daylight into the buildings and the amenity space

surrounding and the potential for overlooking, and increased sense of enclosure.

7.5.2 The applicant reconfigured the internal layout of the buildings to ensure that there are no opposing habitable room windows less than 18m apart. Consequently, it is considered that the proposal complies with Policy DEV2 of the UDP which seeks to ensure that adjoining buildings are not adversely affected by loss of privacy or a material deterioration of their daylighting and sunlighting conditions.

7.5.3 With regard to the sunlight and daylight into the buildings and the impact on the amenity space in terms of overshadowing, the applicant has demonstrated that the scheme passes the relevant BRE guidelines.

7.6 Open Space

7.6.1 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council's Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided.

7.6.2 SPG Requirement

- 50sqm of private space per family unit
- 50sqm plus an additional 5sqm per 5 non-family units;

Proposal Generates

- 93 family units (93 x 50) = 4650sqm
- 598 non-family units (598 + 50) = 648sqm
- This equates to a total requirement for 5298sqm

Proposal Provides

- 2270sqm balcony space
- 3170sqm amenity space at ground level (North East Square, Central Square and Community Garden)
- 5440sqm total amenity space provided on site

The proposed development thus accords with the Amenity Space provisions of the Residential Space – SPG.

- The applicant has established that the scheme will generate 112 children (3sqm per child) therefore a requirement of 360sqm of child play space is generated. A total of 395sqm of child play space is provided at ground floor level (Children's play space 1 and 2).

7.6.3 Play space 1 is 145sqm and is designed to assist children with their social development and spatial mapping abilities. The proposal includes colourful feature walls of a variety of materials, including seating for children and caregivers. The landscaping is proposed to be predominantly grass with other impact absorbing materials. The play space is designed to be enclosed to mitigate winds. Play space 2 is 215sqm and consists of a section with different materials and enclosures (such as sand, water, and timber surfaces with brick, stone, and timber walls), an area with more traditional play equipment, and an area that incorporates natural features such as logs, tall grass and plantings. The GLA considered the revised proposal and concluded that the appropriate children's play space is provided.

7.6.4 The Draft LDF (Policy IOD7 – Open Space) recognises that there is the relative lack of opportunity to increase the amount of open space within the Island, together with poor access to some of the existing open spaces and the general need to improve the environmental quality in key areas.

7.6.5 The existing opportunities in vicinity of site include Sir John McDougal Gardens (approximately 500m south of the site along Westferry Road). In response to the Council's

Landscape Development Team the applicant amended the scheme to provide the two accessible children's playspaces and advised that an appropriate solution is to make a Section 106 contribution towards improving open space in the area.

7.7 Housing

7.7.1 The scheme provides a total of 691 residential units. The table below summarises the overall mix of units by type:

| Units | Total | % of Total |
|--------------|------------|------------|
| Studio | 30 | 4% |
| 1 Bed | 374 | 54% |
| 2 Bed | 194 | 28% |
| 3 Bed | 69 | 10% |
| 4 Bed | 24 | 3% |
| TOTAL | 691 | |

Affordable Housing

Affordable Housing Provision

7.7.2 Policy HSG3 of the UDP states that the Council will seek a reasonable provision of affordable housing consistent with the merits of each case and with the strategic target of 25%.

7.7.3 Policy HSG3 of the Draft LDF Core Strategy document states that the Council will seek a target of 50% or affordable housing. A minimum of 35% of all housing will be required, 25% of which must be provided as affordable housing without access to public subsidy. Policy HSG4 of the Draft LDF Core Strategy document states that the amount of affordable housing will be calculated using habitable rooms as the primary measure.

7.7.4 The London Plan set out a strategic target that 50% of the new housing provision should be affordable.

7.7.5 The proposal provides 125 affordable housing units, which equates to the following:

- 25.25% on habitable room basis
- 18.09% on unit basis
- 20% on gross external floor space basis

7.7.6 The applicant is using the GLA toolkit as an assessment of viability of the scheme. An assessment of the appropriate level of affordable housing should involve undertaking a full financial assessment of the proposal, which evaluates a range of variables, in addition to the availability of public subsidy. Other factors include the individual site costs, economic viability, and the cumulative package of the Section 106 benefits

7.7.7 The GLA determined that the applicant has now undertaken a viability appraisal:

"... and has demonstrated that it would not be financially viable to increase the proportion of affordable housing in this scheme. GLA officers have verified the appraisal and it is clear that the absence of social housing grant and the very high build costs for this scheme are significant factors contributing to the low level of affordable housing proposed. This is also in line with Policy 3A.4 of the London Plan".

7.7.8 The Council's Housing Officer concluded that the applicant is using the GLA toolkit as an assessment for viability and is relying on the GLA assessment backing their assertion on viability. The toolkit concluded that it would not be financially viable to increase the proportion of affordable housing in this scheme. In consideration of the above and in view of the length of time that this application has been under assessment, this level of provision is considered acceptable, particularly given the current transition period from adopted policy of 25% to emerging draft policy of 35%.

Social Rented/ Intermediate Ratio

- 7.7.9 Policy HSG5 of the Draft LDF Core Strategy document states that the Council will require a social rented to intermediate housing ratio split of 80:20 for all grant free affordable housing.
- 7.7.10 The proposal is considered to satisfy this policy as a split of 82% of the units are provided as social rented and 18% of the units as intermediate housing.
- 7.7.11 The affordable housing provision includes 99 socially rented units and 32 intermediate rented units. It is recommended that the proposed intermediate housing is acceptable as it is proposed to be key worker housing, a form of intermediate housing.

Housing Mix

- 7.7.12 Policy HSG7 of the UDP specifies that new housing developments will be expected to provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms.
- 7.7.13 The table below summarises the proposed affordable housing units in comparison to the Council's Housing Needs Survey:

| Units | Total | % of Total | LBTH Housing Needs |
|--------------|--------------|-------------------|---------------------------|
| Studio | 0 | 0% | 0% |
| 1 Bed | 24 | 19% | 20% |
| 2 Bed | 33 | 26% | 35% |
| 3 Bed | 44 | 35% | 30% |
| 4 Bed | 24 | 19% | 15% |
| TOTAL | 125 | | |

- 7.7.14 The proposal thus complies with the Council's Housing Needs Survey, in particular, 54% is provided as family housing (i.e. 3 and 4 bedroom units). Policy HSG6 of the Draft LDF Core Strategy document species a mix for both the affordable component and market housing component. Given the length of time that this application has been under consideration the mix is considered appropriate. The Council's Housing Officer concluded that the dwelling mix is acceptable. The GLA concluded that the dwelling mix and density of the proposal is in line with strategic planning policy.

7.8 Access and Transport

Access

- 7.8.1 Vehicular access to the basement parking area, for cars, motorcycles and bicycles is provided from Cuba Street. Secondary access to the plaza area is provided from Marsh Wall in two locations for servicing the small retail and office units and to provide private drop off. The use of these secondary accesses will be restricted and controlled. A third access is to be provided on Westferry Road for limited access to the Plaza.
- 7.8.2 The pedestrian environment will be improved through the opening up of the site and the creation of new routes and vistas. This will be enhanced by the ground floor retail uses and open spaces, providing a connection between Marsh Wall and Westferry Road. Appropriate conditions will be included for lighting, signage and the inclusion of quality materials along the pedestrian route.
- 7.8.3 The Council's Highways officer has confirmed that the transport assessments provided as part of the Environmental Statement considered the cumulative traffic related impacts of the proposed development with other developments.

Parking

- 7.8.4 The application proposes 192 carparking spaces at basement level. This equates to 0.28 spaces per unit, or 25% of the Council's adopted maximum standard of 1.1 spaces per unit. It is recommended that the S106 agreement include a clause to ensure that the development is 'car free', ensuring that no controlled parking permits are issued to the new

residents of the development and thus alleviating additional pressure on the surrounding streets. Overall, the car parking provisions are in accordance with the standards set out within the UDP and are at a level, which supports current Government guidance on encouraging trips by other means. The GLA support the low level (192 spaces) of parking proposed.

7.8.5 The following are also proposed in the basement:

- 19 disabled carparking spaces (10% of the units);
- 20 motorcycle spaces (3% of the units); and
- 715 secure cycle spaces (50% of which are proposed to be double stacked). For the retail and office units, one space per 250sqm will be provided. Therefore a total of 11 spaces will be provided at grade and will be integrated into the landscaping within the public spaces.

7.8.6 Transport for London support the number of cycle spaces proposed. An appropriate condition is recommended to ensure that the cycle spaces are satisfactory.

Public Transport

7.8.7 The site is well served by public transport and has a public transport accessibility level (PTAL) of 6a. The GLA note that as the high density proposed is above those set out in Table 4B.1 of the London Plan. TFL will seek contributions towards transport improvements to compensate for this. TFL have determined that contributions for transport infrastructure improvements are required via the S106 agreement to ensure that the development can be accommodated within the transport network.

Servicing and Refuse Provisions

7.8.8 Servicing for the each of the residential buildings would be minimal (apart from furniture delivery). The retail and office units will be serviced using light goods vehicles at the entry/exit provided from the controlled access on Westferry Road. The Council's Waste Services officer has confirmed that the non-recyclable and recyclable waste storage and handling aspects of the scheme are acceptable.

7.8.9 The Council's Highway officer has assessed the servicing and refuse provisions and concluded that they are satisfactory. It is recommended that a condition be included to ensure the adequate provision of storage of refuse and recycling facilities.

7.9 Design and External Appearance

7.9.1 The Council's urban design officer considered the elevational design and materials proposed and concluded that the scheme has the potential to be developed into high quality architecture, subject to detailed design and development. The GLA consider that the *"design quality of the building is very high and provides a positive marker for further regeneration of the Isle of Dogs"*. It is recommended that an appropriate condition be included to ensure that the samples of the materials to be used on the external face of the building(s) are submitted for approval prior to the commencement of the development to ensure that the external appearance of the development is satisfactory.

7.9.2 In terms of the public realm, the Council's Urban Design Officer concluded that the scheme is focussed on a public space, which needs to accommodate the three metre change of level between Marsh Wall and West Ferry Road. This is managed through a series of long ramps and stair flights connecting terraces. This layout is intended to provide for a broadly diagonal pedestrian movement. This aspect of the site layout needs to be subject to further development. It is recommended that a condition be included to ensure that the detailed design of the public realm considers the following:

- More convenient and generous access from the central court to the retail/ café/ office uses below Block 3 (westernmost block);
- Design of the public garden in the south west corner of the site to improve access and safety at change of level. Currently this is not directly accessible to pedestrians from West Ferry Road or Cuba Street;

- Cuba Street pavement is still relatively narrow as one of the southern entry points to the central space.

7.10 Access and Inclusive Design

7.10.1 Policy HSG8 of the UDP requires the Council to negotiate some provision of dwellings to wheelchair standards and a substantial provision of dwellings to mobility standards. LDF Policy HSG2 of the Draft Core Strategy Document requires all new residential development to meet the Lifetime Homes Standard and that 10% of the proposed new housing is design to wheelchair/ mobility standards. Policy HSG14 of the Draft LDF Core Strategy Document requires new housing to meet a minimum Echohomes rating of 'very good'. The proposal incorporates the above mobility standards and achieves an echohomes rating of 'excellent'.

7.11 Sustainable Development/ Renewable Energy

7.11.1 Policy SEN3 of the Draft Core Strategy Document requires that all new development should incorporate energy efficiency measures. The proposal includes a biomass heating plant at basement level and 740sqm of solar water heating panels on the roofs of Blocks 1 and 2 (29 and 40 storeys respectively). The GLA concluded that the proposal is consistent with the London Plan energy policies and recommended that an appropriate condition should be included to ensure the implementation of the proposed renewable energy measures.

7.12 Biodiversity

7.12.1 It is recommended that an appropriate condition be included to ensure that biodiversity roofs on Blocks 3 and 4 (eight storeys each), consisting of "brown roof" rubble are provided to enhance opportunities for the nesting and foraging of black redstarts.

7.13 Planning Obligations

7.13.1 An analysis of the impacts of the development on the locality has been undertaken. In keeping with the ODPM Circular 05/2005, a number of requirements for planning obligations have been identified to either:

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

7.13.2 The identified planning obligations meet all of the following tests:

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

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

| Planning Obligation Heads of Terms | Prescribe/ Compensate/ Mitigate | Contribution sought |
|--|---------------------------------------|------------------------|
| Landscape and Open Space | | |
| Open space improvements to relieve the pressure that will arise from the new housing on existing overcrowded open space and recreational facilities | Mitigate | £345,000 |
| Public Realm Improvements | | |
| The scheme provides for open space at ground floor level. The ground floor open space is publicly accessible from south-west to north-east. A right of way "walking agreement" through the site will be necessary. | Prescribe | N/A |

| | | |
|--|-----------|---|
| Public Transport | | |
| Bus Network Improvements | | |
| London Buses contribution towards bus capacity enhancements and increased frequencies within the Isle of Dogs on the D7 and D3 routes or towards the new D5 service resulting from the proposed development. | Mitigate | £130,000 per annum over three years (total of £390,000) |
| DLR | | |
| Equipment upgrade to mitigate the adverse effects on DLR radio communications (such as a booster to offset signal interruption) ¹ | Prescribe | N/A |
| Highways, Pedestrian & Cycling Improvements | | |
| The section of highway south of Westferry Circus is not an adopted highway, there are currently plans to formalise the adoption. (A contribution in the region of 100K would be required from this development the total money needed to do the work is in excess of 500K) | Mitigate | £100,000 |
| A right of way "walking agreement" through the site will be necessary. | Prescribe | N/A |
| 20MPH zone to improve environment for pedestrian cycles etc is required as a contribution | Prescribe | £350,000 |
| Affordable Housing | | |
| <ul style="list-style-type: none"> 25.25% on a habitable room basis of the proposed units to be provided as on site affordable housing The mix is to comply with the Council's Housing Needs Survey as specified in Section 7.7.13 of this report | Prescribe | N/A |
| Employment initiatives & Local Labour | | |
| <ul style="list-style-type: none"> LliC: Project to allow local people to gain access to construction employment Skillsmatch: A partnership job brokerage service to address the recruitment needs of the owner and its contracts and maximise the employment of local residents | Prescribe | £252,000 |
| Education Contributions | | |
| Mitigate the demand of the additional population on education facilities <ul style="list-style-type: none"> 64 primary school places (@ £10,910 = £698,240) | Mitigate | £349,120 |
| Public Art | | |
| Implementation of a public art strategy to add to the enjoyment of the development and contribute to creating a sense of place and identity | Prescribe | N/A |
| Healthcare Contribution | | |
| Mitigate the demand of the additional population on health care services ² | Mitigate | £2,522,216 |
| Section 278 Agreement | | |
| S278 agreement to carry out off site highway work. (Should the work not cost this amount, LBTH will reimburse the difference, should it cost more, the developer will be invoiced direct) | | £400,000 (This figure is an estimate only) |

Total: £4,708,336

¹ An initial survey is required to predict the effect on the radio system and identify a solution. When the works are complete, implement the solution and verify the results.

² HUDU Model applied

7.13.4 The above contributions are considered reasonable in order to address the impacts of the scheme and to address the GLA's concern that *"The density exceeds the density range given in the London Plan, and will only be acceptable if adequate and supporting infrastructure is provided"*.

7.14 PA/05/53: Appeal Inquiry

7.14.1 The above scheme was lodged as a 'Duplicate Application' at the same time as the application being considered in this report (PA/05/52). The applicant has lodged an appeal over PA/05/53 on the 17th October 2005, due to the non-determination of the scheme by the Council. The appeal (to be considered by the First Secretary of State) is scheduled for Tuesday 18th July 2006. The appealed scheme has not been subject to the necessary amendments that the scheme being considered in this report has included.

8. SUMMARY

7.1 The site has good access to public transport facilities and provides a high quality mixed use development. The proposed tower will provide a landmark and contribute to the regeneration of the wider area.

7.2 The GLA stated that the proposal is broadly supported by strategic planning policy. The proposal provides additional housing, including an appropriate level of affordable housing, and provides opportunities for employment.

7.3 An Environmental Statement was submitted with the application, which has been reviewed by the Council's independent consultants. Following this, further information was submitted, which together with the Environmental Statement is considered to satisfactorily identify the likely impacts and the necessary mitigation measures.

7.4 The proposed development is considered appropriate in terms of townscape, environmental and infrastructure considerations. The proposal includes contributions towards transport, health, education, employment, training and open space.

22-28 MARSH WALL AND 2 CUBA STREET AND 17 TO 23 WESTFERRY ROAD, MARSH WALL, LONDON

Site Map

