

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

1. APPLICATION DETAILS

Location: Skylines Village, Limeharbour, London

Existing Use: Office (Use Class B1)

Proposal: Proposed demolition of all existing buildings within Skylines Village and the erection of buildings with heights varying from 2 to 50 storeys, comprising of the following:

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

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

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

Drawing Nos:

Submission Documents

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Applicant: ZBV (Skylines) Ltd & Skylines (Isle of Dogs) Ltd
Owner: Multiple owners

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

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

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

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

3. RECOMMENDATION

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

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

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

3.2 Financial Obligations

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

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

Total £8,086,253

Non-Financial Obligations

3.3

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

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

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

CONDITIONS & INFORMATIVES

'Compliance' Conditions –

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

'Prior to Commencement' Conditions:

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

'Prior to Occupation' Conditions:

18. Hours of Operation for non-residential uses.

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

3.7 **Informatives:**

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

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

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

4. PROPOSAL AND LOCATION DETAILS

Site and Surroundings

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

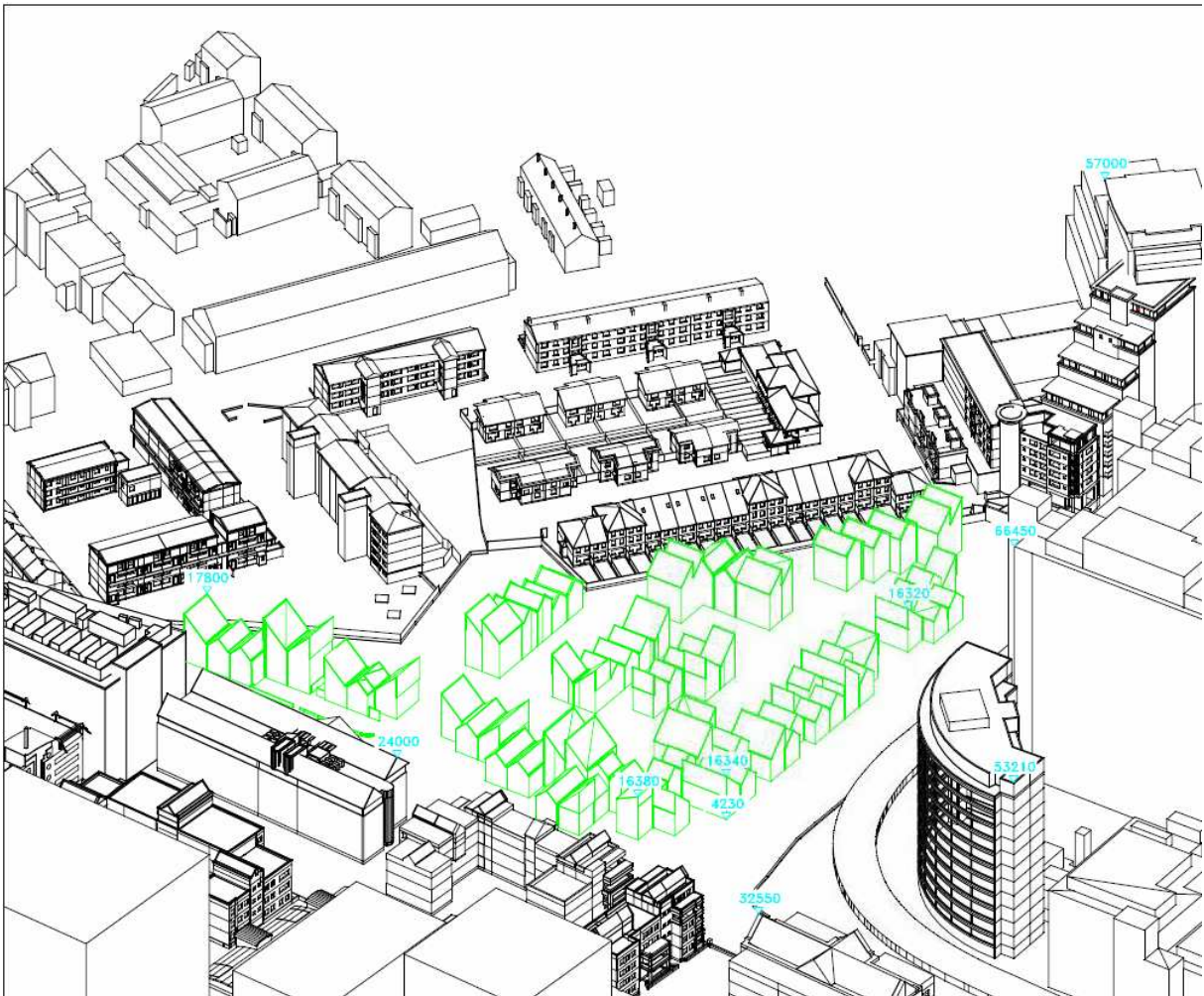


Figure 1: The application site (as existing)

Proposal

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

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

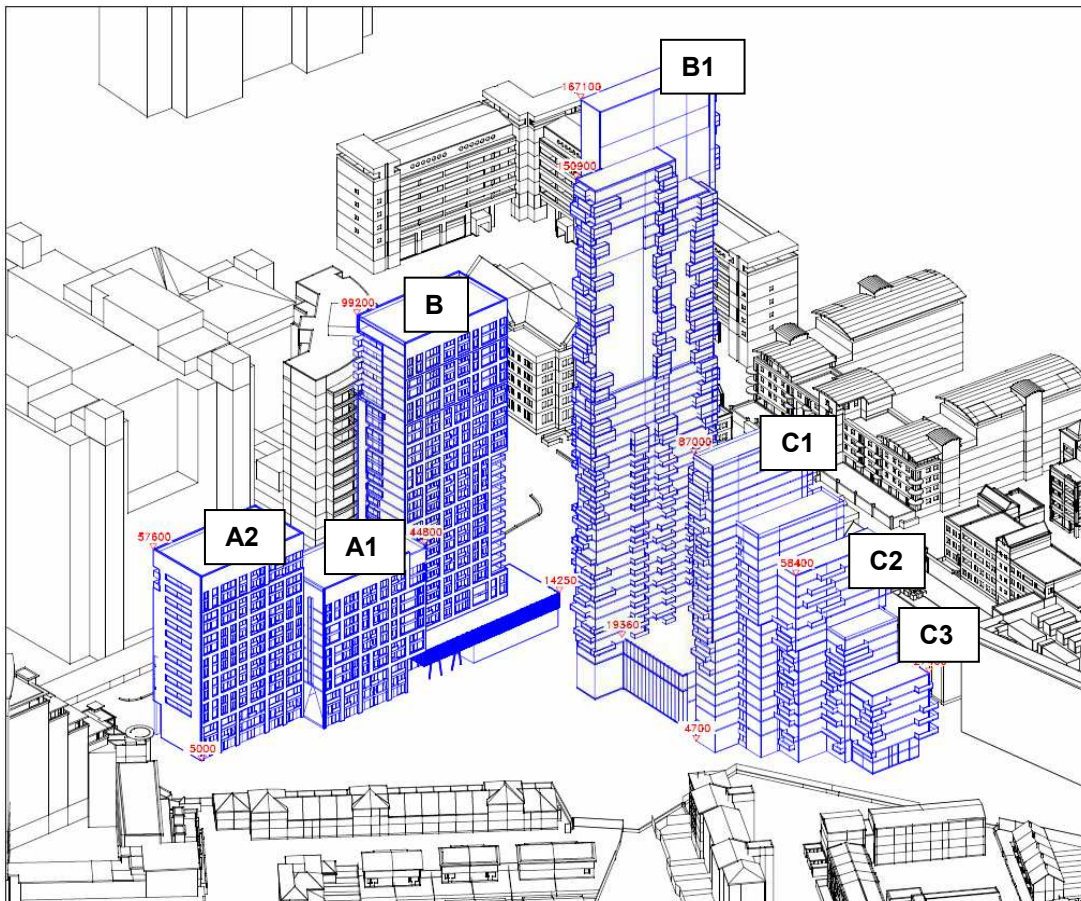


Figure 2: Massing as viewed from the south-east

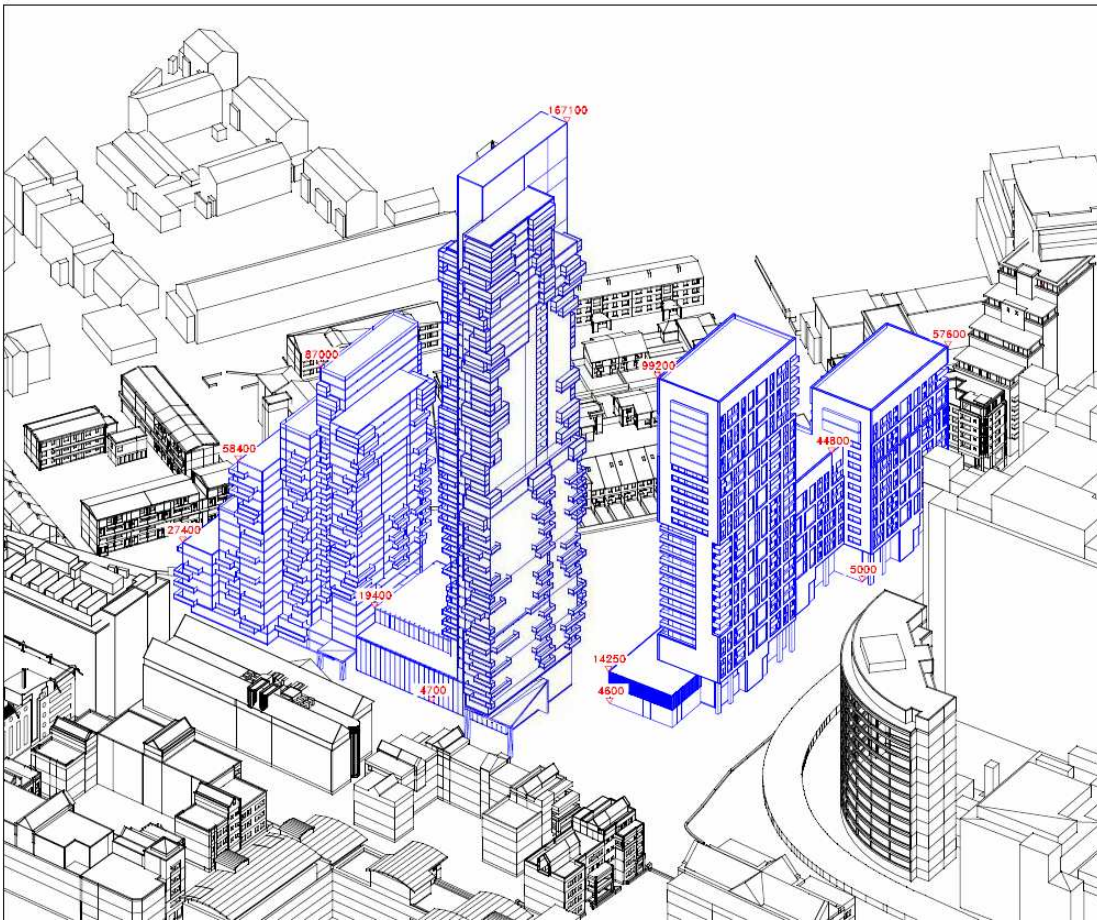


Figure 3: Massing as viewed from north-west

Relevant Planning History

Application Site

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

following reasons (as summarised from the delegated report):

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

Adjoining Sites

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

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

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007) (UDP)

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

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

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

Proposals:	ID46	Development Site ID46 (Residential, Employment, Public Open Space, Retail and Leisure) Flood Risk Zone 2 and 3
Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage

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

Isle of Dogs

AAP Policies:

IOD1	Spatial Strategy
IOD2	Transport and Movement
IOD3	Health Provision
IOD4	Education Provision
IOD5	Public Open Space
IOD6	Water Space
IOD7	Flooding
IOD8	Infrastructure Capacity
IOD18	Employment Uses in the Central Sub-Area
IOD19	Residential Uses in the Central Sub-Area
IOD20	Retail and Leisure Uses in the Central Sub-Area
IOD21	Design and Built Form in the Central Sub-Area
IOD22	Site Allocations in the Central Sub-Area

Core Strategy Development Plan Document 2010 (CS)

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

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

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

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

Supplementary Planning Guidance/Documents

Planning Obligations SPD 2012

Spatial Development Strategy for Greater London (London Plan 2011)

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

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

London Plan Supplementary Planning Guidance/Documents

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

Government Planning Policy Guidance/Statements

- The National Planning Policy Framework 2012 (NPPF)

Community Plan The following Community Plan objectives relate to the application:

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

6. CONSULTATION RESPONSE

- 6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL

PLANNING CONSIDERATIONS section below:

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

LBTH Access

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

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

LBTH Environmental Health

6.4 Air Quality

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

Contaminated Land

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

Noise

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

LBTH Communities Leisure and Culture

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

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

LBTH Energy Efficiency

6.6 Energy

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

Sustainability

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

(OFFICER COMMENT: Conditions have been attached as requested)

LBTH Highways

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

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

The following non-financial obligations should also be secured:

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

Conditions & Informatives

The following conditions should be imposed upon any planning permission:

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

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

LBTH Waste Policy and Development

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

Tower Hamlets Primary Care Trust (PCT)

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

Canal and River Trust

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

English Heritage

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

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

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

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

Environment Agency

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

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

Greater London Authority (GLA)

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

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

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

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

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

London City Airport

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

London Fire and Emergency Planning Authority

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

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

London Underground Ltd

- 6.16 No comments received.

National Air Traffic Services Ltd (NATS)

- 6.17 No objections raised.

Natural England

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

Transport for London (TfL)

- 6.19 *Trip generation and Highway Impact*

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

Buses

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

DLR

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

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

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

Pedestrian Crossing

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

PERS

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

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

Parking

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

Crossrail/CIL

Contributions are applicable.

Summary

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

Design Council/CABE

6.20 Design Council/CABE made the following comments:

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

British Broadcasting Corporation (BBC)

6.21 No comments received.

Greenwich Maritime World Heritage Site

6.22 No comments received

Association of Island Communities

6.23 No comments received.

London Borough of Greenwich

6.24 No objections raised.

London Wildlife Trust

6.25 No comments received.

Metropolitan Police

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

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

National Grid

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

Port of London Authority

6.28 No objections raised.

EDF Energy

6.29 No objections.

Thames Water

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

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

7. LOCAL REPRESENTATION

7.1 A total of 2699 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. This was done on twice, in March 2012 and July 2012, as the proposals were amended during the course of the application.

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

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

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

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

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

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

8. MATERIAL PLANNING CONSIDERATIONS

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

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

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

General Principles

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

Land Use

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

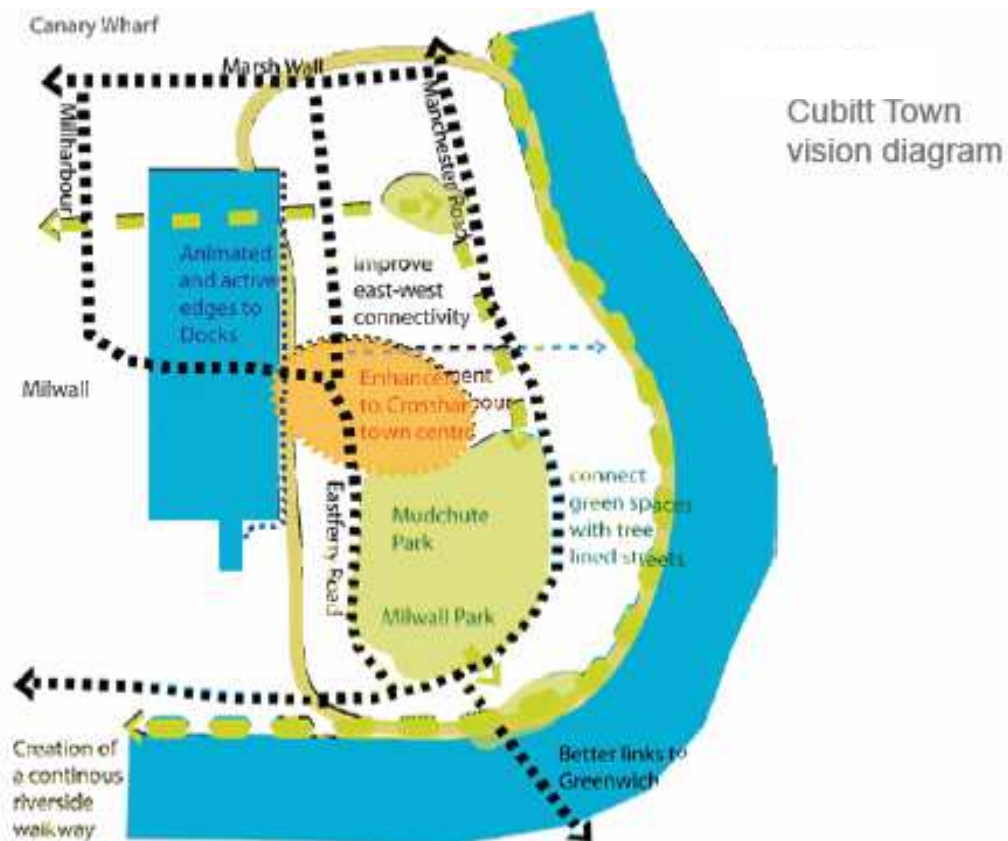


Figure 4: Cubitt Town Vision diagram (Source: LBTH Core Strategy 2010, figure 2)

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

of alternative employment uses on site.

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

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

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

Design

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

Design Strategy

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

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

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



Figure 5: the indicative masterplan

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

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



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

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

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

Justification for Tall Buildings

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

developments

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

Townscape

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

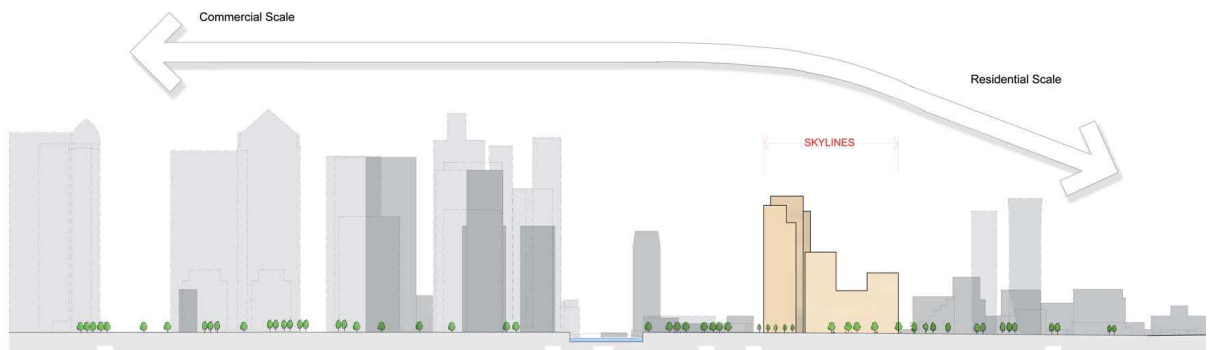


Figure 7 – Eastern view of key buildings, Isle of Dogs

Impact of Height to the South-West

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

Strategic Views

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

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

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

Heritage & Conservation

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

Local Views and Impacts

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

Aste Street/ Chipka Street

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

Marsh Wall

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

Blue Bridge, Preston’s Road

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

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

St Johns Park

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

Open Space

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

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

Crime and Safety

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

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

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

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

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

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

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

Layout

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

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

Detailed Design

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

Housing

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

Residential Density

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

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

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

Affordable Housing

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

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

Table 1: The proposed indicative overall tenure mix

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

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

Housing Type and Tenure Mix

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

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

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

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

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

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

Table 5: Indicative overall unit and tenure mix

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

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

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

Internal Space Standards

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

Private and Communal Amenity Space

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

Child Play Space

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

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

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

Wheelchair Housing and Lifetime Homes Standards

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

Amenity

Daylight and Sunlight

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

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

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

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

Proposed Development

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

Neighbouring Properties

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

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

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

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

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

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

- 1-114 Meridian Place

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

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

Sense of Enclosure, Outlook and Privacy

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

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

Development Proposals on Adjacent Sites

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

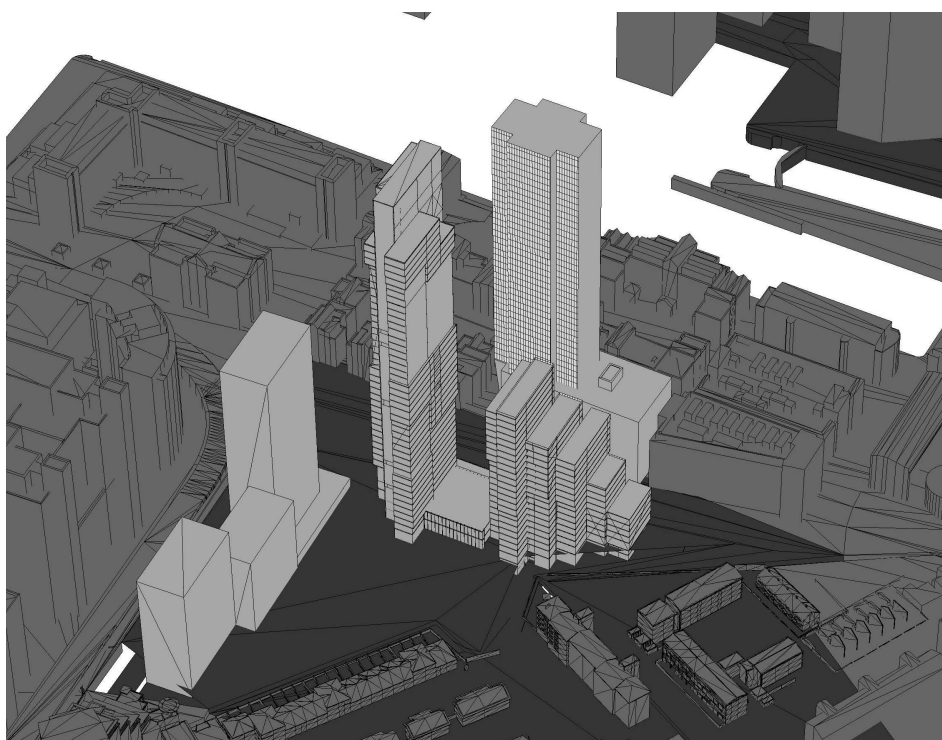


Figure 8 relationship between Angel House proposal and Skylines

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

Air Quality

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

Noise and Vibration

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

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

Transport, Connectivity and Accessibility

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

Highways

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

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

Servicing and Deliveries

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

Waste, Refuse & Recycling

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

Car Parking

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

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

Provision for Cyclists

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

Public Transport Improvements

Docklands Light Railway

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

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

Crossrail

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

Buses

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

Pedestrian Environment

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

Inclusive Access

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

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

Energy & Sustainability

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

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

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

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

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

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

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

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

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

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

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

Environmental Considerations

Contamination

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

Microclimate - Wind

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

Flood Risk

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

Biodiversity

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

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

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

Health Considerations

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

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

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

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

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

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

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

Planning Obligations and CIL

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

8.213 The NPPF requires that planning obligations must be:

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

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

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

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

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

The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

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

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

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

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

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

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

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

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

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

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

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

8.223 In this context “grants” might include:

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

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

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

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

Conclusions


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



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

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

Planning Application Site Map



-  Planning Application Site Boundary
-  Consultation Area

-  Locally Listed Buildings
-  Statutory Listed Buildings

 Land Parcel Address

0 15 m



1:4,500

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
© Crown copyright and database rights 2012 Ordnance Survey, London Borough of Tower Hamlets 100019288