

Committee: Development	Date: 11 th December 2013	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Application for Planning Permission
Case Officer: Alison Hoskin	Ref No: PA/12/02784 (full planning permission) and PA/12/02785 (conservation area consent)
	Ward: Blackwall and Cubitt Town Ward

1. APPLICATION DETAILS

Location: Calders Wharf, Saunders Ness Road, London, E14 3EA.

Existing Use: Community centre

Proposal: PA/12/02785
Conservation Area Consent for the demolition of an existing modern constructed, single storey community building (387 sq.m. GIA, Use Class D1) (the Calders Wharf Community Centre), a 2.4 metre high brick boundary wall, railings and planters and tree removal.

PA/12/02784
The redevelopment of Calders Wharf community Centre comprising the demolition of the existing building (387sq.m GIA) (Use Class D1) and adjacent boundary wall, railings and planters.

The construction of a four storey building to provide a new Community Centre and children's play group facility (494 sqm GIA) (Use Class D1) and 25 new residential units (9x1 bedroom; 11x2 bedroom; 5x3 bedroom) with associated disabled parking and cycle parking, landscaped public open space, private amenity space and other associated works.

Drawing and documents:

- Planning Statement and Impact Statement, prepared by Leaside Planning, dated August 2013
- Statement of Community Involvement, prepared by Leaside Planning, dated August 2013
- Design and Access Statement, prepared by Leaside Planning, dated August 2013
- Energy Statement, reference 59097 revision D, prepared by EnergyCouncil, dated 9 August 2013
- Sustainability Statement, reference 59097 revision E, prepared by EnergyCouncil, dated 15 August 2013
- Energy Statement Addendum Note 1, prepared by EnergyCouncil, dated 18 November 2013

- Transport Statement, prepared by TTP Consulting, dated August 2013
- Daylight and Sunlight Assessment, prepared by Nathaniel Litchfield & Partners, dated August 2013
- Viability Assessment, prepared by DTZ, dated 22 August 2013
- Landscape Management and Maintenance Plan, reference JBA 12/252, dated July 2013
- Landscape Strategy Document, prepared by JBA, revision E, dated 16/08/2013
- Arboricultural Impact Assessment, prepared by DF Clark Bionomique Ltd, revision B, dated 8 August 2013
- Heritage and Visual Impact Assessment, prepared by Montague Evans, dated August 2013
- Additional views addendum
- Accurate Visual Representation Methodology, prepared by HaylesDavidson, dated August 2013
- Flood Risk Assessment and Sustainable Drainage Strategy, prepared by Consibee, dated 20 September 2012
- Flood Risk Assessment Letter, prepared by Consibee, dated 15 August 2013
- Phase I Desktop Study Report, prepared by Herts & Essex Site Investigations, dated September 2012
- Drawing Number 2915 PL(000) Rev A
- Drawing Number 2915 PL(001) Rev A
- Drawing Number 2915 PL(002) Rev A
- Drawing Number 2915 PL(003) Rev A
- Drawing Number 2915 PL(100) Rev A1
- Drawing Number 2915 PL(101) Rev A1
- Drawing Number 2915 PL(102) Rev A1
- Drawing Number 2915 PL(103) Rev A
- Drawing Number 2915 PL(104) Rev A
- Drawing Number 2915 PL(105) Rev A
- Drawing Number 2915 PL(200) Rev A
- Drawing Number 2915 PL(201) Rev A
- Drawing Number 2915 PL(202) Rev A
- Drawing Number 2915 PL(203) Rev A
- Drawing Number 2915 PL(204) Rev A
- Drawing Number 2915 PL(300) Rev A
- Drawing Number 2915 PL(301) Rev A
- Drawing Number 2915 PL(302) Rev A
- Drawing Number 2915 PL(303) Rev A
- Drawing Number 2915 PL(304) Rev A
- Drawing Number 2915 PL(500) Rev A1
- Drawing Number 2915 PL(600) Rev A
- Drawing Number 2915 PL(601) Rev A
- Drawing Number 2915 PL(701) Rev A
- Drawing Number 2915 PL(702) Rev A
- Drawing Number 2915 PL(703) Rev A
- Drawing Number 2915 PL(704) Rev A
- Drawing Number 2915 PL(705) Rev A
- Drawing Number 2915 PL(706) Rev A

- Landscape Masterplan, Drawing Number JBA 12/252-01, dated October 2012

Applicant:	EastEnd Homes
Ownership:	London Borough of Tower Hamlets, Docklands Light Railway
Historic Building:	Adjoins Grade II Listed Greenwich Foot Tunnel Entrance building, adjoins Island Gardens historic park, adjoins/southeast corner of the site partially affected by Maritime Greenwich World Heritage Site Buffer Zone.
Conservation Area:	Island Gardens Conservation Area

2. Executive Summary

- 2.1. Officers have considered the particular circumstances of these applications against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010), Managing Development Document (2013), the London Plan (2011) together with Revised Early Minor Alterations (2013) and the National Planning Policy Framework (2012), and have found that:
- 2.2. The site is within a sensitive location within the Island Gardens Conservation Area, and adjoins the Grade II Listed Entrance Building to the Greenwich foot tunnel and the Island Gardens Park, which is classified as a Historic Park and Metropolitan Open Land.
- 2.3. The existing building at the site is a single storey redbrick community centre of no identified architectural merit. Conservation Area Consent is sought for the demolition of this building along with an existing brick boundary wall and associated structures. Subject to a suitably designed replacement building, the loss of the existing community centre and associated structures on site can be supported in this instance.
- 2.4. The proposed scheme follows a process of public consultation and review of the scheme with the applicant. The priority for officers in negotiating and assessing this development was the Heritage and Conservation merits of the site.
- 2.5. The merits of the proposed four storey scheme have been assessed against the relevant planning objectives and policies. The proposed scheme will re-provide the existing community centre, and facilitate redevelopment of the site that will open up the park with the river frontage. It is considered that the overall height, scale and layout of the building provides a satisfactory response to the site and its sensitive location adjoining the Island Gardens Park, Grade II Listed Entrance Building to the Greenwich foot tunnel and the buffer to the Maritime Greenwich World Heritage Site. The proposal will not result in detrimental harm to the Island Gardens Conservation Area and it is considered that appropriate levels of internal and external amenity for the scheme have been achieved overall. Subject to condition, it is considered that the detailed design of the scheme is acceptable.

- 2.6. The proposal will contribute to the delivery of housing within the Borough, through creating 25 new homes. The scheme delivers 19.2% affordable housing provision on site, together with £26,000 financial contribution towards affordable housing delivery plus £155,904.56 of S106 financial contributions to mitigate against the impacts of the development. Although the affordable housing provision falls short of Council's minimum target of 35%, on balance, it has been demonstrated through the interrogation of the financial viability of the scheme that the proposal is delivering the maximum reasonable amount of affordable housing.
- 2.7. When considering the overall benefit to the community of upgrading the community centre and the provision of housing at the site, on balance, the scheme is considered to provide a satisfactory response to the site and its sensitive location, which has been considered in the design of the proposal which has resulted in a scheme that sits comfortably overall within the surroundings.

3. RECOMMENDATION

- 3.1. That the Committee resolve to GRANT planning permission subject to:
- 3.2. The prior completion of a **legal agreement** to the satisfaction of the Head of Legal Services (Environment) to secure the following planning obligations:

Financial Contributions

- a) Education: £37,177
 - b) Enterprise & Employment: £8,928.98
 - c) Community Facilities: £32,021.50
 - d) Health: £34,221
 - e) Sustainable Transport: £720
 - f) Public Realm: £39,779.13
 - g) Monitoring & Implementation 2% of total: £3,056.95
- TOTAL: £155,904.56**

h) Delivery of Affordable Housing: £26,000

Non- Financial Contributions

- i) Car free agreement
 - j) 24 hour access over public open space
 - k) Employment
 - l) Any other obligation(s) considered necessary by the Corporate Director Development and Renewal.
- 3.3. That the Head of Legal Services (Environment) is delegated power to negotiate the legal agreement indicated above.
- 3.4. That the Corporate Director Development & Renewal is delegated authority to recommend the following conditions and informatives in relation to the following matters:
- 3.5. **Conditions**
- Compliance:
- 1. Time Limit for implementation of 3 years
 - 2. Compliance with plans
 - 3. All servicing must occur onsite

4. Tree protection measures
5. Allocation and retention of cycle and disabled parking spaces
6. Compliance with the submitted Flood Risk Assessment (FRA) and Sustainable Drainage Strategy with mitigation measures
7. Hours of operation for the community centre use
8. Compliance with hours of construction and deletion (08.00 until 17.00 Monday to Friday; 09.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
9. Lifetime Homes
10. No drainage to the public highway
11. No demolition works of the existing structures onsite permitted under the Conservation Area Consent shall occur until a contract for the redevelopment the site is secured

Prior to Commencement

12. Details and samples of all materials
13. Sample panel of brickwork showing, bonding, mortar colour and jointing details
14. Full details of the junctions between the various different cladding materials, and of these materials within the windows
15. Typical elevation of a bay, and section through the building on each elevation
16. Privacy screens on western elevation balconies
17. Screening of western facing windows for unit 10 (first floor northwest unit)
18. Full details of windows at a large scale
19. Full details of balcony treatments
20. Construction Management/Logistics Plan
21. Full details of the design and construction methodology for the foundations
22. Monitoring of DLR tunnels and track for no material load during construction works
23. Details of privacy screening for balconies on west elevation
24. Full Asset Protection Agreement
25. Contamination, remediation and verification
26. Piling Method Statement prior to commencement of impact piling works
27. Secure by Design statement
28. Details of secure fencing for sensitive uses
29. Management Plan for security and safety
30. Precautionary bat survey
31. Landscape plan in consultation with London City Airport
32. Updated detailed roof plan (photovoltaic panels)
33. Details of bird and bat boxes
34. Details of wildflower grassland
35. Full detail of tree protection measures
36. Detail of replacement tree in southwest corner of the site
37. External lighting scheme along 16m wide buffer area adjoining Thames River
38. Structural survey of existing tidal river wall
39. Full details of residential cycle storage
40. Full details of CHP system
41. Full details of minimum of 70m² of photovoltaic panels (peak output - 10kWp)
42. Impact risk assessment of stability of DLR tunnel to ensure the stability of the development scheme and the DLR
43. Revised energy statement addressing the following:
 - Details of the proposed CHP system;
 - Details of the renewable proposals of the scheme.
44. Section 278 required (highway works, Highway Management Order for no loading)

Prior to Occupation:

45. Full implementation of Flood Risk Assessment mitigation measures
46. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Within 3 months of first Occupation:

47. Final Code for Sustainable Homes certificates to demonstrate achievement of Code 4 rating and provision of certificates to the Local Authority.

3.6. **Informatives**

1. Section 106 required
2. Section 278 required
3. Environment Agency informative (flood defence consent)
4. Delivery of energy efficiency, heat network and CO2 savings as proposed in the Energy Statement (Clarification on Energy Statements ref: 59097D)
5. Sufficient water supplies available for fire-fighting associated with domestic use
6. Sprinkler system installed
7. Compliance with submitted Flood Risk Assessment (FRA) and Sustainable Drainage Strategy
8. Minimum water pressure
9. Approval from Thames Water required for development within 3m of a sewer and discharge of groundwater
10. Surface water drainage
11. Petrol/oil interceptors fitted to all carparking/washing/repair facilities
12. Installation and maintenance of fat trap for any catering facilities and recycling of production bio diesel
13. Separate consultation to London City Airport for craneage or scaffolding at a higher elevation than proposed development
14. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.7. That the Committee resolve to GRANT conservation area consent subject to:

3.8. That the Corporate Director Development & Renewal is delegated authority to recommend the following conditions and informatives in relation to the following matters:

- 1) Three year time limit
- 2) Compliance with approved plans
- 3) Construction contract for redevelopment of the site

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

4. **PROPOSAL AND LOCATION DETAILS**

Proposal and Background

4.1. The scheme being considered proposes the redevelopment of Calders Wharf Community Centre comprising the demolition of the existing building (387sqm GIA of Use Class D1) and adjacent boundary wall, railings and planters.

- 4.2. This is required to facilitate the construction of a four storey building to provide a new Community Centre and children's play group facility (494sqm GIA of Use Class D1) and 25 new residential units (9x1 bedroom; 11x2 bedroom; 5x3 bedroom) with associated disabled parking and cycle parking, landscaped public open space, private amenity space and other associated works. The proposal includes removal of two trees and tree works.
- 4.3. The scheme proposes the delivery of 2 intermediate units and 2 affordable rented units, which equates to 19.2% by habitable room.

Site and Surroundings

- 4.4. The application site occupies an area of approximately 0.19 hectares within the Island Gardens Conservation Area at the southern tip of the Isle of Dogs.
- 4.5. The site is generally rectangular in shape and contains a single storey community centre building (Calder's Wharf Community Centre) with associated playspace and carparking area, which is accessible via an existing crossover on the northern boundary of the site to Saunders Ness Road. Based on review of the planning history for the site, the existing use of the site as a community centre dates back to the 1970s.
- 4.6. The site adjoins the Island Gardens Park, which is classified as a Listed Park and Metropolitan Open Land. The Grade II Listed Foot Tunnel Entrance tunnel is situated to the east of the site.
- 4.7. The site adjoins the Maritime Greenwich World Heritage Site Buffer Zone, which borders the eastern boundary of the site and partially crosses within the southeast corner of the site.
- 4.8. The Island Gardens DLR station is located approximately 120 metres to the north of the site and accessible via Douglass Path and the area has an average Public Transport Accessibility Level (PTAL) of 3.
- 4.9. To the north of the site is Saunders Ness Road and further north is a predominantly four to seven storey building to the north (development at the southeast corner of Manchester and Ferry Street). The broader area to the north contains a range of development from two storey residential to higher density residential development of up to approximately seven storeys.
- 4.10. To the south of the site is the River Thames, with a solid retaining wall abutting the southern portion of the site. On the southern bank of the Thames River lies the Royal Borough of Greenwich, including the Maritime Greenwich World Heritage Site.
- 4.11. To the west of the site is a double storey building occupied by the Poplar Blackwall and District Rowing Club.

Relevant Planning History

- 4.12. The site has several planning permissions for the existing community facility from its consent in 1977 until 1997. These are listed below.

PA/77/00437 Planning Permission was granted on 25/10/1977 for "use of site for community facilities for local population"

PA/78/00467 Planning Permission was granted on 10/05/1979 for “erection of a single story community centre with associated parking”

PA/84/00565 Planning Permission was granted on 18/02/1985 for “extension of existing centre to provide additional storage and children’s centre and new restaurant”

PA/90/00187 Planning Permission was granted on 05/10/1990 for “extension of existing community centre to provide additional storage and children’s centre”

PA/97/91103 Demotion Determination was granted on 26/03/1997 for “part demolition of a boundary wall”

5. POLICY FRAMEWORK

5.1. For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items.

5.2. The following policies are relevant to the application:

5.3. **Government Planning Policy Guidance/Statements**
National Planning Policy Framework (March 2012) (NPPF)

5.4. **Spatial Development Strategy for Greater London - London Plan 2011 (LP)**
London Plan Revised Early Minor Alterations 2013 (LP REMA)

- 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
- 3.13 Affordable housing thresholds
- 4.1 Developing London’s economy
- 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 network
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 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
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity

- 5.18 Construction, excavation and demolition waste
 - 5.21 Contaminated land
 - 6.1 Strategic approach to transport
 - 6.2 Providing public transport capacity and safeguarding land for transport
 - 6.3 Assessing effects of development on transport capacity
 - 6.4 Enhancing London's transport connectivity
 - 6.7 Better streets and surface transport
 - 6.9 Cycling
 - 6.10 Walking
 - 6.11 Smoothing traffic flow and tackling congestion
 - 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
 - 7.8 Heritage assets and archaeology
 - 7.10 World Heritage Sites
 - 7.11 London View Management Framework
 - 7.12 Implementing the London View Management Framework
 - 7.13 Safety, security and resilience to emergency
 - 7.14 Improving air quality
 - 7.15 Reducing noise and enhancing soundscapes
 - 7.17 Metropolitan Open Land
 - 7.18 Protecting local open space and addressing deficiency
 - 7.19 Biodiversity and access to nature
 - 7.29 The River Thames
 - 8.2 Planning Obligations
 - 8.3 Community Infrastructure Levy
- 5.5. Tower Hamlets Core Strategy (adopted September 2010) (CS)**
- 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
 - SP08 Making connected places
 - SP09 Creating attractive and safe streets
 - SP10 Creating distinct and durable places
 - SP11 Working towards a zero-carbon borough
 - SP12 Delivering placemaking and (LAP 5 & 6 – Bow)
- 5.6. Managing Development Document (adopted April 2013) (MDD)**
- DM3 Delivery homes
 - DM4 Housing standards and amenity space
 - DM8 Community Infrastructure
 - DM9 Improving air quality
 - DM10 Delivering open space
 - DM11 Living buildings and biodiversity
 - DM12 Water spaces
 - DM13 Sustainable drainage
 - DM14 Managing waste

DM15	Local job creation and investment
DM18	Delivering schools and early learning
DM20	Supporting a sustainable transport network
DM21	Sustainable transportation of freight
DM22	Parking
DM23	Streets and the public realm
DM24	Place-sensitive design
DM25	Amenity
DM26	Building heights
DM27	Heritage and the built environment
DM28	World Heritage Sites
DM29	Achieving a zero carbon borough and addressing climate change
DM30	Contaminated land

5.7. **Supplementary Planning Guidance/Documents**

LBTH Planning Obligations Supplementary Planning Document (2012)
 LBTH Island Gardens Conservation Area Character Appraisal
 London View Management Framework

5.8. **Tower Hamlets Community Plan**

The following Community Plan objectives relate to the application:

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

6. CONSULTATION RESPONSE

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

6.2. The following were consulted regarding the application:

English Heritage

6.3. Initial comments were received from English Heritage stating no objection to the principle of redevelopment of the existing community centre, given it has no architectural interest in its own right. English Heritage raised concern over the bulk and scale of the proposed building and the way in which it responds to the heritage assets within the immediate area. Specifically, English Heritage considered that the proposed height, mass and prominence of the five storey building will have a detrimental impact to the character of the Island Gardens Conservation Area and the relationship and sense of openness to the adjoining listed Island Gardens Park. Additionally, they considered that it will visually compete with the prominence of the Grade II Listed Greenwich Foot Tunnel Entrance Building and views from the Maritime Greenwich World Heritage Site.

6.4. (**Officer Comment:** *Subsequent discussions and meetings were held between the Applicant's Agent, English Heritage and LBTH Planning Officers and Design and Conservation Officers. Revisions to the proposed scheme were made, as summarised below under Section 8.28 of this report.*)

- 6.5. On the basis of the revised scheme, English Heritage commented that they “are pleased that extensive negotiations have resulted in a more sympathetic and better designed proposal that has much less impact on the settings of nearby heritage assets.” In this context, English Heritage advised they would be satisfied for Council to determine the application using their conservation expertise.

Environment Agency

- 6.6. The Environment Agency have advised they have no objection in principle to the proposed development subject to conditions requiring the following:
- Scheme of external lighting along 16m wide buffer area along the Thames River.
 - Structural survey of existing tidal river wall.
 - Compliance with the submitted Flood Risk Assessment (FRA) and Sustainable Drainage Strategy with mitigation measures as detailed within the FRA.
 - Further comment was provided by the Environment Agency in relation to Flood Defence Consent responsibilities and further enhancements to biodiversity to be incorporated into the development (such as green roofs, soft landscaping on ground level with local native species, green walls, installation of bird and bat roosting boxes).
- 6.7. *(Officer Comment: It is recommended the above be conditioned. In their consultee response letter, the Environment Agency commented that previously recommended conditions for the Buffer Zone and Landscape Management Plan are no longer required as they consider these to be addressed in the submitted landscape plan. Refer to section 8.185 of this report for further discussion regarding biodiversity).*

Transport for London (TfL)

- 6.8. Following revisions, TfL does not object to the application in principle, subject to comments and conditions below.
- A construction logistic plan is required to be conditioned.
 - A planning condition preventing residents from applying for parking permits is welcomed.
- 6.9. *(Officer Comment: It is recommended the above are conditioned should planning permission be granted).*

Docklands Light Railway Limited (DLRL)

- 6.10. Due to the proximity of the DLRL’s infrastructure to the site the developer must ensure that the development will not have any detrimental effect on the DLR structures in either the short or long term. Conditions relating to the following matters are recommended:
- Full details of the design and construction methodology for the foundations must be submitted to and approved by the local planning authority, in conjunction with DLRL.
 - No material load is to be imposed upon the tunnel. Monitoring of DLR tunnels including the track will be required during the works at the expense of the developer.
 - A full Asset Protection Agreement must be entered into with DLRL.
- 6.11. DLRL has also commented that it is the developer’s responsibility to ensure that the design, structure and acoustic insulation of the development is of such a standard that residential amenity is not adversely affected by vibration from the DLR.

- 6.12. DLRL and the Local Authority should be satisfied that any proposed works will be carried out without affecting the safe and effective operation of the DLRL or compromising the integrity of the railway and associated structures before the above conditions are discharged.
- 6.13. *(Officer Comment: It is recommended the above be conditioned should Planning Permission be granted to ensure that the above matters are addressed. In relation to residential amenity, this is addressed within comments from Council's Environmental Health Officers and discussed in Section 8.156 of this report).*

National Air Traffic Services (NATS)

- 6.14. No objection raised as NATS are satisfied that the proposed development does not conflict with their safeguarding criteria.

London Fire and Emergency Planning Authority

- 6.15. The Brigade is conditionally satisfied with the proposal subject to comments. They are satisfied that access for fire service to the site is adequate and fire hydrants appear to be within an acceptable distance. Acceptability of the proposal is subject to the following conditions:
- Water supplies – developer must ensure sufficient water supplies are available for fire-fighting when domestic usage is taking place.
 - Concern as a responder to any emergency situation that takes place on DLR line. The stability of the development scheme and tunnel is incumbent on the developer to ensure an impact risk assessment of stability of DLR tunnel takes place prior to any building work occurring. The impact assessment should be made available to all fire services and DLRL.
 - Sprinkler system must be installed in development.
- 6.16. *(Officer Comment: It is recommended the above be conditioned should Planning Permission be granted to ensure that the above matters are addressed).*

London City Airport

London City Airport commented on the original development scheme and considers that it does not conflict with safeguarding criteria. Accordingly, they have no safeguarding objection to the proposal. They have however, advised that during construction, cranes and scaffolding may be subject to separate consultation with the London City Airport and that all landscaping plans and all plantations should be considered in view of making the unattractive to birds.

- 6.17. *(Officer Comment: An informative is recommended advising the applicant to contact London City Airport during the construction of the development. In relation to concerns over landscaping attracting birds, given the locality of the site adjoining parkland it is not considered that the landscaping proposal will result in a significantly increased adverse impact due to additional potential for birds. These comments conflict with the desire of the Environment Agency and LBTH Biodiversity officers to encourage landscape for wildlife, and therefore a balanced approach should be taken. A condition is recommended for details of the biodiverse roof to be submitted to the Local Planning Authority for approval in consultation with the London City Airport).*

Garden History Society

6.18. No comments received.

Thames Water

6.19. Thames Water has no objection to the development subject to the following comments:

- Surface water drainage is the responsibility of developer and must not be detrimental to the existing sewerage system.
- No objection with regard to sewerage infrastructure.
- Should proposed building work fall within 3 metres of pipes shared with neighbours the development or a public sewer, it is recommended to contact Thames Water to discuss status of pipes.
- No impact piling shall take place until a piling method statement is submitted to and approved by the planning authority in conjunction with Thames water.
- Groundwater discharge permit required, where applicable.
- Petrol/oil interceptors to be fitted in all car parking/washing/repair facilities.
- Installation of a properly maintained fat trap required on all catering facilities and the recycling of production bio diesel.
- Thames Water has no objection with regard to water infrastructure.
- Informative stating Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes.

6.20. *(Officer Comment: It is recommended that informatives be included on the decision notice should planning approval be granted requiring Approval should be sought from Thames Water where development would come within 3m of a sewer and discharge of groundwater requires a permit. A condition is required relating to Impact Piling. It is also recommended that the other matters above be included as informatives of any future decision notice).*

English Heritage Archaeology

6.21. English Heritage Archaeology advised there is no need for archaeological measures.

Historical Royal Palaces

6.22. No comments received.

London Borough of Greenwich

6.23. Holding response received 2nd September. No further response received to date.

Primary Health Care Trust

6.24. No comments received.

Canal and River Trust

6.25. Commended on initial scheme that the application falls outside the notified area for its application scale and Canal and River Trust therefore advised there is no requirement to consult them in their capacity as a Statutory Consultee.

UNESCO

6.26. No comments received.

Maritime Greenwich World Heritage Site Coordinator

6.27. Comments were received from the Maritime Greenwich World Heritage Site Coordinator in relation to the original application. Concluding comments state: *“The Calders Wharf proposals lie just outside the Maritime Greenwich WHS Buffer Zone and are within the preferred maximum storey height band. A formal objection is therefore not considered appropriate although there is disappointment over the appearance of the scheme as seen from the World Heritage Site.”*

6.28. (**Officer Comment:** Refer to Section 8.28 of this report for further discussion. Conditions are recommended to address the detailed design of the scheme).

LBTH Design and Conservation

6.29. Council’s Design and Conservation Officer has commented that the present proposal is the result of a long process of negotiation during the pre-application process, which involved substantial revisions to the scheme to reduce the overall height of the scheme, increasing the separation distance between the building and the listed tunnel entrance, improve the quality of the design in this sensitive location and minimise any negative impact of the proposals upon this heritage assets immediately adjoining the site and the broader area.

6.30. Comments provided in relation to the original five storey scheme expressed significant concern over the height, scale and detailed design of the proposal and potential heritage impacts. Additionally, further information is required, relating to elements of design detail and winter views.

6.31. The views of Council’s Design and Conservation Officer on the current revised four storey scheme are summarised below.

6.32. On balance Council’s Design and Conservation Officer considers the current scheme is acceptable. It is lower in height, more appropriately detailed, and being set back further from the tunnel entrance, enabling the tunnel dome to remain the dominant feature and to remain silhouetted against the sky in many views. Balconies are within the envelope of the scheme and the building interacts more appropriately with the park.

6.33. There are still some elements of the detailed design which require further clarification and resolution to ensure that a high quality response is provided, which are recommended to be secured via condition.

6.34. Council’s Design and Conservation Officer has no in principle opposition to the granting of Conservation Area Consent for the existing building on the site but this should be dependant upon the grant of consent for a satisfactory replacement scheme and should not be permitted until a contract for the redevelopment of the site is placed.

6.35. (**Officer Comment:** Refer to Section 8.28 of this report for further discussion. Conditions are recommended to address the above)

6.36. Concern was also raised that the rooftop be clear and uncluttered given it’s visibility in long range views. No objection to the proposed biodiverse roof, however, further clarification has been requested from the applicant regarding the “enclosure indicated

at the front of the roof” and the visual impact to ensure that it “should be set back far enough to ensure it is not visible from the street.”

- 6.37. **(Officer Comment:** *In relation to the above, the applicant has clarified that the lift overrun is 4.2 metres in height, but the stairwell will have no projections onto the roof. Additionally, there are a number of skylights proposed in the roof to allow natural light to the corridor below, however, these will be low level and not visible above the parapet of the building).*

LBTH Transportation and Highways

- 6.38. Objection was initially raised due to an insufficient Transport Assessment with regard to justification for the position and functioning of the proposed URS. Officers raised concern over the siting of the URS on a curve in the public highway resulting in potential pedestrian and highway safety issues for servicing vehicles collecting waste on the corner of the public highway.
- 6.39. Preference was for Eurobins to be used, or alternatively engage an independent Road Safety Audit at the expense of the applicant.
- 6.40. On this basis, the applicant was encouraged to review the waste collection arrangements and provide an alternate solution in conjunction with Council's Highways and Waste units. It was suggested that a barrier (such as a fence or wall) between the URS bins and the footpath along Saunders Ness Road could discourage URS servicing to occur via the public highway.
- 6.41. **(Officer Comment:** *The applicant was required to review the waste collection arrangements and provide an alternative solution. Discussions were held between the applicant and LBTH Highways and Waste Officers. Agreement was reached on the basis of a autotrack of URS lorry entering the site (in reverse) then exiting in forward gear, as per agreed track diagram drawings within the Transport Statement dated August 2013, drawing reference 2012-1306-AT-103 revision A and 2012-1306-AT-104 revision A. It is recommended a condition be secured should planning permission be granted requiring that all URS servicing occurs onsite, not on the public highway).*
- 6.42. The applicant subsequently submitted a revised traffic report confirming that the positioning of the URS facility and access arrangements allow for a URS refuse vehicle to reverse into the site and exit out of the site in a forward direction. Highways are satisfied with this approach and have removed their objection to the servicing arrangements.
- 6.43. **(Officer Comment:** *It is noted that at the request of Officers, the applicant has removed notation on previous versions of plans showing servicing along Saunders Ness Road (drawing reference 2915 PL(500) revision A1) and Highways have confirmed acceptance of the revised plan).*
- 6.44. Highways have requested that the applicant fund a Traffic Management Order to change the adjacent kerbside along the sites frontage to the public highway, to a no loading area (to ensure refuse is collected on site). It is requested that this is dealt with via the Section 278 Agreement.
- 6.45. **(Officer Comment:** *It is recommended that this be dealt with via a condition that requires a scheme of highway works to be agreed with the Council).*

- 6.46. Highways have also requested a clear suitably delineated path way for residents is required so clear pedestrian access is provided for residents to pass during times when the URS servicing vehicle is parked onsite.
- 6.47. **(Officer Comment:** *The applicant has provided a diagram within the appendix to the Traffic report (drawing reference 2012-1306-DWG-202 revision A) showing the size of the refuse vehicle and states that sufficient space is allowed for pedestrian to pass the refuse vehicle when the stabilisers are extended. Highways subsequently provided updated comments confirming that there is a safe pathway for residents from their front doors to the site exit and therefore this has satisfactorily been addressed).*
- 6.48. If planning permission is granted Highways would seek to enter into a Section 106 carfree agreement. Additionally a Section 278 agreement would be required for highway works.
- 6.49. Council's Transportation and Highways unit note that the cycle parking and disabled provision is acceptable, although commented they have limited space. It is recommended that these are conditioned to be retained and maintained for the associated uses only.
- 6.50. Additionally, Highways have confirmed acceptance of the secure cycle parking for residents along the eastern boundary of the site, however, have requested details of the arrangement of the proposed stands within the secure storage area as a condition.
- 6.51. **(Officer Comment:** *These matters will be secured via an appropriately worded condition).*
- 6.52. A condition is also requested for a Construction Management Plan to be submitted and approved by Council in conjunction with Highways Officers.
- 6.53. **(Officer Comment:** *A car free development will be secured in a legal agreement, a Section 278 Agreement for highway works and a Construction Management Plan can be adequately dealt with by condition).*

LBTH Waste

- 6.54. Waste Officers support the use of an underground refuse system. They originally raised objection regarding the URS servicing location on the public highway and the potential hazard implications on road and pedestrian traffic.
- 6.55. Waste officers have no objection to the revised proposal, which has been amended with the collection point for URS within the curtilage of the site. They also requested confirmation that URS is for both recycling and refuse. They also raised concern regarding vehicular access to the site when the URS vehicle deploys its stabilisers, which extend up to 2.5 metres each way.
- 6.56. **(Officer Comment:** *Further details were requested from the applicant of the proposed location and operation of waste collection. The revised planning submission states that servicing to the URS facility will occur onsite. The Applicant's planning submission states that the URS facility includes both waste and recyclable materials. On the basis of the revised scheme, Waste Officers have confirmed that the proposed servicing within the development is acceptable. In relation to the comment regarding the URS stabilisers, it is acknowledged that for this time period*

there would be limited access for other vehicles to the site, however, it is considered that this is a common occurrence in this type of arrangement and the time period for servicing the site would be relatively short to avoid a substantial obstruction).

LBTH Energy

- 6.57. On the basis of a revised energy strategy, the proposed energy strategy is in accordance with Policy requirements and the Sustainable Development Team have no objections to the proposal.
- 6.58. It is recommended that the proposals are secured through appropriately worded Conditions:
- Delivery of energy efficiency, heat network and CO2 savings as proposed in the Energy Statement
 - Details of the proposed CHP system;
 - Details of the renewable proposals of the scheme;
 - Achievement of Code 4 rating and provision of certificates to the Local Authority
- 6.59. (**Officer Comment:** *The conditions recommended have been attached to the consent*)

LBTH Housing

- 6.60. This is a mixed use scheme delivering new residential homes and the re-provision of an existing community facility. The revised scheme submitted provided 0% affordable housing, which was not considered acceptable.
- 6.61. Following independent review of the schemes viability, it was concluded that the scheme would have a surplus that can be used to deliver some affordable housing. The surplus can deliver a 19.2% quantum of affordable housing, measured by habitable rooms. The scheme has subsequently been revised to provide 19.2% affordable housing by habitable room.
- 6.62. This falls short of the Council's minimum target of 35%, however policy requires that viability does need to be considered and the independent review concluded that this was the maximum viable amount.
- 6.63. The applicant initially proposed that the rented units would consist of three 1bed units. However, after negotiation with the Council's Affordable Housing team and Planning Officers the applicant has agreed that the Council has great need for larger units, they have therefore agreed to provide a 1 bed and a 3 bed for rent. They also propose to deliver these units at Social Target Rent. They propose an identical mix for the shared ownership element.
- 6.64. Therefore, the tenure split is 50:50 between rented and shared ownership. The Council's target is 70:30. The scheme cannot provide additional rented, to move the balance towards the Council's target, due to the constraints of viability and the constraints of the site.
- 6.65. The applicant has confirmed that the two ground floor units for social rent will be wheelchair adaptable, this would equate to 7.7% of the development, this falls below the 10% target across tenures, however it does equate to 50% of the affordable. The

applicant has also confirmed that all units across tenures will comply with the Lifetime Homes standard.

- 6.66. *(Officer Comment: Refer to discussion under Planning Considerations regarding Housing)*

LBTH Environmental Health

- 6.67. Condition securing contamination, remediation and verification reports required.
- 6.68. *(Officer Comment: Condition recommended)*
- 6.69. In terms of noise, the Environmental Health Officer requires a Noise Assessment Report which takes into account the following areas,
i) Glazing Specification for all habitable rooms to BS8233 internal levels of the 'Good' standard
ii) The Impact of Community Noise on future residents.
iii) The Impact of Vibration and Groundborne Noise from DLR tunnels needs to be considered.
- 6.70. *(Officer Comment: Noise and vibration assessment is to be submitted prior to the proposal being heard at Development Committee).*

LBTH Enterprise and Employment

- 6.71. Comments received requesting contributions at construction phase including that the developer should endeavour to ensure that 20% of the construction phase workforce will be local residents, with suitable candidates provided through Skillsmatch Construction Services. Additionally, 20% goods/services procured during the construction phase should contribute towards local businesses. Council will seek a financial contribution of £5,736 to support and/or provide training and skills needs for local residents.
- 6.72. *(Officer Comment: The above are addressed within Section 106)*

LBTH Access

- 6.73. No comments received.

LBTH Crime Prevention

- 6.74. The Council's Crime Prevention Officer has requested that the following matters are dealt with via condition:
- CCTV covering areas of the development to be agreed.
 - A Management Plan in connection with the development including the residential and community centre.
 - As part of Secured by Design statement a dusk till dawn lighting scheme throughout the site is required to deter offenders and to contribute to creating a safe environment for residents.
 - Request measures are implemented to deter the opportunity of graffiti, such as defensive planting to be used as demarcation and deterrent for a potential offender.
 - The communal garden should be gated.
 - Car vehicle entry area should be gated with access control.

- 6.75. **(Officer Comment:** *It is recommended conditions are attached in relation to the above, excluding the last two items. Additionally, it is recommended a condition is included requiring details of all fencing surrounding sensitive uses, of a minimum 1.8 metres in height, and an appropriate fencing to be agreed adjoining the ground floor residential dwellings to discourage potential for sitting on the fence.*

The community amenity space and play space associated with the community centre is proposed to be gated, however, other areas surrounding the site are not. It is not considered appropriate for the vehicle entry to the site to be gated due to operational issues, such as servicing vehicles accessing the site. It is recommended a condition be included should planning permission be granted, which requires a Secure by Design Statement to be submitted to the Local Planning Authority for approval, including measures to minimise potential safety concerns along the western portion of the site leading to the ground floor residential dwellings).

LBTH Biodiversity

- 6.76. Council's Biodiversity Officer has commented that the application site is not of any significant nature conservation value in terms of biodiversity and considers it is unlikely that the existing building would be suitable for roosting bats. Comments received discuss "two London Plane trees to the north of the site have a low possibility of supporting occasional roosting bats. These trees are due to be pruned." It is therefore, requested that if works take place during the season when bats are active (April to September inclusive), a precautionary bat survey should be undertaken immediately before the works are undertaken.
- 6.77. **(Officer Comment:** *It is recommended a condition is included requiring that a precautionary bat survey is undertaken for tree works taking place during the season where bats are active from April to September).*
- 6.78. The provision of a green roof is supported in line with policy encouraging green roofs and design elements that enhance biodiversity. However, further clarification is considered necessary confirming details of the proposed biodiverse roof. It is recommended a condition should require full details of the green roofs to be approved by the Local Planning Authority before work commences. This should include the depth of substrate, details of any planted blanket or mat to be used, any other planting proposed, and any additional habitat features such as piles of stones or logs.
- 6.79. The Landscape Strategy also refers to bird and bat boxes. All of this should ensure a significant overall gain for biodiversity. A condition should require details of the wildflower grassland and other proposed biodiversity enhancements, including bird and bat boxes, to be submitted to and agreed by the Council before work commences. For the wildflower grassland, this should include what seed and/or plugs will be sown/planted and any treatment the ground will get before planting.
- 6.80. **(Officer Comment:** *It is recommended that conditions be included requiring full details of the proposed biodiverse roof, details of the location of proposed bird and bat boxes and further details of the proposed wildflower grassland prior to planting).*

LBTH Communities, Localities and Culture - Strategy

- 6.81. Comments provided stating that the increase in population as a result of the proposed development will increase demand on the borough's open spaces, sports and leisure facilities and on the borough's Idea stores, libraries and archive facilities.

The increase in population will also have an impact on sustainable travel within the borough. The comments and requests for s106 financial contributions set out below are supported by the Planning Obligations Supplementary Planning Document (SPD).

6.82. (**Officer Comment:** Refer to Section 8.211 of the report)

LBTH Arborist

6.83. Councils' Arboricultural Officer raised no objection, commenting that the survey and proposed retention of all the London Plane trees and two of the Robinias species is satisfactory.

6.84. Comments raised initially by Council's Arborist relating to insufficient tree planting was provided in the original scheme. The submitted landscape documents have been revised to increase soft landscaping and incorporate native planting within the landscape proposal. No further objection on this basis has been made.

6.85. (**Officer Comment:** No further comments received. Refer to Section 8.181 of the report)

7. LOCAL REPRESENTATION

7.1. A total of 399 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. [The application has also been publicised in East End Life and on site.] The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.2. No of individual 218 Objecting: 136 Supporting: 82
responses:

7.3. No of petitions received: 10 Individual Petitions containing a total of 490
signatures (objecting)

7.4. The following local groups/societies made representations:

- Friends of Island Gardens
- Friends of Greenwich Park
- The Greenwich Society

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

7.6. Use

- Alternative sites for the community centre exist (Tiller community Centre and the new community centre at the ASDA site within a short walking distance)
- Support for the existing single storey community centre to be upgraded
- Upgrade of community centre and playgroup an improvement and supported
- Proportion of floor space for community centre is trivial compared with residential floorspace
- Children's playgroup component would be more beneficial elsewhere on the Isle of Dogs with lack of facilities for small children in the area (**Officer comment – the operation of the community centre at the site is considered acceptable in**

principle and will contribute towards providing local childrens services to benefit the local community).

- Simultaneous use of the community centre for adult and children's activities is contentious (**Officer comment** – *the operation of the community centre at the site is considered acceptable in principle and it will be continuing an existing use of the site. Details of the types of activities that are run at the centre is an operational consideration for the managers of the community centre. The overall principle of the community centre (D1) use at the site is acceptable).*

7.7. (*Officer Comment – Please refer to section 8.2 of the report for further discussion on the above points).*

7.8. Design

- Height, scale and massing
- Design is out of character with Island Gardens Park and the Island Gardens Conservation Area
- Design will impinge on character of heritage assets including the Greenwich Foot tunnel entrance building and the World Heritage Site buffer zone
- Proposal will risk World Heritage Site listing of Maritime Greenwich
- Declining local heritage and open spaces in the area
- Diminish sense of spaciousness of area
- Loss of viewlines from along Douglas Park to across the river (**Officer comment:** *this viewline has been considered, however, it is not a protected view and it has not been identified as a significant viewline noting that existing views of the foottunnel are partially obscured by trees when approaching the site from this direction)*
- Impact on iconic view across the Thames to Greenwich
- Support for the development and design of the new building will be in keeping with its surrounds
- Visibility from Wolfe statue in Greenwich Park (view diagram no.10)
- Excessive visual impact (particularly from views 4 and 7) and impinging on views from Greenwich including Old Royal Naval College and paired foottunnel building on Greenwich side of river
- Building will be more visible due to trees shading their leaves during winter
- Against high density of the development
- Design fails to respect the context of the surrounding area
- Impinges upon openness of area
- Reference to reasons for refusal of Planning Reference PA/03/01811 (Manchester Rd scheme) discussing design impact and that the proposed development will be a more prominent position and protrude further on heritage assets. (**Officer comment:** *The Manchester Road scheme was granted approval under PA/03/00687, which was allowed at Appeal on 23 April 2004 for "Construction of a new part 4, part 5, part 7 storey development consisting of 84 residential units, associated car parking, landscaping and 244sqm of commercial space at ground floor level (Revised proposal)." The Inspector found the development appropriate for the site and the context. Regardless, each application is to be determined on its merits, hence, an independent assessment is being made on the current scheme).*

7.9. (*Officer Comment – Please refer to section 8.28 of the report for further discussion on the remainder of the above points).*

7.10. Demolition of boundary wall

- Demolition of boundary wall will open building onto Island Gardens Park and encroach negatively on character of park and heritage

- Loss of wall will exclude users of the park due to proximity of the building and the park will become a 'backyard' for the use of residents of the proposed building
- Support for demolition of existing wall as it opens up views of the Thames and Greenwich beyond

7.11. *(Officer Comment – Please refer to section 8.82 of this report for further discussion on the above points).*

7.12. Amenity/Impacts

- Development will overshadow the Greenwich Foot tunnel building
- Overshadowing impacts onto Island Gardens Park
- Impact on Island Gardens Park (Grade II Listed, Conservation Area, Metropolitan Park)
- Overcrowding in the area
- Adverse impact to views towards and from Greenwich permanently and development will be clearly visible from across the river.
- Existing trees do not provide adequate screening.
- Lack of CCTV and security resulting in antisocial behaviour
- Additional public open space along the riverfront supported, and will improve setting of the Greenwich foot tunnel and public access to the riverfront
- Balconies for the development directly overlook public open space in the park
- Encroachment of development into Island Gardens Park
- Potential amenity impacts due to proximity of residential and community centre uses
- Noise and vibration from DLR tunnel below
- Potential safety, security and waste issues
- Close proximity to rowing club building
- Overlooking issues to the Equinox development
- Will block views to the river for existing residents on Saunders Ness Road
- Potential lack of management in keeping building appearance maintained, as per similar example nearby. **(Officer comment – A high quality detailed design and materials will be secured via condition. Maintenance will be the responsibility of future building management)**

7.13. *(Officer comment – Please refer to sections 8.108 and 8.139 of the report for further discussion on the remainder of the above points).*

7.14. Housing

- Insufficient social and affordable housing
- Insufficient community space and playgroup in proportion to the total floorspace of the development
- Insufficient demand for new dwellings in the area
- Support for provision of new homes at the site

7.15. *(Officer Comment – Please refer to section 8.91 of the report for further discussion on the above points).*

7.16. Transport/highways/parking

- 2 disabled parking spaces is insufficient
- Proposal will result in further traffic congestion along Saunders Ness Road and Ferry Street
- Insufficient carparking in local area
- Loss of existing carparking onsite will impact the community centre use
- Opposition to car-free development agreements due to unauthorised parking on private estates in area (Equinox Development)

- Increased demand on public transport (bus and DLR)
- Concern that the proposal will impact DLR tunnels underneath the site
- Parking and cycling congestion

7.17. *(Officer Comment – Please refer to section 8.159 of the report for further discussion on the above points).*

7.18. Infrastructure

- Increased demand on existing infrastructure (public transport, education, medical services)
- Existing services and infrastructure is insufficient
- Structural ability of ground with DLR tunnel below and riverbank to hold weight of building

7.19. *(Officer Comment – Section 106 Contributions are sought (and will be secured) to contribute towards infrastructure as the Council considers necessary to support the development. In terms of structural issues, DLRL and Thames Water have been consulted and their comments are discussed in section 6.10 and 6.19 of this report and conditions have been recommended where necessary)*

7.20. Ecology

- Loss of trees (including protected trees)

7.21. *(Officer Comment – Please refer to section 8.181 of the report for further discussion on the above points).*

Other matters

- Documents submitted are misleading as they do not show the storage area adjacent to the foottunnel entrance and are incomplete as they do not show the clearance of this site and finishing off of the repair works to the tunnel entrance.

7.22. *(Officer Comment – This relates to the adjoining site and is outside boundary of the application site, however, officers are aware of the relationship between the tunnel entrance and the development site)*

- Kiosk at entrance to the Foottunnel building should be accommodated within the plans and will appear out of context.

7.23. *(Officer Comment – This proposal does include any works that would impact on the kiosk and it is outside the application site boundary).*

- Significant cycle traffic and conflict at entrance to the foottunnel and lack of management of cycle traffic, along with management issues within the park for vehicles. Concern that the proposal does not take into account traffic flows, volumes, sightlines and health and safety of cyclists travelling between the gates to Island Gardens Park and the foottunnel.

7.24. *(Officer Comment – concerns regarding management and safety issues within the park for cyclists is outside of the scope of the current application. In terms of any potential impact the proposed development may have on the street network surrounding the site, an assessment of the proposal has been undertaken by Council's Highways Officer who has not raised concern over these issues.)*

- Rebuilding of community centre should be undertaken using S106 money.

- 7.25. *(Officer Comment – the source of funding for the community centre is a matter for the applicant and the re-provision is the relevant planning consideration)*
- Misrepresentation of the applicant about the condition of the existing facilities and views surrounding the park to and from the river
- 7.26. *(Officer Comment –Planning Officers are familiar with the site and the existing condition of the community centre at the site)*
- 7.27. The following procedural issues were raised in representations, and are addressed below:
- 7.28. Insufficient notice of consultation session run by the applicant and misleading information presented due to focus on upgraded community centre, rather than residential development.
- 7.29. *(Officer Comment – The applicant-led consultation events are separate from the Statutory requirements by Council for public notification, which has occurred in accordance with the Council’s Statement of Community Involvement document. It is therefore considered that comment regarding consultation initiated by the applicant does not warrant refusal of the application. It is noted that some submissions received commented that the consultation drop-in sessions led by the applicant worked well).*
- 7.30. Letters submitted against petitions being placed in public places to oppose the development.
- 7.31. *(Officer Comment – This is outside of the statutory Council-initiated consultation process and does not warrant refusal of the application)*
- 7.32. Developer’s interests for selling flats to private vendors at a premium are for their own financial benefit.
- 7.33. *(Officer Comment – The viability review of the proposal and Planning Contributions required ensure that an acceptable balance is achieved and the appropriate level of contribution is provided to mitigate the impact of the development).*
- 7.34. Reference to other applications (PA/13/00916) for community centre and relating to the public consultation process connected with that application.
- 7.35. *(Officer Comment – The above relates to a separate application, which is not connected to the current application under consideration, hence, this does not warrant refusal of the application).*

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1. The main planning issues raised by the application that the committee must consider are:
1. Land Use
 2. Conservation Area Consent for Demolition
 3. Design
 4. Density

5. Housing
6. Amenity for future occupiers
7. Impact upon amenity of neighbours
8. Transport Impacts
9. Other planning matters

8.2. Land Use

- 8.3. The proposal seeks to demolish the existing Calder's Wharf Community Centre building (which has a floor space of 387sqm of Use Class D1) and replace it with a new community centre to occupy 494sqm of floor area within the ground floor of the proposed four storey building. This will result in a net increase of 107sqm floor space for community centre (D1 Use Class) by at the site, including a children's playgroup facility.

Community

- 8.4. The proposed demolition of the existing and construction of a new community centre at the site is considered acceptable and in line with policy DM8 of the Managing Development Document (adopted 2013). This policy seeks to protect and re-provide existing community facilities where they meet an identified local need, unless it can be demonstrated that there is no longer a need within the local community and the buildings are no longer suitable, or a new off site location for the facility exists in the borough that would better meet the needs of existing users.
- 8.5. The proposal involves a new community facility to replace and upgrade the existing outdated facility. It involves an expansion of the existing facility from 387sqm to 494sqm of floor area to provide an additional 107sqm of community facilities (D1 use class) to benefit the local community. The proposal seeks to re-provide and expand the existing facility, which is in line with policy DM8 of the MDD. Submissions have been received in support of the re-provision and upgrade of the community centre at the site for the benefit of the local community.

Residential

- 8.6. 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.
- 8.7. The regeneration of sites such as this within East London is also a strategic target of the LP (2011) Policy 1.1 states "the development of East London will be a particular priority to address existing need for development, regeneration and promotion of social and economic convergence with other parts of London and as the location of the largest opportunities for new homes and jobs".
- 8.8. Delivering housing is a key priority both nationally and locally and this is acknowledged within the National Planning Policy Framework, Strategic Objectives 7, 8 and 9 of the CS (2010) and policy 3.1 of the London Plan which gives Boroughs targets for increasing the number of housing units.
- 8.9. Policy SP02 of the CS (2010) sets Tower Hamlets a target to deliver 43,275 new homes (2,885 a year) from 2010 to 2025.

- 8.10. An important mechanism for the achievement of this target is reflected in LP (2011) policies 3.3 and 3.4 which seek to maximise the development of sites and thereby the provision of family housing to ensure targets are achieved.
- 8.11. The site does not have a housing allocation in the MDD (2013), however is within a wider surrounding area that contains a mix of uses including residential, it is therefore considered that this development would be an acceptable use of previously developed land in accordance with the above mentioned policies. No other site allocations within the MDD apply to the site.
- 8.12. The proposed development is therefore in accordance with policy SP02 of the adopted CS which seeks to deliver 43,275 new homes and policies 3.3 and 3.4 of the LP (2011).
- 8.13. The provision of housing is a key aim of national, regional and local planning policy and the proposal to introduce residential use at the site is acceptable in principle and accords with policies 3.3 and 3.4 of the London Plan (2011) (Together with Revised Early Minor Alterations 2013) (LP) and policy SP02 of the adopted Core Strategy (2010) ("CS"), which seek to maximise the supply of housing.
- 8.14. **Conservation Area Consent**
- 8.15. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.16. Paragraph 131 of the National Planning Policy Framework states. In determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 8.17. Policy 7.8 of the London Plan (2011) states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Policy 7.9 of the London Plan (2011) states that the significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality.
- 8.18. Policy SP10(2) of the Council's adopted Core Strategy (2010) seeks to protect and enhance the Borough's Conservation Areas and their settings and encourages and supports development that preserves and enhances the heritage value of the immediate and surrounding environment and wider setting.
- 8.19. Policy DM27 (3) of the MD DPD provides criteria for the assessment of proposals for demolition within a conservation area. Applications for demolition will be assessed on:

"a. the significance of the asset, architecturally, historically and contextually;

- b. the condition of the asset and estimated costs of its repair and maintenance in relation to its significance and demolition, and to the value derived from its continued use;*
- c. the adequacy of efforts made to retain the asset in use; and*
- d. the merits of any alternative proposal for the site.”*

- 8.20. Conservation Area Consent is sought for the demolition of the existing community centre building and associated structures on the site, along with the majority of the existing boundary wall which is located on the eastern site boundary between the subject site and the adjoining Island Gardens Park to the east of the site.
- 8.21. The existing community centre building is a single storey structure sited centrally within the application site and constructed primarily of red brick.
- 8.22. The existing boundary wall is constructed of red brick and extends generally from the site's frontage with Saunders Ness Road to the north, to the wall fronting the Thames River to the south. The majority of the wall is proposed to be demolished from the existing entry gate for the Island Gardens Park to the north to the Thames River wall, with the exception of portions of the wall that abut the existing kiosk building and the structure adjoining the Greenwich Foottunnel building, both of which are situated in the adjoining Island Gardens Park.
- 8.23. The Heritage Statement submitted by the applicant, considers that the existing community centre building does not make a positive contribution to the setting of the surrounding heritage assets and to the townscape as a whole. The report states that “the site in its current condition is at least neutral and arguably detracts from the overarching appearance and character” of the conservation area. With regard to the existing wall, the Heritage Statement assesses the site has no formal design relationship which contribute positively to existing heritage assets and “the site detracts from this setting because it presents an unattractive and high wall, and contains a building of no interest.”
- 8.24. With regard to the criteria found within policy DM27 of the MDD, it is considered that the existing building does not have a significant architectural quality and does not contribute to the overall appearance and character of the conservation area. It is considered that the existing brick wall to be demolished also has limited significance.
- 8.25. Council's Design and Conservation Officer has no in principle objection to the demolition of the existing building on the site, subject to the grant of consent for a satisfactory replacement scheme and demolition should not be permitted to occur until a contract for the redevelopment the site is secured. It is recommended this be included as a condition should permission be granted.
- 8.26. It is considered that the demolition of the existing community centre and boundary wall on the site will not adversely impact on the conservation area provided it is replaced with an acceptable development. Additionally, it is considered that the benefits of improving connection between the site to the adjoining Island Gardens Park through demolition of the existing boundary wall will result in an overall positive outcome for future occupants of the building and users of the park. This is provided that the existing buildings onsite are replaced with an acceptable development scheme.
- 8.27. To conclude, the loss of the existing built form onsite would not result in substantial harm to the conservation area given the lack of significance of the building by merit of the lack of architectural quality and minimal contribution to the broader character of

the area. The proposed demolition would accord with policy and officers therefore support the redevelopment proposal.

8.28. Design and Heritage

8.29. Good design is central to the objectives of national, regional and local planning policy. Policies 7.6 and 7.8 in particular of the London Plan seek to achieve good design generally, as well as in locations of historic merit. These policies are reflected in CS policy SP10, and MDD policy DM24.

8.30. These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.

8.31. From a design and conservation perspective the key issues which the proposals need to address are that they:

- Must protect the setting of the grade II listed tunnel entrance
- Must preserve the character of the Island Gardens Conservation Area
- Must respect the character of Island Gardens a listed park and garden and key viewpoint for the Maritime Greenwich World Heritage Site
- Must reflect the fact that they are adjacent to the WHS buffer zone.

8.32. The current development scheme is the result of lengthy discussions with the applicant's design team, Local Planning Authority and English Heritage. Discussions during both the pre-application process and during the assessment of the current planning application involved substantial revisions to the scheme to reduce the overall height of the scheme (to ensure it did not exceed the overall height of the tree canopy and was below the height of the adjoining Greenwich Foot tunnel Entrance building), improve the quality of the design in this sensitive location and minimise any negative impact of the proposals upon the heritage assets immediately adjoining the site (including the Greenwich Foottunnel Entrance building and Island Gardens Park) and within the broader context of the buffer area to the Maritime Greenwich World Heritage Site.

8.33. The original submitted scheme was for a five storey scheme of built form of two linear rectangular volume, with a 9 metre separation distance to the Greenwich Foottunnel Entrance Building.

8.34. The key issues raised in relation to the original development scheme are discussed below.

8.35. Council's Design and Conservation Officer and English Heritage expressed strong concern over the overall height and scale of the original five storey scheme and that it failed to preserve or enhance the character of the conservation area and the heritage assets within the immediate and broader surrounding area.

8.36. Specifically, concern was raised that the proposed height, mass and prominence of the five storey building will have a detrimental impact to the character of the Island Gardens Conservation Area and the relationship and sense of openness to the adjoining listed Island Gardens Park. Additionally, it was considered the original height of the building would visually compete with the prominence of the Grade II Listed Greenwich Foot Tunnel Entrance Building and views from the Maritime Greenwich World Heritage Site.

- 8.37. It was considered by Officers that a reduced height and improved quality of the design and its response to the site's context are critical. In order to minimise the extent that the proposed building was viewed as visually obtrusive to the adjoining heritage assets and park, Officers took the view that a more suitable response was to ensure that the height of the development did not exceed the height of the tree canopies and that the building integrated well with the park, leaving the tunnel entrance to be read independently, such as through reducing the overall height of the building and providing a greater separation distance between the building and the footunnel entrance building, combined with achieving a high quality design detail for the building façade and layout (discussed further in section 8.72 below). It was considered by Officers that a building height not exceeding the height of the foot tunnel building would provide an improved relationship between the building and the foot tunnel building. A greater distance between a building of this scale and the tunnel entrance was considered more acceptable.
- 8.38. Following consideration of these concerns, the applicant submitted a revised scheme in August 2013 proposing a reduction in height to four storeys and altered building massing that realigned the eastern portion of the building at an angle (to provide an increased 10.5 metres setback between the closest part of the southeast corner of the building and the Greenwich Foottunnel Entrance building).
- 8.39. The key changes to the scheme as submitted include:
- Alterations to building massing to provide a built form of two linear volumes, with the eastern volume of the building orientated at an angle to create separation to the Greenwich Foottunnel Entrance Building and open up viewlines from within the park to the river
 - Reduction in height of the building from 5 storeys to 4 storeys
 - Increase in the minimum setback distance between the southeast corner of the building and the Greenwich Foottunnel Building from 9 metres to 10.5 metres
 - Recessing balconies on the eastern façade of the building to improve their appearance to the Island Gardens Park
 - Alteration to the materials on the eastern façade of the building from predominantly glazing to brick framing to better respond to the predominantly brick material used in the surrounding buildings.
- 8.40. It is considered the revised scheme will provide an acceptable response to the site and its sensitive surroundings overall.

Layout, height and scale

- 8.41. The site is situated in a sensitive location adjoining Island Gardens Park, the Grade II Listed Entrance Building to the Greenwich foot tunnel, and is on the fringe of the buffer zone for the Maritime Greenwich World Heritage Site. It is located within the Island Gardens Conservation Area.
- 8.42. The proposed scheme is a four storey built form comprising two linear volumes, with the eastern portion orientated at an angle to allow a 10.5 metre separation distance from the closest part of the southeast corner of the building and the Greenwich Foottunnel Entrance Building. The ground floor is predominantly occupied by community facilities with three residential dwellings to the rear, and the upper levels are residential dwellings.
- 8.43. There have been numerous objections to the scheme stating that the proposal will negatively impact the heritage significance of the adjoining historic assets and the broader character of the Island Gardens Conservation Area.

- 8.44. In terms of the proximity to the listed tunnel entrance, it is considered that the height and scale of the scheme has evolved positively to provide a greater setback of 10.5 metres allowing views through to the river and enabling the foot tunnel entrance building to be better viewed as a separate structure.
- 8.45. When considering the proposed building height within the context of the scale of development within the surrounding area, it is considered that the proposed four storey height at the site is appropriate within the context of the range of building heights present in the surrounding area. The built form height in the immediate surrounds ranges from two storeys adjoining the site to the west (rowing club building) to four to seven storeys to the north (development at the southeast corner of Manchester and Ferry Street). Further to the west and northwest are residential developments generally ranging in height from two to four storeys. To the east is the Island Gardens Park, with predominantly three to four storey built form adjoining the eastern end of the park. Within this context, it is considered that the four storey height of the building is not out of context with the surrounding built form scale.
- 8.46. Council's Conservation and Design Officer has commented on the revised scheme and considers it is generally acceptable in principle, being lower in height, more appropriately detailed, and set back further from the tunnel entrance, enabling the tunnel dome to remain the dominant feature and to remain silhouetted against the sky in many views. Additionally, the recessed balconies within the envelope of the scheme along the eastern elevation are positive and the building interacts more appropriately with the park.
- 8.47. English Heritage have advised that they consider the revised scheme of four storeys to be a "more sympathetic and better designed proposal that has much less impact on the sittings of the nearby heritage assets" and they are satisfied for Council to determine the application using their conservation expertise.
- 8.48. It is considered that the overall height and scale of the scheme will provide an acceptable response to the sites sensitive context.

Views:

- 8.49. There have been numerous objections to the scheme stating that the proposed building will adversely affect the views to and from the Greenwich World Heritage site.
- 8.50. Council's Design and Conservation Officer and English Heritage also expressed concern over the views for the five storey scheme at the site. As a consequence, the revised scheme has a reduced height of four storeys.
- 8.51. The original viewline analysis submitted provided summer views only. However, it was considered that winter views are also important given that the building will be considerably more visible during winter. The applicant was required to provide winter views in addition to the summer views provided within the revised application.
- 8.52. In response, revised viewlines were submitted showing the revised scheme with a combination of summer and winter views.
- 8.53. Within objection submissions concerns were raised over View 10 (view from Greenwich Park General Wolfe Statue). The Applicant's Visual Impact assessment is of the view "the development is barely perceivable within the composition of this view because it is largely screened by interposing development and because of its association with similarly scaled development in the middle ground. The building is

partially visible where the tree canopy reduces. The primary choice of red brick material will not distract attention.” Officers agree with this assessment and accordingly officers do not expect there to be any material effect on the character of the London panorama from the General Wolfe Statue of the setting of the Maritime Greenwich World Heritage site.

- 8.54. Within the context of the site, which is bounded by parkland to the east and the Thames River to the south, the layout, height and scale of the scheme are, on balance, considered acceptable and to comply with CS policy SP10 and MDD Policy DM24.

Openness of site/impact upon the Island Gardens Conservation Area

- 8.55. The site is within the Island Gardens Conservation Area. In assessing planning applications adjacent to conservation areas the Council must assess the impact the development is likely to have upon the setting of the conservation area.
- 8.56. According to the Island Gardens Conservation Area statement, the conservation area was designated in 1971 and is generally focussed on the statutorily listed open space. The Conservation Area statement seeks to “protect the axial views across the river of the Royal Naval College and the Queen’s House in Greenwich. The importance of these views has secured the parks inclusion in the Buffer Zone of the Maritime Greenwich World Heritage Site.” The majority of buildings within the conservation area are a mix of residential (constructed during the late 1970s-early 1980 of varying character and material) and community uses. Island Gardens park is “a valuable outdoor amenity space, and is dominated by the Grade-II listed rotunda entrance to the Greenwich Foot Tunnel.”
- 8.57. The NPPF provides guidance on the approach to development in and adjacent to conservation areas. It sets out that Local Planning Authorities should ensure that conflict between a heritage asset and development is avoided or minimised. National guidance is carried through to the local level by CS policy SP10 and MDD policy MP27.
- 8.58. Comments received from English Heritage on the original scheme expressed concern in relation to the proposed height, mass and prominence of the original five storey building and its detrimental impact to the character of the Island Gardens Conservation Area and the relationship and sense of openness to the adjoining listed Island Gardens Park. Council’s Conservation and Design Officer shared these concerns.
- 8.59. The revised four storey scheme has resulted in a lower building fronting the Island Gardens Park. The additional setting back of the eastern portion of the building and the angling of this portion of the building opens up the site to the river and allows greater separation distance between the building and the Greenwich Foot Tunnel Building (as discussed below).
- 8.60. The opening of the southeastern portion of the building away from the park within the current scheme is considered an improvement from previous schemes by way of contributing to the sense of openness and will result in a less dominating built form when viewed from within the Island Gardens Park.
- 8.61. In terms of the proximity to the listed tunnel entrance, it is considered that the scheme has evolved positively to provide a greater setback allowing views through to the river and enabling the entrance to be better viewed as a separate structure.

- 8.62. However, it is noted that the reduction in the height of the building will not significantly benefit short-range views of the development from Island Gardens Park, as the upper levels of the building will generally be above eye level for pedestrians when focussed on the ground level. From longer range views from within the park, it is considered that the upper levels of the building will primarily be visible during winter months due to the presence of trees in the park restricting the views during summer months, when there is foliage on the deciduous trees.
- 8.63. During the application process improvements were requested to the arrangement of the community centre and playgroup to the park, which resulted in an internal reconfiguration of the ground floor level to provide more active uses to front the park at ground floor level. Additionally, the children's play area was relocated from the southern portion of the building to the east of the proposed building and the existing kiosk building within the park. It is considered that this will provide a more active use along the park interface of the site and also improve the visibility and safety for the children's play area.

Impact on Heritage assets (including the Grade II Listed Greenwich Foot Tunnel Building and the buffer to the Maritime Greenwich World Heritage Site)

- 8.64. To the east of the site is the Grade II Listed Greenwich Foot Tunnel Building, which is the entrance building to the Greenwich foot tunnel. The southeastern corner of the site is also within the Maritime Greenwich Buffer Zone, with the Buffer Zone bordering the eastern site boundary of the rest of the site. In assessing planning applications adjacent to and within heritage assets the Council must assess the impact the development is likely to have upon the heritage asset and the setting of the heritage asset.
- 8.65. The NPPF provides guidance on the approach to development affecting heritage assets. It states that Local Planning Authorities should ensure that conflict between a heritage asset and development is avoided or minimised. National guidance is carried through to the local level by CS policy SP10 and MD policy DM27.
- 8.66. The original development scheme for the site was not considered acceptable when considering the way it responded to the adjoining heritage assets. The design of the original scheme (involving a building of five storey height and 9 metre setback from the Greenwich Foot Tunnel Building) was considered to result in a detrimental impact and would visually compete with the prominence of the Grade II Listed Greenwich Foot Tunnel Building and views from the Maritime Greenwich World Heritage Site. These views were shared by English Heritage and Councils' Design and Conservation Officer.
- 8.67. Due to the sites sensitive location, it is considered that any development at the site would have impact to some extent on the surrounding heritage assets. Policy DM27 of the MDD seeks to ensure that development protects and enhances the boroughs heritage assets, their setting and their significance.
- 8.68. Additionally, policy DM28 of the MDD seeks to ensure that development does not negatively affect the UNESCO World Heritage Site status of the Maritime Greenwich site, including where development would impinge upon strategic and other significant views to or from the site.
- 8.69. As discussed above, English Heritage have advised that they consider the revised scheme to be a more sympathetic response that will have less impact on the settings of the nearby heritage assets and they are satisfied for the Council to determine the application taking into account the relevant conservation issues.

- 8.70. Council's Design and Conservation Officer considers that the proposal is generally acceptable and will not result in an unduly detrimental impact to the values of the surrounding heritage assets, subject to detailed design to be resolved via condition.
- 8.71. It is considered that the proposal will not result in an unduly detrimental impact on the adjacent listed building, park and the Island Gardens Conservation Area.

Materials

- 8.72. The proposed scheme primarily incorporates a solid red brick framework to the building to respond to the solid red brickwork present in many of the surrounding buildings. Recessed balconies with textured stone cladding and treated timber deck flooring are proposed along the eastern elevation. Protruding balconies are proposed along the western and southern elevation of the building. At ground level, glazed full height windows for the playgroup and community centre are proposed along the eastern and southern elevations.
- 8.73. When considering the original scheme for the site, Council's Conservation and Design Officer raised concern over the way that the proposed treatment of the building façade, particularly the eastern elevation, responds to the Island Gardens Park, including the extent of glazing, the materials and details of the stone cladding, the appearance and visual "weight" of the brick framing of the façade, the depth of window reveals (preference for windows to be set within deep reveals), treatment of the rooftop for long range views and the arrangement and transparency of residential balconies. The applicant was also encouraged to review the division and intervals of windows at ground level to assist in providing a more consistent and simplified appearance of the building to the park.
- 8.74. Following review of the revised scheme, Council's Design and Conservation Officer considered that the scheme is acceptable overall, subject to resolution of detailed design via condition.
- 8.75. It was considered that the brick framing to the façade provided a more 'grounded' structure for the building that better responded to the settings including the park and the surrounding buildings, subject to agreement of an appropriate brick sample.
- 8.76. Revisions to the south elevation of the building were also requested by Council to improve the appearance of the balconies to the river frontage of the building.
- 8.77. Throughout the application process, it has been advised that the schemes acceptability will be in the quality of the details and finishes for example windows and window reveals, brickwork, cladding, glazed balcony treatment. It is Council's view that insufficient information has been provided to sufficiently assess these aspects fully. Therefore, it is considered that conditions are required as discussed below.
- 8.78. It is requested full details and samples of all external materials and finishes shall be submitted for consideration and approval by the Local Planning Authority. This includes all stonework, bricks, windows, cladding, balustrading and all other materials to be agreed to the satisfaction and approval in writing of the Local Planning Authority prior to the commencement of works on site.
- 8.79. In response to concerns, particularly regarding the appearance of the eastern building façade, and to secure a high quality appearance it is recommended the below matters are addressed via condition requiring:

- A sample panel of brickwork showing, bonding, mortar colour and jointing details shall be prepared for the written approval of the LPA.
- Full details of the junctions between the various different cladding materials, and of these materials with the windows, shall be submitted for the consideration and written approval of the Local Planning Authority prior to the commencement of development.
- Typical elevation of a bay and section through the building on each elevation. This needs to be at an appropriate scale.
- Further clarification of the proposed alignment of the corner windows on the first to third floor levels of the eastern elevation of the building is required. Updated drawings, including revised floor plans, elevations and cross sections, shall be submitted showing the deletion of the corner windows and setting back the windows and northern edge of the recessed balconies, so that the northern wall of each recessed balcony area aligns with the edges of the brick piers.
- Full details of windows, to include plans, sections and elevations at an appropriate scale. The drawings should include head and cill details as well as details of the proposed materials. Details should be for the written approval of the Local Planning Authority.
- Informative: It is important that the windows show a consistent thickness in terms of framing rather than the opening lights appearing comparatively chunky.
- Full details, including materials, underside treatments and cross sections, of the various typical balcony treatments shall be submitted for consideration and approval by the Local Planning Authority.
- Development must not begin until a landscape plan for the site is submitted in writing to the local planning authority for written approval. The plan must describe the long-term landscape design aims for the site and give full details of both the hard and soft landscape works planned.

8.80. Additionally, Council's Design Officer has commented that the balconies and balustrade lines on the east elevation of the current scheme need further review, particularly the corner windows and balustrade relationship, as the corner windows to the residential dwellings at levels 1 to 3 appear to protrude beyond the brick pier structure, and the glazing appears to overlap the balcony balustrades at present. It is recommended that a condition is placed on the decision notice requiring that window details are submitted.

8.81. Subject to conditions regarding the detailed design of the scheme, it is considered the proposal would not unduly impinge upon the site or surrounding area, or significantly harm the setting of the Island Gardens Conservation Area overall.

Demolition of boundary wall

8.82. Concern has been raised by submissions from the local community that the demolition of the existing brick wall, which is located on the eastern boundary of the site, will open the proposed building onto the Island Gardens Park, which will have a negative impact on the character of the park, which has been addressed above.

- 8.83. Additionally, concern has also been raised that the loss of the wall will discourage use of the park by the general public due to close proximity of the building, with the perception that the park will become a 'backyard' for the use of residents of the proposed building. The adjoining Island Gardens Park will remain publically accessible open space, and does not form part of the planning application.
- 8.84. Policy DM23 of the MDD seeks to encourage development that is well connected with the surrounding area, including by improving permeability and legibility within development and its surrounding area, and providing clear definitions and an appropriate degree of enclosure for the public realm. It is considered that the proposed demolition of the boundary wall is acceptable as it will facilitate improved visual and physical connections between the site and the adjoining park. The balconies of the proposed building will create passive surveillance of the park and an improved relationship between the development and the public realm, which is generally encouraged in policy DM23 of the MDD. Additionally, the relocation of the proposed community play space adjoining the eastern site boundary will further activate the site's frontage to Island Gardens Park and provides opportunity for activity and passive surveillance.
- 8.85. The public open space provision within the southern portion of the site will improve the connection of the site with the park and the broader pedestrian and visual linkages with the site and the Thames, through extending the public realm along the waterfront further to the west into the application site. The extension of the public realm will also have the benefit of improving the permeability and connectivity of the park including through providing increased sightlines further to the west along the river frontage and by extending public access further along the river frontage.
- 8.86. On balance, it is considered that the demolition of the boundary wall is acceptable and consistent with the objectives of policy SP10 of the CS and policy DM23 and DM27 of the MDD.
- 8.87. **Density**
- 8.88. The NPPF stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of LP Policies 3.4 of the LP and strategic objection SO7 and strategic policy SP02 of the CS seek to ensure new housing developments optimise the use of land by associating the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of that location. Table 3.2 of policy 3.4 of the LP provides guidelines on density taking account of accessibility and setting.
- 8.89. The site has an average Public Transport Accessibility Level (PTAL) (3). For urban sites with a PTAL range of between 2 and 3, table 3.2 of the LP, suggests a density of between 200-450 habitable rooms per hectare. With 73 habitable rooms proposed, and a site area of 0.19ha, the proposed density would be approximately 384 habitable rooms per hectare, which is in line with the recommended standard.
- 8.90. This is comfortably within the set density range and overall the development would make the most efficient use of the land. The proposed mitigation measures, including financial contributions towards local education, open space, health, libraries and leisure ensure that the development has no significant adverse impacts on local infrastructure.
- 8.91. **Housing**

- 8.92. This section of the report considers the acceptability of the housing provision on the site in terms of affordable housing, mix of tenures, mix of dwelling sizes and provision of wheelchair units. The application proposes a total of 25 residential units.

Affordable Housing

- 8.93. London Plan policies 3.11 and 3.12 state Boroughs should seek the maximum reasonable amount of affordable housing. CS policy SP02 sets an overall strategic target for affordable homes of 50% and requires all sites providing 10 or more homes to provide 35%-50% affordable homes. Policy DM3 of the MDD seeks the maximum reasonable amount of affordable housing.

- 8.94. The scheme provides 19.2% affordable housing, which falls short of the 35% minimum policy target as set out in the CS. However, a viability report submitted by the applicant and reviewed by the Council's Consultants has found that this is the maximum reasonable amount of affordable housing which can be viably delivered on the site.

Tenure mix – social rent : intermediate ratio

- 8.95. London Plan policy 3.11 and CS policy SP02 seek a tenure split within the affordable housing units of 60:40 in favour of rented units. Policies SP02 of the CS and DM3 of the MDD seeks split of 70:30.

- 8.96. The scheme proposes a 50/50 split and therefore fails to meet Council's target of 70:30. This is considered acceptable on balance, on the basis that the scheme has been tested and cannot provide additional rented units required to move the balance towards the Council's target, due to viability constraints.

Mix of dwelling sizes

- 8.97. Council policy seeks to ensure development provides a range of dwelling sizes, including an appropriate amount of family accommodation.

- 8.98. Core Strategy policy SP02 requires that 45% of rented units should be for families. MDD policy DM3 sets out the acceptable unit mix:

Tenure	1b%	2b%	3b%	4b+%
Market	50	30	20	
Intermediate	25	50	25	0
Social Rent	30	25	30	15

- 8.99. The proposed unit breakdown, in comparison to policy, is as follows:

Market

7 x 1-bed units (33%) against a policy target of 50%
 11 x 2-bed units (52.4%) against a policy target of 30%
 3 x 3+-bed units (14.3%) against a policy target of 20%

Intermediate

1 x 1-bed units (50%) against a policy target of 25%
 0 x 2-bed units (0%) against a policy target of 50%
 1 x 3+-bed units (50%) against a policy target of 25%

Social Rent

1 x 1-bed units (50%) against a policy target of 30%
 0 x 2-bed units (0%) against a policy target of 25%

1 x 3-bed units (50%) against a policy target of 30%

- 8.100. Within the market sector there is a lack of family sized units. However, this is considered to be off-set by the under-provision of 1 bed units within this tenure.
- 8.101. There are no 4+bed units within the Affordable tenure, however the 2 x 3 bed units within the affordable tenure are supported, as they make up 50% of the affordable offer.
- 8.102. The applicant has also confirmed that the two ground floor units for social rent will be wheelchair adaptable. On balance, the mix is considered acceptable.
- 8.103. Core Strategy policy SP02 requires an overall target of 30% for family housing (3 bed plus). The proposal delivers 20% family housing (5 x 3 bed units), thus falling short of this requirement. However, when considering the development as a whole, the scheme does deliver additional 2 x 2 bed, 4 person units, with some of the floor areas in excess of the London Housing Design Guide (LHDG) target of 70sqm. Additionally, the size of the proposed 3 bed units exceeds the London Housing Design Guide (LHDG) target of 86sqm, with one unit providing an internal area of 108sqm which significantly exceeds this target.
- 8.104. Accordingly, on balance it is considered that the proposal delivers an acceptable mix of housing, to allow housing choice for future residents.

Lifetime Homes/Wheelchair provision

- 8.105. Core Strategy policy SP02 requires housing to be designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible, or easily adaptable.
- 8.106. This scheme provides two units on ground level that are adaptable to be wheelchair accessible (1x1 bed and 1x3 bed units) which amounts to 7.7% of the overall new housing to be wheelchair accessible, together with two designated disabled car parking spaces. The applicant has also confirmed that all units across tenures will comply with the Lifetime Homes standard.
- 8.107. The scheme is therefore considered acceptable in terms of provision of wheelchair accessible units and Lifetime Homes standards. It is recommended an informative is placed on the decision notice requiring Lifetime Homes compliance.

8.108. Amenity for future occupiers

Standard of accommodation

- 8.109. London Plan policy 3.5, CS policy SP10 and MDD policy DM4 set out the need to ensure appropriate standards of accommodation for future occupants. Minimum floorspace standards are set out, as are amenity space requirements.

Internal floorspace

- 8.110. LP policy 3.5, policy DM4 of the MDD requires new development to make adequate provision of internal residential space.
- 8.111. The proposed development is designed to the Housing Design Guide standards and therefore is acceptable in terms of internal space standards. Furthermore, the units are sufficiently large to meet policy requirements.

Daylight/sunlight

- 8.112. The daylight and sunlight assessment submitted by the applicant in relation to the revised scheme establishes that in terms of daylight, 69 of the 71 rooms tested proposed will have an ADF level above the BRE guide levels for ADF (97.18%). This is with the exception of two rooms, which are kitchens and living rooms at ground and first floor levels. Both rooms meet the guide levels for living rooms (1.5%). Given that it is only 7.7% of the overall number of units, officers are satisfied that the proposed development has good levels of daylight overall.
- 8.113. In terms of sunlight, the revised scheme will provide good levels of annual and winter sunlighting. Approximately 85% of the schemes south facing windows will comply with the BRE guide levels for annual sunlighting, and greater than 88% will achieve the BRE winter sunlight guide levels. Where windows do not meet the annual sunlight levels this is due to balconies located above the windows and, on balance when considering the benefits of providing private amenity space on balconies, are considered acceptable.
- 8.114. The daylight and sunlight assessment accompanying the original application was independently reviewed on behalf of the Council by Anstey Horne. Anstey Horne concluded that, on balance, the daylight and sunlight was acceptable for the future residents of the development. It was commented that windows on the east side of the development were not tested in the applicants original daylight and sunlight report, however, it was considered that these windows should have reasonable access to sun particularly during winter months and also have the benefit of views across the park and river.

Privacy

- 8.115. The internal arrangements of the units are such that there are no directly facing habitable room windows within the development. Consequently there is no direct overlooking between the proposed units and an adequate level of privacy is provided.
- 8.116. The protruding external balconies along the western elevation of the building have potential for overlooking onto each other. It is considered that privacy screening to each of these balconies could be conditioned to ensure the privacy of the balcony areas between future occupants.

Noise and Vibration

- 8.117. Council's Environmental Health Officer (noise and vibration) requested a noise assessment is provided that addresses the following matters:
- i) Glazing Specification for all habitable rooms to BS8233 internal levels of the 'Good' standard
 - ii) The Impact of Community Noise on future residents.
 - iii) The Impact of Vibration and Groundborne Noise from DLR tunnels needs to be considered.
- 8.118. Council's Environmental Health Officer has agreed the terms of the assessment and a noise and vibration report assessing the above is to be submitted prior to the proposal being heard at Development Committee.

Residential Amenity Space

- 8.119. For all developments of 10 units or more, 50sqm of communal amenity space (plus an extra 1sqm for every additional 1 unit thereafter) should be provided. For a

scheme of 25 units the minimum communal amenity space required would be 65sqm.

- 8.120. Policy 3.6 of the LP, strategic policy SP02 of the CS and policy DM4 of the MDD seeks to protect existing child play space and requires the provision of new appropriate play space within new residential development.
- 8.121. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor of London's SPG on 'Shaping Neighbourhoods: Play and Informal Recreation' (which sets a benchmark of 10 sq.m of useable child play space per child).
- 8.122. An incidental play space area of 101 sqm is provided in the southwest corner of the development site which is publically accessible. It is considered that the dedicated informal playspace area is appropriate to provide adequate provision of play space for future residents, meeting the needs of the development.
- 8.123. Further to this, the London Plan seeks the provision of appropriate and accessible facilities within 400 metres for 5-11 year olds and within 800 metres for 12 – 15 year olds. The site is within 120 metres of Millwall Park, which has facilities for 5-15 year olds, along with adjoining public open space at Island Gardens Park.
- 8.124. The private amenity space standard is set at a minimum of 5sqm for 1-2 person dwellings with an extra 1sqm for each additional occupant.
- 8.125. The majority of the proposed units on the upper floors are provided with balconies which partially meet the policy requirements and private courtyard areas are provided for the ground floor units which exceed the policy requirements (areas ranging from 19.6sqm to 20.6sqm per unit). This is with the exception of one 1xbed unit on the first floor unit in the northwest corner of the site, which has not been provided with a balcony due to potential privacy amenity issues to the west of the site. The applicant has also justified that the smaller size of some balconies has been required to balance the overall appearance and proportion of the elevations.
- 8.126. The lack of communal amenity space is considered acceptable in this instance, on the basis that officers have prioritised design and appearance over the inclusion of roof-top amenity space. To introduce such space would lead to further design intervention on the roof of the building, which would likely have impacts upon the relationship of the proposal to the Grade II Listed Foot Tunnel. Furthermore, the provision of new public open space adjacent to the River is considered to provide very good levels of amenity for future occupants.
- 8.127. It is considered that, given the close proximity of the development to public open space within the Island Gardens Park and the communal and public open space provision provided at ground level within the application site, it is considered that future residents will be provided with a sufficient amount of amenity space in the broader site context.

Open Space

- 8.128. Core Strategy objective SO12 aims to create a high quality natural environment of green spaces that promote active and healthy lifestyles. Policy SP04 provides a basis for creation of a network of open spaces across the borough through protection, improvement, and creation of open spaces. Managing Development policy DM10 states that development will be required to contribute to the delivery of

an improved network of open spaces in accordance with the Council's Green Grid Strategy and Open Space Strategy.

- 8.129. The Core Strategy notes that to achieve the 1.2 hectare of open space per 1000 population standard the Council would need to provide 99 hectares of new open space, which would be difficult to achieve given the built up urban character of Tower Hamlets. The 1.2 hectare standard is therefore embedded as a monitoring standard to help justify local need.
- 8.130. To meet the above standard, based on a likely population yield of 48 new residents, the scheme would need to include 576sqm of open space on top of amenity space delivered through the provision of private gardens and communal amenity space, which in light of housing demand and the need to optimise the use of scarce development land would not be reasonable for a site measuring just under a hectare. The scheme provides 401 square metres of public open space area within the southern portion of the site, adjoining the Thames River frontage. For the remaining balance of 175sqm of public open space, it is considered that a financial contribution towards improvement of existing public open spaces would successfully mitigate the lack of on-site publicly accessible open space, something which is acknowledged within the text for Policy DM10.

Crime Prevention

- 8.131. CS policy SP09 and MDD policy DM23 require development to consider the safety and security of users. Regard should also be given to the principles of Secure by Design. However, these matters must also be balanced against the requirements to promote site permeability and inclusive design.
- 8.132. Council's Crime Prevention Officer raised concern over the original development scheme for the site, primarily due to the locality of the community centre and future introduction of residential dwellings to the site located adjoining a public park and potential for antisocial behaviour and safety/crime issues.
- 8.133. The revised scheme has relocated the main community centre entrance to a more prominent and accessible location at the northeast corner of the site in response to concern raised over the previous scheme's entrance to the community centre being located via the mews at the western portion of the site.
- 8.134. Additionally, concern was raised over the concealed areas in the western portion of the site to access the residential units. Each residential unit fronting the mews will be secured with fencing and a gate. Council's Crime Prevention Officer has also requested a gate at the front vehicle entrance of the site and at the entrance to the mews, however, it is considered that this would be contradictory to Council's policy DM23 (23.3) of the MDD which seeks to avoid gated communities that restrict public access and movement. However, this is provided that an appropriate level of safety and security for future residents and users of the mews area is achieved. It is therefore recommended that this be dealt with via condition requiring that a Secure by Design statement is submitted and approved by the Local Planning Authority, in consultation with Council's Crime Prevention Officer.
- 8.135. As a consequence of security concerns for children's play space and courtyard space at the southern-most end of the community centre in the original scheme, the drawings were updated to relocate the children's playspace to a more visible location along the eastern portion of the community centre and adjoining Island Gardens Park.

- 8.136. Additionally, at the request of Council's Crime Prevention Officer, the child play space for the community centre has been surrounded by secure fencing (of greater than 1.8 metres high).
- 8.137. In order to ensure that Secure by Design for the overall scheme is secured in line with comments from the Secure by Design officer it is recommended that conditions be placed on the decision notice requiring a Secure by Design Statement is submitted containing full details including security, CCTV, access control, lighting, fencing, anti-graffiti measures, Security Management Plan and security measures for the proposed ground level residential dwellings.
- 8.138. With such a condition imposed on the permission it is considered that the development would adequately provide a safe and secure environment and accord with policy 7.3 of the LP and policy DM23 of the MDD.

8.139. Amenity Impact on Neighbours

Daylight and Sunlight

- 8.140. Policy SP10 of the Core Strategy and policy DM25 of the MDD seek to ensure that adjoining buildings are not adversely affected by a material deterioration in their daylighting and sunlighting conditions.
- 8.141. The daylight and sunlight assessment submitted by the applicant assesses the potential impact on the neighbouring properties at 70-72 Ferry Street to the north and the rowing club to the west of the site (specifically caretakers flat with three east facing windows at first floor level within Poplar Rowing Club).
- 8.142. Daylight is normally calculated by three methods – the vertical sky component (VSC), No Sky Line (NSL) and the average daylight factor (ADF). VSC and NSL are the appropriate methods for assessment when assessing impacts on existing properties. The submitted daylight assessment for the revised scheme assesses that the results of the daylight analysis comply with the BRE guide levels for VSC and the proposed development will not result in any adverse impact on neighbouring properties.
- 8.143. Sunlight is assessed through the calculation of annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter for each window within 90 degrees of due south (i.e. those windows which receive sunlight). The sunlight assessment for the revised application submitted by the applicant assesses that the proposal will comply with the BRE guide for annual and winter sunlighting and therefore the development will not result in any material noticeable effects on the levels of annual or winter sunlight received by neighbouring properties.
- 8.144. The daylight and sunlight assessment submitted by the applicant for the original five storey scheme was independently assessed by Anstey Horne, which commented that all APSH results to neighbouring properties meet the targets in the BRE Guide overall. Additionally, despite breaches of the BRE targets for daylight and sunlight are limited to four VSC transgressions and that the applicant's assessor tested a limited number of neighbouring rooms for Daylight Distribution (DD), the results meet the targets in the BRE Guide and a comprehensive DD testing would also be likely to do so. Where the ADF targets are not achieved, this is due to the presence of balconies.
- 8.145. Given that the revised scheme is reduced in height, it is considered that the potential for amenity impacts as a result of daylight and sunlight levels to the adjoining

properties will be reduced due to the reduction in height of the proposal by one storey. On balance it is therefore considered that the impact of the proposed development on daylight and sunlight to neighbouring properties is considered acceptable.

Overshadowing

- 8.146. Objection submissions were received in relation to concern over overshadowing the Island Gardens Park.
- 8.147. The daylight and sunlight assessment submitted addresses overshadowing and concludes that the proposed development will have no adverse impact on the levels of sunlight experienced within existing areas of open space in the vicinity of the site, including Island Gardens Park and the sports pitches on Saunders Ness Road.
- 8.148. Concern was raised within submissions regarding the potential overshadowing impact of the proposal to the adjoining Greenwich Foottunnel Building. Due to the orientation of the site and the locality of the foottunnel adjoining the site to the southeast, it is considered that any potential for overshadowing impacts will be minimal (likely late afternoon) and are not considered to be of a timeframe that would result in a substantial detrimental impact.
- 8.149. The applicant's original scheme for a five storey development was reviewed by Anstey Horne and confirms that overshadowing testing used by the applicant meets the targets in the BRE Guide. The proposed four storey scheme is anticipated to have a reduced impact in terms of overshadowing to the park due to the reduction in overall building height by one level and increased setback from the eastern site boundary and the foot tunnel building. It is therefore considered that the scheme will not result in an unacceptable detrimental impact in terms of overshadowing the adjoining park.

Overlooking/loss of privacy

- 8.150. Policy SP10 of the CS and MDD policy DM25 seek to ensure that development will not result in a loss of privacy for existing residents.
- 8.151. The closest properties to the proposed development are 70-72 Ferry Street (approximately 14 metres to the north of the site) and the Poplar Blackwall District Rowing Club (adjoining the western site boundary). Given the orientation of the proposed buildings and the substantial separation distance of greater than 22 metres between the closest portion of the proposed building and the southern façade of the development to the north of Saunders Ness Road, it is not considered that there will be overlooking or privacy issues to the north (given the separation of greater than 18 metres which is considered within Policy DM25 an appropriate separation distance).
- 8.152. To the east of the site is the Poplar Blackwall and District Rowing Club, which is a rectangular building adjoining the western boundary of the site. Although it is primarily utilised as a rowing club, there is a small caretakers residence located at first floor level. There are a number of windows at first floor level along the eastern elevation of this building fronting the application site, with a separation distance of approximately 8 metres from the western elevation of the proposed development.
- 8.153. The nearest unit with habitable room windows within the proposed development will be located at level 1 of the northwest portion of the proposed building. In response to potential overlooking concerns, the applicant has not provided a balcony amenity space for the first floor unit number 10 on the northwest corner of the proposed building, in order to minimise the potential for overlooking and privacy concerns. The

mews laneway which is proposed along the western boundary of the site will also assist in providing physical separation between the adjoining building and the proposed development.

- 8.154. It is recommended that a condition be included, should planning permission be granted, requiring that obscure glazing to windows on the north-west facing elevation be agreed to the satisfaction of the Local Planning Authority.
- 8.155. On balance, given the reasonable separation distance and design intervention to prevent overlooking, it is not considered that the proposal would have an unacceptable material impact in terms of overlooking between habitable rooms.

Noise disturbance

- 8.156. Policy SP10 of the CS and MDD policy DM25 note that development should not create unacceptable levels of noise and vibration.
- 8.157. Some disturbance is inevitable during the construction phase of the development, however a conditioning limiting work to standard hours will be included on the decision to ensure any such disturbance is not unreasonable.
- 8.158. A Noise and vibration assessment is to be submitted prior to the proposal being heard at Development Committee to ensure that noise amenity impacts are appropriately addressed.

8.159. Transport Impact

- 8.160. The site has a Public Transport Accessibility Level (PTAL) of 3, indicating average public transport accessibility. The site is located approximately 130 metres to the south of Island Garden DLR station, which offers good links to the rest of the Isle of Dogs, Canary Wharf and London generally. The site is also serviced by local bus routes within proximity of the site on Manchester Road and East Ferry Road.
- 8.161. 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.
- 8.162. CS Policy SP08 & SP09 and Policy DM20 of the MDD 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.
- 8.163. The site has an average public transport accessibility level (PTAL) of 3 (1 being poor and 6 being excellent). The application is supported by a Transport Statement (dated August 2013, being a revised transport statement report based on the updated scheme). The Borough Highway Officer is in support of the application as set out within section 6.38 of this report.

Car parking

- 8.164. Many of the objectors to the application mentioned that the development should provide car parking spaces. In line with Council policy no car parking has been provided, save for two disabled parking spaces to the north of the site. A S106 car free agreement is required if planning permission is granted preventing occupiers of the development from obtaining a car parking permit.

- 8.165. Some objectors mentioned that car-free agreements rarely function well in practice, as residents of 'car-free' developments often own cars and park illegally.
- 8.166. This is a matter best dealt with through enforcement. It is for the Council to control parking on the adopted highway of Saunders Ness Road and enforce the restrictions. This is not considered a justification to depart from the Council's established policy in this instance.
- 8.167. Given the location of the site, so close to Island Gardens DLR, it is considered that a car-free development is appropriate for the site and would comply with CS policy SP09 and MDD policy DM20.

Cycle Parking

- 8.168. The application proposes 30 cycle parking spaces with semi-vertical cycle parking stands to be located within a secure storage building along the western boundary of the site. Provision for 8 Sheffield cycle spaces are provided associated with the community centre and located in an accessible position near the main entrance to the building in the northeast corner of the site.
- 8.169. Policy DM22 (appendix two) specifies a rate for Residential use of 1 cycle space per 1 or 2 bed unit and 2 cycle spaces per 3 or more bed unit. The residential component of the proposed development requires a total of 30 cycle parking spaces, and therefore the proposed 30 cycle spaces provided complies with this policy.
- 8.170. Council's Transportation and Highways unit have commented that the cycle parking provision is sufficient but has requested a condition requiring detailed layout plans showing the arrangement of the residential cycle spaces. It was also requested that a condition be included to make sure cycle parking is retained and maintained for the associated uses only.
- 8.171. A total of 8 cycle parking spaces are provided adjoining the entry to the community centre building. Council's Highways Officer has confirmed that this is acceptable.
- 8.172. On balance the proposal therefore complies with London Plan policy 6.13.

Servicing/deliveries

- 8.173. The application originally proposed a servicing to occur outside the site along Saunders Ness Road, with adjacent refuse stores on the site for pick up. This arrangement generated significant objection from Council's Highways and Waste officers regarding safety and the freeflow of traffic and the siting of the URS on a curve in the public highway.
- 8.174. This has been revised, with servicing revised to take place from within the site on the basis of vehicle autotracking diagrams for a URS refuse vehicle to reverse into the site and exit out of the site in a forward direction.
- 8.175. Vehicle tracking has been provided to demonstrate that refuse vehicles can negotiate the servicing area, and the revised servicing arrangements are considered acceptable by the Council's Highways Officers.
- 8.176. It is recommended a condition be secured should planning permission be granted requiring that all URS servicing occurs onsite, not on the public highway. Plans were updated by the applicant to remove a service location marked on the drawings along Saunders Ness Road.

- 8.177. Highways also advised that there must be a clear suitably delineated pathway for residents so clear pedestrian access is provided for residents to pass during times when the URS servicing vehicle is parked onsite. The traffic report submitted by the applicant contains a diagram showing the size of the refuse vehicle and states that sufficient space is allowed for pedestrian to pass the refuse vehicle when the stabilisers are extended. On balance, when considering the short amount of time required for servicing and the space provided, it is considered that the arrangements are sufficient. Based on additional details provided, Highways are now satisfied that sufficient space for pedestrians has been provided.
- 8.178. A condition is also requested for a Construction Management Plan to be submitted and approved by Council in conjunction with Highways Officers.

Impact on local transport infrastructure

- 8.179. The proposal is only for 25 residential units and it is not considered it would have any undue impact upon the capacity of the local road or public transport networks. TfL were consulted, and whilst requesting conditions as outlined in section 6.8 of this report, did not raise concern regarding impacts on the public transport network.
- 8.180. Council's Highways Officers have requested a Section 278 Agreement for highway works is secured via condition.

Other planning matters

Tree works

- 8.181. The proposal involves the removal of two existing trees, referred to as trees reference G1 (group of Leyland Cypress trees located in the northern portion of the site) and T1 (false acacia located in the southwest corner of the site) as labelled in the landscape documents submitted. Tree G1 has been assessed within the submitted applicant's arboricultural report as of poor condition and suppressed by surrounding trees, and Tree T1 has been assessed as in poor condition with significant decay on the eastern side. Additionally, tree pruning is proposed to tree T7 which is located in the northern portion of the site.
- 8.182. Council's Arboricultural Officer has raised no objection to the proposal. Residents submissions state that the trees are protected. Although the trees are within the Island Gardens Conservation Area (which provides protection for the trees), they are not currently affected by TPOs.
- 8.183. It is recommended that a condition be placed on the decision notice should permission be granted requiring that full details of the proposed tree protection measures, including root protection areas, be submitted and approved by the Local Planning Authority.
- 8.184. According to the landscape plan submitted a replacement tree is proposed to be situated in the southwest corner of the site. Details for the species of replacement tree are not specified. It is therefore recommended that this be secured via condition for the submission of a revised landscape plan confirming the tree species and detail to be submitted and approved to the satisfaction of the Local Planning Authority. It is recommended that the replacement tree must be of a suitable maturity and scale to ensure that viewlines of the site from the south are not impacted and the level of screening through vegetation along the southern site boundary is consistent with existing.

Biodiversity

- 8.185. Council's Biodiversity Officer has commented that the site is not of any significant nature conservation value in terms of biodiversity.
- 8.186. A precautionary bat survey was initially recommended by Council's Biodiversity Officer, however, comments on the revised scheme considered that it is unlikely that the existing building would be suitable for roosting bats. However, it is requested that a condition be placed on any planning permission granted requiring that, if tree removal works take place during the season when bats are active (April to September inclusive), a precautionary bat survey should be undertaken immediately before the works are undertaken.
- 8.187. Council's Biodiversity Officer commented on the original scheme that biodiversity measures were insufficient and details of how biodiversity has been incorporated into the development were necessary. Similarly, the Environment Agency requested additional ecological enhancements be considered (such as green roofs, soft landscaping on ground, green walls, installation of bird and bat roosting boxes).
- 8.188. The revised landscape scheme for the site, including reference to bird and bat boxes in the landscape strategy, were considered by Council's Biodiversity Officer to achieve an overall gain for biodiversity at the site. It is recommended a condition is placed on the decision notice requiring full details of the location of the proposed bird and bat boxes and further details of the proposed wildflower grassland (including details of seed and/or plugs sown/planted and any treatment to the ground before planting).
- 8.189. The proposed biodiverse/green roof is supported, in line with Policy DM10 of the MDD which seeks to enhance biodiversity values and green spaces. Further details of the layout, plant species, habitat features (such as piles of stones or logs), depth of substrate and details of any planted blanket or mat to be provided on the green roof are recommended to be secured via condition.
- 8.190. The Environment Agency requested in their initial comments for the original scheme that a condition be placed on any planning permission that is granted requiring a 18 metre buffer zone along the Thames River frontage of the site be provided (including that the "buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision"). Following review of the updated landscape documents submitted, the Environment Agency later commented that the Landscape Management Plan submitted as part of the revised application addresses the Environment Agency's request for conditions requiring a Landscape Management Plan and Buffer Zone and no longer request these conditions.

Renewable Energy and Energy Efficiency

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

vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the Managing Development Document Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions. The Managing Development Document Policy DM29 includes the target to achieve a minimum 35% reduction in CO2 emissions above the Building Regulations 2010.

- 8.193. The Energy Statement (dated 9 August) and Sustainability Statement (dated 15 August) submitted state that the development provides energy savings through use of renewable technologies.
- 8.194. Council's Energy Officer has reviewed the scheme and commented the development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean) and reduce CO2 emissions by 5.3%. The integration of a communal heating scheme incorporating a Combined Heat and Power (CHP) engine as the lead source of hotwater and space heating requirements in accordance with policy 5.6 of the London Plan will also reduce energy demand and associated CO2 emissions by 15.6% (Be Clean).
- 8.195. An addendum to the Energy Strategy was submitted (Planning Addendum Note 1, prepared by Energy Council, dated 18 November 2013, ref: 59097D).
- 8.196. On the basis of this revised energy strategy, the proposed energy strategy is now in accordance with Policy requirements and the Sustainable Development Team have no objections to the proposal. This document confirms the following:
- 7.7% 'Be Lean' saving (previously 6.9%)
 - 16.8% 'Be Clean' saving (previously 14.8%)
 - 15.4% 'Be Green' saving in regulated CO2 emissions (previously 7.4%)
 - Cumulative saving of 35.0% in total which meets DM29 (previously 26.5%)
 - A 10kW PV array will be installed on the roof of the block, circa 70m2 array area, to assist with the CO2 savings.
- 8.197. A 6.8 kWp (51m2) photovoltaic array was originally proposed on the rooftop to provide a source of on site renewable energy (Be Green). The technologies employed would result in a 7% carbon savings over the regulated energy baseline. The proposed CO2 emission reductions of the development fall significantly short of DM29 requirements, and the applicant has been encouraged to review the scheme and provide increased renewable energy technologies proposals to ensure that the use of such technologies has been maximised on site, such as increasing the size of photovoltaic array to improve the potential to deliver greater CO2 savings to meet Policy DM29 requirements and Core Strategy Policy SP11 requirements.
- 8.198. Based on the Addendum to the Energy Strategy was submitted (Planning Addendum Note 1, prepared by Energy Council, dated 18 November 2013, ref: 59097D) the applicant has proposed an increased extent of 70sqm photovoltaic panels, as agreed with Council's Energy Officer. This is considered to be appropriate to meet policy. It is recommended this be conditioned.
- 8.199. In terms of sustainability, the Council requires all residential development to achieve a Code for Sustainable Homes Level 4 rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan

2011 and Policy DM29 of the London Borough of Tower Hamlets Managing Development Document.

8.200. It is recommended that the proposals are secured through appropriately worded Conditions:

- Delivery of energy efficiency, heat network and CO2 savings as proposed in the Energy Statement (Clarification on Energy Statements ref: 59097D);
- Details of the proposed CHP system;
- Details of the renewable proposals of the scheme;
- Achievement of Code 4 rating and provision of certificates to the Local Authority

Flood Risk

8.201. The site is located within flood zone 3a. The application has been accompanied by a Flood Risk Assessment produced by Conisbee, dated 20 September 2012, which the Environment Agency were consulted on.

8.202. The Environment Agency commented on the scheme stating that they have no objection in principle to the scheme, subject to conditions.

8.203. Additionally, at the request of the Environment Agency, it is recommended an informative is included regarding Flood Defence Consent requirements.

S106 Contributions

8.204. The NPPF requires that planning obligations must be:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Are fairly and reasonably related in scale and kind to the development.

8.205. 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.

8.206. Securing appropriate planning contributions is further supported by 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.

8.207. 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:

1. Affordable Housing
2. Employment, Skills, Training and Enterprise
3. Community Facilities
4. Education

8.208. The Borough's other priorities include:

1. Public Realm
2. Health
3. Sustainable Transport
4. Environmental Sustainability

- 8.209. This application is supported by a viability toolkit which detailed the viability of the development proposal through interrogation of the affordable housing provision and the planning obligations required to mitigate the impacts of this development proposal.
- 8.210. Throughout negotiations officers have secured 19.2% affordable housing together with full section 106 contribution which equates of £155,904.56.
- 8.211. The obligations can be summarised as follows:

Financial Contributions (100% of SPD)

- a) Education: £37,177
 - b) Enterprise & Employment: £8,928.98
 - c) Community Facilities: £32,021.50
 - d) Health: £34,221
 - e) Sustainable Transport: £720
 - f) Public Realm: £39,779.13
 - g) Monitoring & Implementation 2% of total: £3,056.95
- TOTAL: £155,904.56**

h) Delivery of Affordable Housing: £26,000

Non-Financial Obligations

- i) Car free agreement
- j) 24 hour access over public open space
- k) Employment
- l) Any other obligation(s) considered necessary by the Corporate Director Development and Renewal.

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

- 8.212. 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:
- 8.213. 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.
- 8.214. 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.
- 8.215. In this context “grants” might include the new homes bonus and payment of the community infrastructure levy.
- 8.216. These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.

- 8.217. Regarding Community Infrastructure Levy considerations, following the publication of the London Mayor's Community Infrastructure Levy, Members are reminded that the London Mayoral CIL is now operational, as of 1 April 2012. The Mayoral CIL applicable to a scheme of this size is £79,940 which is based on the gross internal area of the proposed development. The scheme is proposed to provide 19.2% affordable housing and will therefore qualify for social housing relief on a proportion of this sum.
- 8.218. The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides unring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.
- 8.219. 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 £33,405 within the first year and a total of £200,427 over a rolling six year period. As the New Homes Bonus comes from central Government it does not impact on the financial viability of the scheme.

Human Rights Considerations

- 8.220. In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:-
- 8.221. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- 8.222. Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- 8.223. Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- 8.224. Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".
- 8.225. This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

- 8.226. Members need to satisfy themselves that the measures which are proposed to be taken to minimise, inter alia, the adverse effects of noise, construction and general disturbance are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.
- 8.227. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.
- 8.228. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 8.229. As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.
- 8.230. In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement to be entered into.

9. Equalities Act Considerations

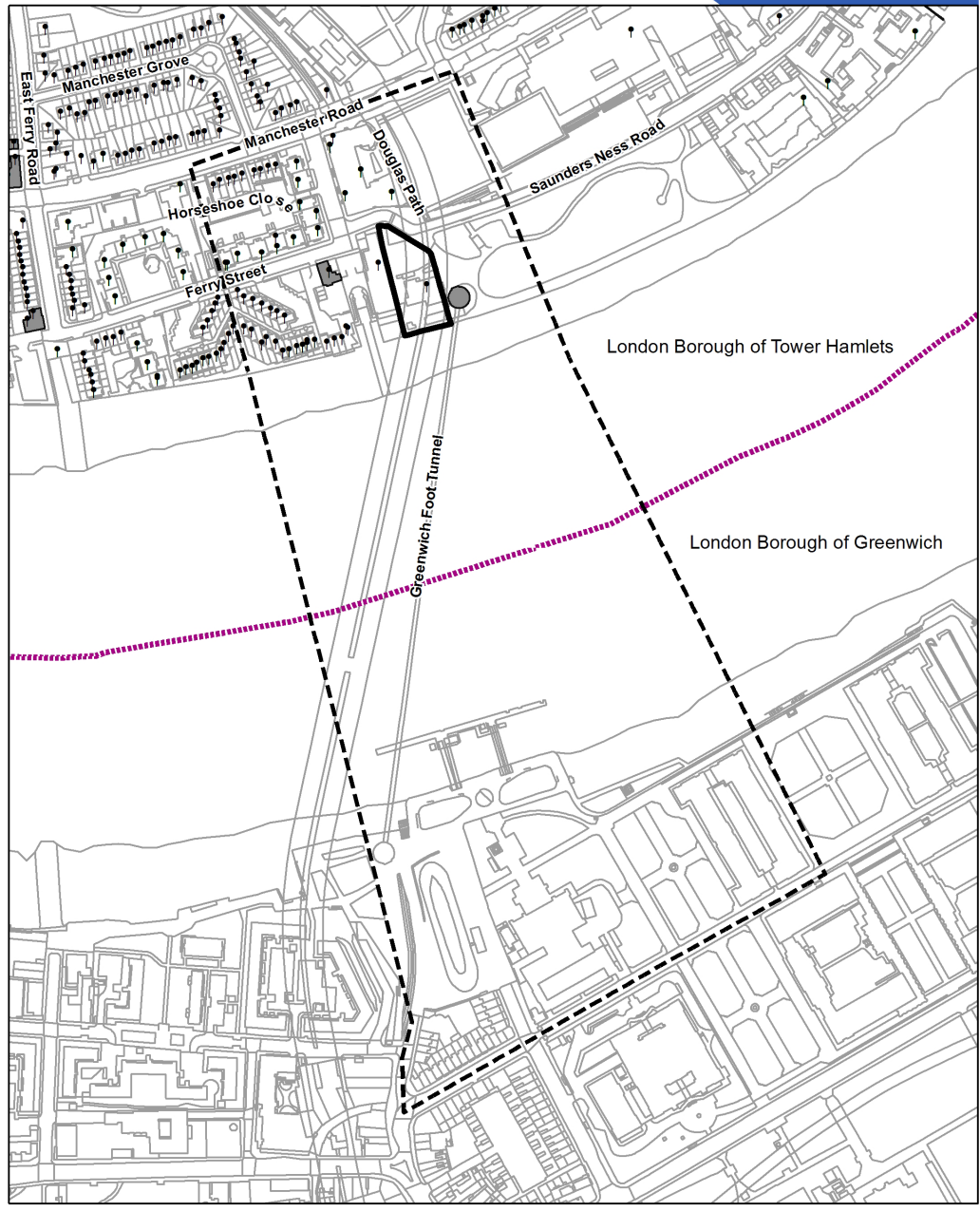
- 9.1. The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. The contributions towards various community assets/improvements and infrastructure improvements addresses, in the short-medium term, the potential perceived and real impacts of the construction workforce on the local communities, and in the longer term support community wellbeing and social cohesion.
- 9.3. Furthermore, the requirement to use local labour and services during construction enables local people to take advantage of employment opportunities.
- 9.4. The community related contributions (which will be accessible by all), such as public open space, will help mitigate the impact of real or perceived inequalities, and will be used to promote social cohesion by ensuring that sports and leisure facilities provide opportunities for the wider community.

- 9.5. The contributions to affordable housing support community wellbeing and social cohesion.

Conclusions

- 9.6. All other relevant policies and considerations have been taken into account. PLANNING PERMISSION and CONSERVATION AREA CONSENT should be granted and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map
PA/12/02784



Planning Application	Locally Listed Buildings	Land Parcel Address	0 20 m
Consultation Area	Statutory Listed Buildings	Borough Boundary	

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