

.Committee: Strategic Development	Date:	Classification: Unrestricted	Agenda Item Number:
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Report of: Corporate Director of Development and Renewal	Title: Planning Application and Listed Building Consent Application for Decision
Case Officer: Adam Williams	Ref No: PA/13/01276 and PA/13/01277
	Ward: St Katherine's and Wapping

1. APPLICATION DETAILS

Location: Former News International Site, 1 Virginia Street, London, E98 1XY

Existing Use: Vacant newspaper print works and offices with associated car park

Proposal: Planning Application:
A hybrid application (part outline/part detailed) comprising:
(1) Outline submission for demolition of all buildings and structures on the site with the exception of the Pennington Street Warehouse and Times House and comprehensive mixed use development comprising a maximum of 221,924 sq m (GEA) (excluding basement) of floorspace for the following uses:

- residential (C3);
- business uses including office and flexible workspace (B1);
- retail, financial and professional services, food and drink uses (A1, A2, A3, A4 & A5);
- community and cultural uses (D1);
- a secondary school (D1);
- assembly and leisure uses (D2);
- energy centre, storage, car and cycle parking; and
- formation of new pedestrian and vehicular access and means of access and circulation within the site together with new private and public open space.

(2) Detailed submission for 82,596 sq m GEA of floorspace (excluding basement) in five buildings - the Pennington Street Warehouse, Times House and Building Plots A, B and C comprising residential (C3), office and flexible workspaces (B1), community and leisure uses (D1/D2), retail and food and drink uses (A1, A2, A3, A4, A5) together with car and cycle parking, associated landscaping and new public realm”.

Further explanation (not forming part of the formal

description of the development set out above):

Further details submitted with the application explain that the Proposed Development could deliver up to 1,800 new homes of which 529 new homes are included in the Detailed Component, in new buildings A (8 to 20 storeys), B (8 storeys) and C (4 to 25 storeys)

This application is accompanied by an Environmental Statement.

Listed Building Consent Application:

Works to the Grade II Listed Pennington Street Warehouse both internally and externally comprising:

- The creation of three new openings to the Pennington Street elevation, within the existing un-bonded brick arches, to provide new circulation cores to the building and pedestrian access routes leading through to the wider development;
- The creation of nine new openings to the Pennington Street elevation, within the existing un-bonded brick arches, to provide new air intake to the vaults and glazing to the upper level;
- Repairs and modifications to the existing roof structure including new glazed elements;
- Removal of later internal additions to the building;
- Formation of eight new voids between the vaults and the main floor level for light and air;
- Forming four new openings in the vaults for access, light and air;
- Repair and restoration works;
- Alterations to the modern gable end to the West of the building; and
- Fitting out of the building to allow for flexible retail (Use Class A1, A2, A3, A4 and A5), commercial (Use Class B) and community and leisure uses (Use Class D1 and D2) within.

Drawing and documents: Parameter Plans

412-MP-PL-L00-1001 (Rev 01);
412-MP-PL-L00-1002 (Rev 02);
412-MP-PL-L00-1003 (Rev 02);
412-MP-PL-L00-1004 (Rev 02);
412-MP-PL-L00-1005 (Rev 02);
412-MP-PL-L00-1006 (Rev 02);
412-MP-PL-L00-1007 (Rev 02);
412-MP-PL-L00-1008 (Rev 02);
412-MP-PL-L00-1009 (Rev 02);
412-MP-PL-L00-1010 (Rev 02);
412-MP-PL-L00-1011 (Rev 02);
412-MP-PL-L00-1012 (Rev 02);
412-MP-PL-L00-1013 (Rev 02);
412-MP-PL-L00-1014 (Rev 02);

412-MP-PL-L00-1015 (Rev 01);

Sections

412-MP-PL-SEC-1001 (Rev 00);

Access Plan

412-MP-PL-L00-1102 (Rev 02);

Site Plans

412-SW-PL-L00-1001 (Rev 01);

412-SW-PL-L03-1001 (Rev 01);

412-SW-PL-L07-1001 (Rev 02);

412-SW-PL-L11-1001 (Rev 02);

412-SW-PL-RFL-1001 (Rev 02);

412-SW-PL-LB1-1000 (Rev 02);

412-SW-PL-LB2-1000 (Rev 01);

412-SW-PL-SEC-1002 (Rev 02);

412-SW-PL-SEC-1003 (Rev 02);

412-SW-PL-SEC-1004 (Rev 02);

412-SW-PL-SEC-1005 (Rev 02);

412-SW-PL-SEC-1006 (Rev 01);

412-SW-PL-SEC-1007 (Rev 02);

Landscape and Public Realm

412-MP-LP-PL-L00-1000 (Rev 01);

412-LP-PL-LZZ-1000 (Rev 01);

412-LP-PL-LZZ-1001 (Rev 01);

412-LP-PL-SEC-1000 (Rev PL 00);

412-LP-PL-SEC-1001 (Rev 01);

412-LP-PL-SEC-1002 (Rev PL 00);

412-LP-PL-SEC-1003 (Rev PL 00);

Times House

412-TH-PL-LZZ-1001 (Rev 02);

412-TH-PL-LZZ-1002 (Rev 02);

412-TH-PL-LZZ-1003 (Rev 02);

412-TH-PL-LZZ-1004 (Rev 02);

412-TH-PL-RFL-1001 (Rev 01);

412-TH-PL-SEC-1001 (Rev 01);

412-TH-PL-ELE-1001 (Rev 01);

412-TH-PL-ELE-1002 (Rev 01);

412-TH-PL-XLZZ-1001 (Rev 00);

412-TH-PL-XLZZ-1002 (Rev 00);

412-TH-PL-XLZZ-1003 (Rev 00);

412-TH-PL-XLZZ-1004 (Rev 00);

412-TH-PL-XSEC-1001 (Rev 00);

412-TH-PL-XELE-1001 (Rev 00);

412-TH-PL-XELE-1002 (Rev 00);

Building A

412-A-PL-L00-1001 (Rev 01);

412-A-PL-LZZ-1001 (Rev 01);

412-A-PL-LZZ-1002 (Rev 01);

412-A-PL-LZZ-1003 (Rev 01);

412-A-PL-LZZ-1004 (Rev 01);

412-A-PL-LZZ-1005 (Rev 01);
412-A-PL-LZZ-1006 (Rev 01);
412-A-PL-LZZ-1007 (Rev 01);
412-A-PL-LZZ-1008 (Rev 01);
412-A-PL-LZZ-1009 (Rev 01);
412-A-PL-LZZ-1010 (Rev 01);
412-A-PL-SEC-1001 (Rev 01);
412-A-PL-ELE-1001 (Rev 01);
412-A-PL-ELE-1002 (Rev 01);
412-A-20-ELE-1003 (Rev 01);

Building B

412-B-PL-L00-1001 (Rev 01);
412-B-PL-LZZ-1001 (Rev 01);
412-B-PL-LZZ-1002 (Rev 01);
412-B-PL-LZZ-1003 (Rev 01);
412-B-PL-LZZ-1004 (Rev 01);
412-B-PL-ELE-1001 (Rev 01);
412-B-PL-ELE-1002 (Rev 01);
412-B-PL-ELE-1003 (Rev 01);

Building C1

412-C1-PL-L00-1001 (Rev 01);
412-C1-PL-L01-1002 (Rev 02);
412-C1-PL-LZZ-1001 (Rev 02);
412-C1-PL-LZZ-1002 (Rev 01);
412-C1-PL-LZZ-1003 (Rev 01);
412-C1-PL-LZZ-1004 (Rev 01);
412-C1-PL-RFL-1001 (Rev 00);
412-C1-PL-SEC-1001 (Rev 01);
412-C1-PL-SEC-1002 (Rev 01);
412-C1-PL-SEC-1003 (Rev 01);
412-C1-PL-ELE-1001 (Rev 01);
412-C1-PL-ELE-1002 (Rev 02);
412-C1-PL-ELE-1003 (Rev 01);
412-C1-PL-ELE-1004 (Rev 01);

Building C2C3

412-C2C3-PL-L00-1001 (Rev 01);
412-C2C3-PL-L01-1002 (Rev 01);
412-C2C3-PL-LZZ-1001 (Rev 01);
412-C2C3-PL-LZZ-1002 (Rev 01);
412-C2C3-PL-LZZ-1003 (Rev 01);
412-C2C3-PL-LZZ-1004 (Rev 01);
412-C2C3-PL-LZZ-1005 (Rev 00);
412-C2C3-PL-LZZ-1006 (Rev 00);
412-C2C3-PL-LZZ-1007 (Rev 00);
412-C2C3-PL-RFL-1000 (Rev 00);
412-C2C3-PL-SEC-1001 (Rev 01);
412-C2C3-PL-SEC-1002 (Rev 01);
412-C2C3-PL-SEC-1003 (Rev 01);
412-C2C3-PL-ELE-1001 (Rev 02);
412-C2C3-PL-ELE-1002 (Rev 02);
412-C2C3-PL-ELE-1003 (Rev 02);
412-C2C3-PL-ELE-1004 (Rev 02);

Pennington Street Warehouse

PSW-GA01 (Rev PL01);
PSW-L01 (Rev PL01);
PSW-L02 (Rev PL01);
PSW-L03 (Rev PL01);
PSW-L04 (Rev PL00);
PSW-L05 (Rev PL00);
PSW-L06 (Rev PL00);
PSW-L07 (Rev PL00);
PSW-L08 (Rev PL00);
PSW-L09 (Rev PL00);
PSW-L10 (Rev PL00);
PSW-L11 (Rev PL00);
PSW-L12 (Rev PL00);
PSW-L13 (Rev PL01);
PSW-L14 (Rev PL01);
PSW-GASU01 (Rev PL00);
PSW-SU01 (PL00);
PSW-SU02 (PL00);
PSW-SU03 (PL00);
PSW-SU04 (PL00);
PSW-SU05 (PL00);
PSW-SU06 (PL00);
PSW-SU07 (PL00);
PSW-SU08 (PL00);
PSW-SU09 (PL00);
PSW-SU10 (PL00);
PSW-SU11 (PL00);
PSW-SU12 (PL00);
PSW-SU13 (PL00);
PSW-SU14 (PL00);
PSW-SU15 (PL00);
PSW-D01 (PL00);
PSW-D02 (PL00);
PSW-D03 (PL00);
PSW-D04 (PL00);
PSW-D05 (PL00);
PSW-D06 (PL00);
PSW-D07 (PL00);
PSW-D08 (PL00);
PSW-D09 (PL00);
PSW-D10 (PL00);

News International Building

319818-PB-LvR (Rev A);
319818-PB-Lv7 (Rev A);
319818-PB-Lv6 (Rev A);
319818-PB-Lv5 (Rev A);
319818-PB-Lv4B (Rev A);
319818-PB-Lv4A (Rev A);
319818-PB-Lv4 (Rev A);
319818-PB-Lv3 (Rev A);
319818-PB-Lv2 (Rev A);
319818-PB-Lv1 (Rev A);

Plans with Unit Numbers

412-A-PL-LZZ-1201 (Rev 01);
412-A-PL-LZZ-1202 (Rev 00);
412-A-PL-LZZ-1203 (Rev 01);
412-A-PL-LZZ-1204 (Rev 00);
412-A-PL-LZZ-1205 (Rev 00);
412-A-PL-LZZ-1206 (Rev 00);
412-A-PL-LZZ-1207 (Rev 00);
412-A-PL-LZZ-1208 (Rev 00);
412-A-PL-LZZ-1209 (Rev 00);
412-A-PL-LZZ-1210 (Rev 00);
412-B-PL-LZZ-1201 (Rev 00);
412-B-PL-LZZ-1202 (Rev 00);
412-B-PL-LZZ-1203 (Rev 00);
412-B-PL-LZZ-1204 (Rev 00);
412-C1-PL-L00-1201 (Rev 01);
412-C1-PL-L01-1202 (Rev 01);
412-C1-PL-LZZ-1201 (Rev 01);
412-C1-PL-LZZ-1002 (Rev 01);
412-C1-PL-LZZ-1203 (Rev 01);
412-C1-20-LZZ-1204 (Rev 01);
412-C2C3-PL-L00-1201 (Rev 00);
412-C2C3-PL-L01-1202 (Rev 01);
412-C2C3-PL-LZZ-1201 (Rev 01);
412-C2C3-PL-LZZ-1202 (Rev 01);
412-C2C3-PL-LZZ-1203 (Rev 00);
412-C2C3-PL-LZZ-1204 (Rev 00);
412-C2C3-PL-LZZ-1205 (Rev 00);
412-C2C3-PL-LZZ-1206 (Rev 00);
412-C2C3-PL-LZZ-1207 (Rev 00);

Documents

Application Cover Letter, prepared by CBRE, dated May 2013;
Revisions to Proposed Development Cover Letter, prepared by CBRE, dated November 2012;
Revised Development Specification, prepared by CBRE, dated November 2013;
Revised Design Guidelines, prepared by Patel Taylor, dated November 2013;
Design & Access Statement Detailed Design, prepared by Patel Taylor, dated May 2013;
Design & Access Statement Outline Masterplan, prepared by Patel Taylor, dated May 2013;
Revised Design & Access Statement Addendum, prepared by Patel Taylor, dated November 2013;
Pennington Street Warehouse Heritage Statement, prepared by Alan Baxter Associates, dated May 2013;
Revised Addendum Heritage Statement, prepared by Alan Baxter Associates, dated November 2013;
EIA Aviation Scoping Report, prepared by Donald Butler Associates, dated May 2013;
Environmental Statement Non-technical Summary, prepared by URS, dated May 2013;

Environmental Statement Vol I, Main Chapters, prepared by URS, dated May 2013;
Revised Environmental Statement Vol II, Townscape, Conservation & Visual Assessment, prepared by URS, dated November 2013;
Environmental Statement Vol III, Technical Appendices, prepared by URS, dated May 2013;
Revised Addendum, Environmental Statement: Non-technical Summary prepared by URS, dated November 2013;
Revised Addendum, Environmental Statement Vol I, Main Chapters prepared by URS, dated November 2013;
Revised Addendum, Environmental Statement Vol III, Technical Appendices, prepared by URS, dated November 2013.
Transport Statement Vol I, Main Chapters, prepared by WSP, dated May 2013;
Transport Statement Vol II, Appendices A-M, prepared by WSP, dated May 2013;
Revised Addendum Transport Statement, prepared by WSP, dated November 2013;
Revised Energy Statement, prepared by Richard Hodkinson Consultancy, dated November 2013;
Revised Sustainability Statement, prepared by Richard Hodkinson Consultancy, dated November 2013;
Revised Affordable Housing Statement, prepared by QUOD, dated November 2013;
Planning Statement, prepared by CBRE, dated May 2013;
Utilities Infrastructure Report, prepared by Crofton, dated May 2013;
Cultural & Placemaking Strategy, prepared by Future City, dated May 2013;
Community Engagement Strategy, prepared by Soundings, dated May 2013;
Revised Addendum Community Engagement Statement, prepared by Soundings, dated November 2013;
Town Centre Use Assessment, prepared by CBRE, dated May 2013;
Revised Addendum Town Centre Use Assessment, prepared by CBRE, dated November 2013;
Regeneration Statement, prepared by QUOD, dated May 2013;
Demolition Method Statement, Environmental Management Plan & Waste Management Plan, prepared by St George Central London, dated November 2013;
Construction Method Statement, Environmental Management Statement & Waste Management Plan (Blocks A, B & Times House), prepared by St George Central London, dated November 2013.
Response to Review of the ES for London Dock, prepared by URS, dated 30 August 2013;

Port of London Authority Response letter from WSP, dated 15 August 2013;
Response to Additional Information Requested by TfL and LBTH Following Meeting on 30 July 2013, prepared by WPS, dated 12 September 2013;
Response to LBTH Post-submission Letter dated 21 August, prepared by WSP, dated 12 September 2013;
Letter from Michael Wizenberg of FDS Consult, dated 3 October 2013;
Letter from Donald Sinclair of Richard Hodkinson Consultancy, dated 19 September 2013;
Letter David Treacy of JSA Consulting Engineers, dated 20 August 2013;
Letter from Anthony Dinsdale of JSA Consulting Engineers, dated 8 October 2013;
London Borough of Tower Hamlets Noise Comments letter from Michael Price of URS, dated 18 September 2013;
Response to Clarification and Regulation 22 Request on the London Dock EIA, prepared by URS, dated 15 October 2013;
London Dock EIA – Construction Noise and Vibration Summary, prepared by URS, dated 24 October 2013;
London Dock EIA – Construction Noise and Vibration Summary, dated 5 December 2013;
Proposed Pedestrian Crossing Facility Stage 1 Road Safety Audit, prepared by Acorns Projects Limited, dated 25 October 2013;
Designers Response for Stage 1 Safety Audit for The Highway, prepared by WSP, dated 29 October 2013;
Response to Final Review of the ES for London Dock, prepared by URS, dated 11 November 2013;
Further Information on Impulsive Noise Events, prepared by URS, dated 11 November 2013;
Stage 1 Road Safety Audit – Proposed Access Ramps, prepared by Acorns Projects Limited, dated 6 November 2013;
Archaeological Review of Deposit Modelling, prepared by MOLA, dated 18 December 2013;
Archaeological Deposit Model, prepared by Mills Whipp Projects, dated December 2013;
Historic Environment Assessment Update, prepared by MOLA, dated 28 November 2013;
Archaeological Assessment Clarification, prepared by MOLA, dated 28 November 2013;
Environmental Statement (ES) Clarifications, prepared by URS, dated 29 October 2013;
Amenity Space Figures email from Nick Grant of CBRE, dated 10 December 2013

Applicant: St George Central London Limited

Ownership: St George Central London Limited
London Borough of Tower Hamlets

Historic Building:	Pennington Street Warehouse – Grade II Tobacco Dock – Grade I
Conservation Area:	N/A

2. EXECUTIVE SUMMARY

- 2.1. The Local Planning Authority has considered the particular circumstances of these applications against the Development Plan and other material planning considerations as set out in this report and recommends the approval of planning permission and listed building consent for the reasons set out in the 'Material Planning Considerations' section of this report.
- 2.2. These applications seek planning permission (part in detail, part in outline) and listed building consent for the redevelopment of the Former News International Site (now known as London Dock), including the vacant Times House offices to the north of the main site. The scheme would deliver up to 1,800 new homes, including 30% affordable housing by habitable room, together with up to 20,816sqm of flexible non-residential floorspace (Use Class A1-A5/B1/D1/D2), a new secondary school, 2.2 hectares of public open space and a full site basement to accommodate car parking, cycle parking, servicing, waste storage and ancillary residential facilities.
- 2.3. In land use terms, officers consider that the proposed mix of uses, including a strategic quantum of housing, together with a mix of retail, entertainment, office, community and leisure uses and a new secondary school, generally accords with adopted policy and the Council's aspirations for the site as set out in the London Dock site allocation in the adopted Managing Development Document (2013).
- 2.4. With regard to the delivery of new homes, the scheme would provide up to 1,800 new homes, with 521 units included in the detailed element of the scheme and up to 1,271 units in outline. Officers consider the overall mix, tenure split and residential density to be policy compliant on balance. The proposals would deliver 30% affordable housing across the whole scheme, with 1 and 2 bed rented units provided at POD level affordable rents and 3 and 4 bed family units provided at social target rents. Intermediate tenure housing would be provided as a new shared equity product called 'First Time Buyer', whereby the purchaser buys a percentage of a property and the developer gifts the remaining equity to the Council, on which no additional rent would be payable by the purchaser.
- 2.5. The proposed affordable housing strategy is strongly supported by officers as it would provide new homes at levels that are truly affordable to local residents. In addition, the viability of the scheme has been independently assessed and it has been demonstrated that the scheme maximises the delivery of affordable housing. The proposal therefore maximises the delivery of housing, including affordable housing, which is supported by officers.
- 2.6. The scheme includes the demolition of the existing, monolithic Former News International print works and offices and erection of 8 new buildings (not including the school) ranging between 4 and 25 storeys in height, together with the conversion and extension of the 6 storey plus lower ground floor vacant Times House office building to affordable housing. Officers and the GLA consider that the design approach and architectural vernacular of the buildings in the detailed component is of a high quality.

In terms of scale and height, the proposed buildings, including a 25 storey tower, would be significantly taller than most surrounding buildings. Members will need to be satisfied that the overall regenerative benefits of the scheme, including the delivery of a new secondary school, outweigh any harm in terms of the local townscape.

- 2.7. The proposed development will be visible both in a number of protected London View Management Framework (LVMF) views and in a number of local views. English Heritage note that the proposed tower would be visible in the open rectangle of sky space formed by Tower Bridge's two towers and its horizontal deck and upper walkway in LVMF view 25A.1 from City Hall. The proposed tower as originally submitted was 33 storeys in height and English Heritage considered that this building would cause 'substantial harm' to the setting of Tower Bridge.
- 2.8. The applicant subsequently responded by reducing the height of the tower to 25 storeys and English Heritage confirm that this reduction significantly mitigates the visual harm to the setting of Tower Bridge. However, English Heritage advise that the revised proposal would still result in some harm to the setting of Tower Bridge and Members will need to weigh this harm against the public benefits of the scheme when determining the application. Careful consideration must also be given to the impacts on local heritage assets, including the setting of the Grade I listed Tobacco Dock, whilst lies immediately to the east of the application site.
- 2.9. The proposals include the restoration, refurbishment and alteration of the Grade II listed Pennington Street Warehouse, including the formation of new openings in the blind arches on the north elevation, alterations to the roof structure and the formation of new internal lightwells. Both English Heritage and the Borough Conservation Officer consider that these works have been sensitively designed and would protect the special historic and architectural interest of this listed building.
- 2.10. The proposals also include the provision of a significant amount of new public open space, including three new public squares and new pedestrian routes, and will markedly improve permeability through the site and surrounding area, which is supported in line with the Council's aspirations for the site as set out in the site allocation for London Dock. Policy compliant levels of children's play space will also be provided.
- 2.11. In terms of amenity impacts, the proposed development will result in a material reduction to daylight and sunlight levels received at a large number of surrounding residential properties, most notably those to the north of the site. These impacts have been assessed by officers and the Council's appointed daylight and sunlight consultant and are considered to be, on balance, acceptable in this instance. The daylight levels with the development have also been assessed and it has been found that a large number of habitable rooms on the lower floors of the proposed buildings would fail to meet the minimum daylight criteria for new homes. Members will therefore need to be satisfied that the overall level of amenity afforded to both neighbouring residents and future residential occupants within the site is acceptable, with regard to the wider benefits of the scheme.
- 2.12. The transport modelling for the scheme has shown that the parts of the road network in the vicinity of the site, with specific regard to sections of The Highway, are currently at/over capacity in terms of vehicular traffic. As such, TfL are seeking mitigation in the form of a financial contribution towards expanded storage capacity at the junction of The Highway and Wapping Lane. In addition, TfL are also seeking financial contributions towards local bus service enhancements and cycle hire provision in order to mitigate the impacts of the development on the local transport

network. Officers consider that these contributions are necessary to mitigate the impacts of the development and should be secured if planning permission were to be granted.

- 2.13. The proposed development would provide 900 residential and 90 commercial car parking spaces, which exceeds the Council's adopted maximum car parking levels as set out in the adopted Managing Development Document (2013). The applicant contends that the proposed car parking levels are the minimum required in order for the scheme to be financially viable. Members will therefore need to be satisfied that the overall regenerative benefits of the scheme, including maximised housing delivery with 30% affordable housing, the delivery of a new secondary school and a significant amount of new public open space, outweigh the harm caused by an over-provision of car parking in this instance.

3. RECOMMENDATION

- 3.1. That the Committee resolve to GRANT planning permission subject to:
- 3.2. Any direction by The London Mayor.
- 3.3. The prior completion of a **legal agreement** to secure the following planning obligations:

Affordable Housing

1. 30% affordable housing by habitable room (70:30 split) comprising 125 x family sized (3+ bed) rented units at social target rents, 149 x 1 and 2 bed units at affordable rents (at POD rents) and 212 x intermediate housing units delivered through use of a "First Time Buyer" (FTB) product.

Education

2. Provision of land (at nil consideration) to facilitate the provision of a secondary school (or a payment of **£4,190,016** in lieu of educational provision if the option to take a lease of the school site is not triggered within a specified period)

Employment and Enterprise

3. A contribution of **£665,052** towards Employment, Skills, Training & Enterprise
4. Access to employment (20% Local Procurement; 20% Local Labour in Construction; 20% end phase local jobs)
5. Apprenticeships during construction and end user phase

Idea Stores, Libraries, Community and Leisure Facilities

6. A contribution of **£439,362** towards Idea Stores, Libraries and Archives
7. A contribution of **£100,000** towards Off Site Community Facilities
8. A contribution of **£760,610** towards Leisure Facilities along with a further obligation to provide Leisure Facilities through community access to the Sports Hall within the School (or a further payment of **£877,700** if this does not come forward).

Health Facilities

9. On site provision of a primary health facility (shell and core with 3 year peppercorn) or a contribution of **£1,298,536** in lieu of on-site provision if the option or on site delivery is not taken up.

Sustainable Transport, Public Transport and Highway Infrastructure

10. A contribution of **£52,305** towards Sustainable Transport
11. Provision of a pedestrian crossing across The Highway or pedestrian crossing improvements as part of a future Dock Street junction improvement – with contributions capped at **£200,000**.
12. A contribution of **£541,000** towards Bus Service Enhancements
13. A contribution of **£110,000** towards Provision of Cycle Hire Docking Facilities
14. A contribution of **£210,000** towards Highway & Traffic Impact Mitigation (junction improvements).
15. Car Free Agreement
16. Allowing the public to pass and repass within the site with controlled/timed public access allowed through/within Pennington Street Warehouse
17. Public access to the site to and from the canal towpath

Public Realm and Public Open Space

18. A contribution of **£1,310,786** towards Public Open Space
19. A contribution of **£428,550** towards Streetscene and Built Environment
20. Provision and Retention of Child Play Space

Other Related Heads of Terms

21. Programme of phased restoration of listed warehouse and meanwhile uses
22. TV and radio reception and rectification
23. St Georges and their Contractors to enter into LBTH Code of Construction Practice and Considerate Contractors Scheme
24. A contribution of **2%** of the total financial contributions would be secured towards monitoring (calculated on the basis that all in lieu payments are triggered) **£233,678**.

- 3.4. That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within normal delegated authority.
- 3.5. That the Corporate Director Development & Renewal is delegated authority to impose the following conditions and informatives (or add or remove conditions acting within normal delegated authority) in relation to the planning permission on the following matters:-

3.6. **Conditions**

Compliance Conditions	
1.	Three year time limit
2/3/4.	Time limit for final submission of reserved matters
5.	Compliance with approved plans and documents
6.	Maximum and Minimum Levels Floorspace
7.	Maximum level of car-parking provision on-site
8	Minimum Levels of Cycle Parking
9.	Maximum crane height of 150m AOD
10.	Hours of Building Works (8.00am to 6.00pm Monday to Friday. 8.00am to 1.00pm Saturdays. No working on Sundays or Bank Holidays)
11.	All Homes to be Completed to Lifetime Homes Standards
12.	10% All Homes Wheelchair Accessible
13.	All Lifts to be Provided Prior to Occupation
14.	No Provision of A5 Uses within Blocks B or D. Maximum A5

	Floorspace of 150sqm
15.	Schedule 2 Part 2 PD Rights Removed (No fences or Gates).
Submission of Details Prior to Commencement / Prior to Commencement Relevant Part of the Development	
16.	Phasing Plan (including Affordable Housing Delivery Strategy and Phasing of Listed Building Works)
17.	Construction Management Plan
18.	Demolition Management Plan
19.	Contaminated Land Surveys and Remediation Strategy
20.	Submission Piling Method Statement (To Satisfy Environment Agency and Thames Water)
21.	Scheme of Archaeological Investigation
22.	Ecological Survey and Mitigation
23.	Survey for Black Redstart Prior to Demolition
24.	Air Quality Mitigation
25.	Daylight / Sunlight Impact Mitigation
26.	Microclimate Assessment and Mitigation
27.	Surface Water Drainage
28.	External Materials inc Sample Panels etc
29.	Landscape Management Plan
30.	Details of Bio-diverse Roofs
31.	Details of Code for Sustainable Homes / BEEAM Assessments
32.	Details of Energy Strategy
33.	Details of Secure by Design Measures
34.	Water Supply Infrastructure Study
35.	Construction Programme and Methodology in relation to safeguarding operations at London City Airport.
36.	Details of sound insulation between commercial and residential areas
37.	Control of Plant Noise Levels
38.	Car-Parking Management Strategy in relation to Affordable Housing
Submission of Details Prior to Occupation	
39.	Waste Management Plan
40.	Contamination Remediation
41.	Archaeology Watching Brief
42.	Details of Cycle Parking and Car-Parking for Each Building
43.	Details of Wheelchair Housing for Each Building
44.	Details of Shopfronts
45.	Details Hours of Opening Each Commercial Unit
46.	Details of External Lighting Design
47.	Details Extraction and Ventilation Equipment for Commercial Uses
48.	School Delivery and Service Management Plan
49.	School Travel Plan
50.	School Access Plan (To specify permitted pedestrian access points for school and detail measures to discourage obstruction of footway along the Highway)

51.	Other Uses Travel Plan
52.	Delivery and Service Management Plan

3.7. Informatives

1.	Subject to S106 agreement
2.	Subject to S278 agreement
3.	CIL liability

3.8. That the Committee resolve to GRANT listed building consent subject to:

3.9. Any direction by The London Mayor.

3.10. That the Corporate Director Development & Renewal is delegated authority to impose the following conditions and informatives (or add or remove conditions acting within normal delegated authority) in relation to the planning permission on the following matters:-

3.11. Conditions

Compliance	
1.	Three year time limit
2.	Materials / Works of Making Good to Match Existing
3.	Security and Protection of Features
Prior to Commencement Relevant Part	
4.	Samples of new materials and replacement features
5.	Method Statement for Demolition Works to Ensure Structural Stability
6.	Details of Mezzanine Floors
7.	Signage Strategy
8.	Partitioning Strategy
9.	Detailed Design of Lanterns, Voids, Partition Screens, External Access, Internal Access, windows, staircases, rainwater goods
10.	Details retention an re-sue of historic features (to include the roof trusses)
11.	Details of brickwork cleaning and any repointing

3.12 Informatives.

None

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1. The application is a hybrid planning application, with part of the scheme submitted in detail and part submitted in outline, for the redevelopment of the former News International site, including the vacant Times House office building which is located immediately to the north of the main site. The proposals include the demolition of the former News International print works and office building and the erection of 8 new

buildings ranging between 4 and 25 storeys in height, which would provide up to 1,800 residential units (Use Class C3), including 30% affordable housing by habitable room, together with up to 20,816sqm of flexible non-residential floorspace, to include:

- A1 retail
- A2 financial and professional services
- A3 restaurant and café
- A4 drinking establishment
- A5 hot food takeaway
- B1 offices and flexible workspace
- D1 community facilities
- D2 assembly and leisure

- 4.2. The scheme also includes a new secondary school within the outline component, to be located at the northern end of the site at the junction of The Highway and Virginia Street, which is to provide six forms of entry plus a sixth form for up to 1,200 pupils.
- 4.3. It is also proposed to restore, refurbish and alter the Grade II listed Pennington Street Warehouse to provide 11,808sqm GEA of flexible non-residential floorspace. Openings will also be formed in the warehouse to provide new access to the building and wider development site. The 6 storey former Times House office building is also to be converted to residential use, which is proposed to deliver 70 affordable rented and social target rented units early in the construction programme. A site-wide Combined Heat and Power (CHP) Energy Centre is proposed to be located on the lower ground floor of Times House, with the development as a whole achieving a 50% reduction in CO2 emissions against Building Regulations 2010 baseline.
- 4.4. The proposals include the provision of 2.2ha of public open space across the site, including three new public squares, a new east/west 'Quayside' and 'Promenade' walkways that would extend the length of the site and three soft landscaped 'Market Gardens' located between the main 'U' shaped blocks. The scheme would also provide new access from Vaughan Way, The Highway and Pennington Street (via three new public access routes through the Pennington Street Warehouse), together with a new access point at the south-east corner of the site adjacent the Wapping Wood Canal and Tobacco Dock.
- 4.5. The development scheme includes a full-site basement to accommodate on-site car parking, cycle parking, refuse and recyclables storage, servicing, plant and ancillary residential floorspace. A total of 900 residential and 90 commercial car parking spaces, including 10% disabled parking, would be provided on-site. In addition, 2,129 residential, 89 business and 120 retail cycle parking spaces would be provided.

Application Structure

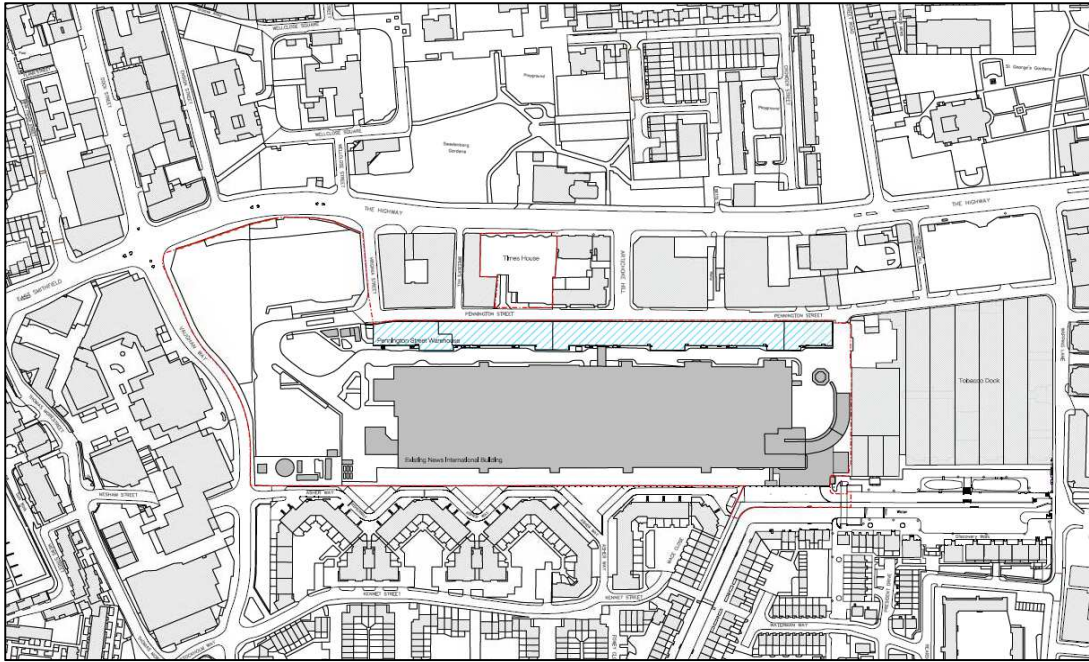
- 4.6. The application is a hybrid application for planning permission, with part of the scheme included in detail, for which full planning permission is sought with the remaining elements submitted in outline, for which outline planning permission is sought.
- 4.7. The detailed elements of the scheme are predominantly located towards the western end of the site and includes Blocks A, B and C, Times House and the Pennington Street Warehouse, together with public open space in the form of the Arrival Square, the Gauging Square, the western-most Market Garden and the western-most extent of the Quayside and Promenade pedestrian routes.

- 4.8. The outline elements of the scheme include Plots D, E, F, G, H and J, together with two further Market Gardens located between the 'U' shaped blocks, the Market Square and the central and eastern-most extents of the Quayside and Promenade pedestrian routes.
- 4.9. The applicant has submitted parameter plans and other information to prescribe key aspects of the outline element of development. These include the quantum of floorspace and heights, widths and lengths of buildings to create 'building envelopes', limits of deviation for building entrances and vehicular access and design guidelines that prescribe the design approach for the outline elements of the scheme.
- 4.10. If planning permission were to be granted, full details of the outline elements would be submitted for approval as Reserved Matters.

Site and Surroundings

- 4.11. The application site is the former News International print works and office complex, including the Times House office block. This site is located in the western part of the Borough in the St Katharine's and Wapping Ward. The main site covers an area of 5.85 hectares and is bounded by the public highway at Pennington Street and The Highway to the north, by the Grade I listed Tobacco Dock buildings to the east, by the Quay 430 gated residential development and canal to the south and by the public highway at Vaughan Way to the west. The main site includes the Grade II listed Pennington Street Warehouse, which is a two storey brick built former warehouse with vaulted basement that is over 300 metres in length and bounds the northern edge of the main site.
- 4.12. The Times House building lies immediately to the north of the main site and covers an area of 0.25 hectares and is bounded by the public highway at The Highway to the north, by the four storey block of flats at Pennington Court and the five to eight storey block of flats at 2 Artichoke Hill to the east, by the public highway at Pennington Street to the south and by the by the adjoining six storey converted Victorian warehouse known as Breezers Court to the west.

Figure 1: Site Location Plan



- 4.13. The surrounding area is home to a mix of uses, with the Thomas More Square development to the west of the site, comprising large floorplate office buildings and a range of commercial uses, including local shops, cafés, bars, a supermarket and a health club. The areas to the south and east of the site are predominantly residential in character, including apartment blocks and terraces dating from the late Twentieth Century, together with buildings dating from the Victorian period, which include a number of converted warehouses that inform the character of Wapping.
- 4.14. The former print works building on the site is a large, monolithic structure that rises to up to 33-40m AOD in height (roughly equivalent to 11-13 residential storeys). The scale of the surrounding built form is predominantly low rise with a limited number of exceptions, including the Quay 430 residential development to the south of the site, which includes blocks ranging from 3 to 10 storeys in height, whilst the main office building within Thomas More Square rises to approximately 16 storeys in height.

Site Designations

- 4.15. The application site is included within the “Site Allocations” section of the Council’s adopted Managing Development Document (2013), which allocates the site, known as ‘London Dock’, for “a comprehensive mixed-use development required to provide a strategic housing development, a secondary school, publicly accessible open space and other compatible uses including employment floorspace”. The allocation also provides ‘key design principles’ and “implementation considerations” that should guide the development. These are:-

Design Principals

- Development should be informed by the existing character, scale, height, massing and urban grain of the surrounding built environment;
- Development should protect and enhance heritage assets on the site including the Grade 1 listed Tobacco Dock
- The Green Grid should be integrated within the site along Vaughan Way, The Highway and adjacent to the site.

- Walking and cycling connections should be improved to, from and created within the site and should align with the existing urban grain to support permeability and access to Thomas More Neighbourhood Centre, St Katharines Dock and Tobacco Dock
- Public realm should be improved at active edges, specifically along the Highway and Vaughan Way.

Implementation Considerations

- A new secondary school takes first priority overall other non-transport infrastructure requirements, including affordable housing, to ensure that it is economically viable and that the school is provided in a sustainable location;
 - To enable safe access to the secondary school, development would need to provide improved pedestrian and cycle routes;
 - Development should accord with flood mitigation and adaptation measures and must examine the potential for a district heating facility.
- 4.16. The site lies within the City Fringe Opportunity Area as designated in the London Plan (2013). The site also lies within the City Fringe Activity Area, as designated in the Council's adopted Managing Development Document (2013).
- 4.17. Whilst the site itself is not located within a designated conservation area, there are five conservation areas within the wider surrounding area. Specifically, the site lies to the east of the Tower of London Conservation Area, to the south of the Wilton's Music Hall Conservation Area, to the south-west of the St George in the East Conservation Area, to the west of the Wapping Wall Conservation Area and to the north of the Wapping Pierhead Conservation Area. The site would be visible from other conservation areas further afield.
- 4.18. The site falls to the West of the Tower of London, which is designated as a World Heritage Site.
- 4.19. The north-west corner of the site lies within an Archaeological Priority Area, as designated in the Council's adopted the Managing Development Document (2013).
- 4.20. The site lies within the Tower Hamlets Clear Zone.
- 4.21. Public transport accessibility varies across the site, with the Public Transport Accessibility Level (PTAL) ranging from 1b (poor) along the southern boundary of the site, to 4 (good) at the north-western corner of the site.
- 4.22. The A1203 The Highway and East Smithfield, located immediate to the north and north-west of the site respectively, forms part of the Transport for London Road Network (TLRN) and are also known as 'Red Routes' for which Transport for London is the relevant Highway Authority.
- 4.23. The southern edge and south-east corner of the site lies within Flood Risk Zones 2 and 3.
- 4.24. The English Heritage Listing Entry for the Grade II Listed Pennington Street Warehouse is as follows:

Name: PENNINGTON STREET WAREHOUSES (INCLUDING FORMER CANTEEN AND VAULTS BELOW)

List Entry Number: 1065825

Location

PENNINGTON STREET WAREHOUSES (INCLUDING FORMER CANTEEN AND VAULTS BELOW), THOMAS MORE STREET E1

County: Greater London Authority

District: Tower Hamlets

District Type: London Borough

National Park: N/A

Grade: II

Date first listed: 27-Sep-1973

Details:

TQ 3480 THOMAS MORE STREET E1

LONDON DOCKS

22/769 Pennington Street Warehouses

(including former canteen and vaults below)

GV II

Circa 1804. Ground floor only complete. Stock brick. Wooden queen post roof with unusual construction at ends. Springings and keyed arches for intended vault (not built) to connect at 1st floor with above warehouses Nos 2 to 5. At the western end, block of 4 storeys, 2 bays. Windows with segmental heads and glazing bars, top floors have blanks. Parapet and stone string course at 1st floor. Double recessed centre door.

Listing NGR: TQ3451380631

- 4.25. The English Heritage Listing Entry for the Grade I Listed Tobacco Dock is as follows:

Name: A WAREHOUSE (SKIN FLOOR) INCLUDING VAULTS EXTENDING UNDER WAPPING LANE

List Entry Number: 1065827

Location

A WAREHOUSE (SKIN FLOOR) INCLUDING VAULTS EXTENDING UNDER WAPPING LANE, PENNINGTON STREET E1

County: Greater London Authority

District: Tower Hamlets

District Type: London Borough

National Park: N/A

Grade: I

Date first listed: 29-Dec-1950

Date of most recent amendment: 01-Jul-1983

Details:

THOMAS MOORE STREET E1

1.

4431

London Docks

29.12.50

TQ 3480 22/771 GV Warehouse 'A' (Skin Floor including vaults

The address shall be amended to read:-

PENNINGTON STREET E1

London Docks 'A' Warehouse (Skin Floor) including vaults extending under Wapping Lane

Upgrade to I and amend description to read as follows:-

The Skin Floor, part of the former New Tobacco Warehouse is a unique, remarkable single storey building of exceptional size, built between 1811 and 1813, architect Daniel Alexander, surveyor to the London Dock Company. It is about 250 ft x 350 ft long, the space within the lofty stock brick walls (effectively the dockyard wall) has no intermediate walls at all and the roof is supported, at the widest possible span, an cast iron cross section columns with branch like V-shaped raking struts, quite the most notable feature of the design and a fascinating evolutionary stage in the earliest use of cast iron construction in London warehouses. Rakes queen post trusses, combined with king post bracing in 2 tiers with top clerestory, have a clear span of 54 ft and the supporting columns are at 18 ft centres, the V-shaped raking struts bearing the intermediate trusses. The module of 18 ft is that of the fine brickwork vaults beneath the building. The Skin Floor is one of the earliest surviving examples in southern England of the use of cast iron in building. See report by Malcolm Tucker, GLIAS. Industrial archaeological interest.

THOMAS MORE STREET E1

1.

4431 LONDON DOCKS

Warehouse A

(Skin Floor) including vaults

TQ 3480 22/771 29.12.50

II GV

2.

Circa 1804. Attributed to Rennie. 1 storey. Trussed roof of 4 wide spans with sloping queen posts and continuous lantern supported on cast iron posts and framework of interesting design. Externally of stock brick, now with corrugated iron cladding above. No windows in facade.

The listed buildings and walls etc of The London Docks form a group.

Listing NGR: TQ3470080589

Relevant Planning History

- 4.26. WP/94/00017: On 22 December 1994 planning permission was granted for the erection of three 6 storey office buildings and one 15 storey building, with associated parking, landscaping, vehicle and pedestrian access.
- 4.27. PA/94/01063: On 22 November 1994 planning permission was granted for redevelopment by the erection of three 6 storey buildings each with roof level plant rooms, one with access point to pedestrian bridge linking to News International premises and one 15 storey building comprising office (B1), shop (A1), cafe and wine bar (A3) uses, with roof level plant rooms, all with associated underground car park serving News International publishing works; formation of new vehicular and pedestrian accesses and relocation of security building in conjunction with realignment of Virginia Street; alteration to Vaughan Way to form taxi "drop off"; and landscaping of site.
- 4.28. WP/96/00175/L: On 13 December 1996, planning permission was granted for the erection of pedestrian bridge between 3rd floor of 2 Pennington Street and 3rd floor north side of News International printing plant.

- 4.29. PA/02/01555: On October 2002 an application for planning permission was submitted for the erection of two buildings up to 10 and 27 storeys to create 115,388 sqm gross floor space for use within B1 (office), A1 (shop), A3 (cafe and restaurant) and D2 (leisure), together with new access & servicing arrangements, car parking for 650 cars, lorry marshalling area & landscaping works.
- 4.30. At a meeting of the Strategic Development Committee on 18 January 2007 Members resolved to approve the application. The associated S106 for the scheme was never completed and the applicant for the scheme was no longer pursuing the project. The scheme was therefore 'finally disposed of' on 16th December 2008.
- 4.31. PA/09/00056: On 16 March 2009 the Council issued a screening opinion confirming that Environmental Impact Assessment would not be required in respect of an application for alterations to exterior of building, creation of modified vehicular routes, new pedestrian linkages and associated landscaping scheme; partial change of use to retail, museum and restaurant/café uses; addition of upper floors to two storey elements; alterations and partial demolition of Rum Warehouse.
- 4.32. PA/09/00548: On 7 January 2010 planning permission was granted for the remodelling of the existing print works building and the adjoining Rum Warehouse building as a campus type office facility incorporating the creation of new retail space (A1-A3) and museum (D1); external alterations to the main print works building to include a landscaped roof terrace and works of alteration to the Rum Warehouse. Creation of and revised vehicular and pedestrian access routes into and through the site; landscaping to provide publicly accessible space; car parking, access and servicing provisions.
- 4.33. PA/09/00549: On 7 January 2010 listed building consent was granted for works of alteration to the Grade II listed building, both internally and externally to include the continued use of the building as offices, plant and amenity areas ancillary to the main print works building; introduction of a new Class A use and Class D1 (museum) use at the eastern end of the building. Landscaping and other works of making good both internally and externally.
- 4.34. PA/12/02017: On 24 August 2012 the Council issued a split decision in relation to an application for advertisement consent for the proposed display of two static illuminated advertisement hoarding boards, with Sign 1 measuring 12.5m x 3.35m (width x height) fronting The Highway, and Sign 2 measuring 6.4m x 3.5m at the junction of The Highway and Vaughan Way. Advertisement Consent was granted for Sign 1 but was refused for Sign 2 on grounds of highway safety, following an objection from Transport for London, who is the relevant highway authority for The Highway, which forms part of the Transport for London Road Network (TLRN).
- 4.35. PA/12/03163: On 6 July 2013 the Council issued a Scoping Opinion as to the information to be contained within an Environmental Impact Assessment in support of an application for a residential led mixed use scheme (which formed the basis of the current submissions).
- 4.36. PA/13/00651: On 9 May 2013 advertisement consent was granted for the erection of one back lit advertisement hoarding board, which is currently pending determination.

5. POLICY FRAMEWORK

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

5.2. Government Planning Policy Guidance/Statements

National Planning Policy Framework (March 2012) (NPPF)

Technical Guidance to the National Planning Policy Framework (March 2012) (TG)

5.3. Spatial Development Strategy for Greater London - Revised Early Minor Alterations to the London Plan October 2013 (LP)

2.10 Central Activities Zone (Strategic Priorities)

2.11 Central Activities Zone (Strategic Functions)

2.13 Opportunity Areas and Intensification Areas

3.1 Ensuring Equal Life Chances for All

3.2 Improving Health and Addressing Health Inequalities

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.6 Children and Young People’s Play and Informal Recreation Facilities

3.7 Large Residential Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

3.10 Definition of Affordable Housing

3.11 Affordable Housing Targets

3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

3.13 Affordable Housing Thresholds

3.16 Protection and Enhancement of Social Infrastructure

3.17 Health and Social Care Facilities

3.18 Education Facilities

4.1 Developing London’s Economy

4.2 Offices

4.3 Mixed Use Development and Offices

4.4 Managing Industrial Land and Premises

4.6 Support for an Enhancement of Arts, Culture, Sport and Entertainment Provision

4.7 Retail and Town Centre Development

4.8 Supporting a Successful and Diverse Retail Sector

4.9 Small Shops

4.12 Improving Opportunities for All

5.1 Climate Change Mitigation

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.4 Retrofitting

5.5 Decentralised Energy Networks

5.6 Decentralised Energy in Development Proposals

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
- 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
- 6.5 Funding Crossrail and Other Strategically Important Transport Infrastructure
- 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
- 6.14 Freight
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.8 Heritage Assets and Archaeology
- 7.9 Heritage-led Regeneration
- 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
- 7.18 Protecting Local Open Space and Addressing Local Deficiency
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands
- 7.30 London's Canals and Other Rivers and Waterspaces
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

5.4. **Tower Hamlets Core Strategy (adopted September 2010) (CS)**

- SO1 Delivering Tower Hamlets' Regional Role
- SO3 Achieving Wider Sustainability
- SO5 Refocusing on our Town Centres
- SO6 Refocusing on our Town Centres
- SO7 Urban Living for Everyone
- SO8 Urban Living for Everyone
- SO9 Urban Living for Everyone
- SO10 Creating Healthy and Liveable Neighbourhoods
- SO11 Creating Healthy and Liveable Neighbourhoods
- SO12 Creating a Green and Blue Grid
- SO13 Creating a Green and Blue Grid
- SO14 Dealing with Waste
- SO15 Delivering Successful Employment Hubs
- SO16 Delivering Successful Employment Hubs

SO17 Improving Education and Skills
SO19 Making Connected Places
SO20 Creating Attractive and Safe Streets and Spaces
SO21 Creating Attractive and Safe Streets and Spaces
SO22 Creating Distinct and Durable Places
SO23 Creating Distinct and Durable Places
SO24 Working Towards a Zero-carbon Borough
SO25 Delivering Placemaking
SP01 Refocusing on our Town Centres
SP02 Urban Living for Everyone
SP03 Creating Healthy and Liveable Neighbourhoods
SP04 Creating a Green and Blue Grid
SP05 Dealing with Waste
SP06 Delivering Successful Employment Hubs
SP07 Improving Education and Skills
SP08 Making Connected Places
SP09 Creating Attractive and Safe Streets and Spaces
SP10 Creating Distinct and Durable Places
SP11 Working Towards a Zero-carbon Borough
SP12 Delivering Placemaking
SP13 Planning Obligations
LAP 3&4 Wapping

5.5. **Managing Development Document (adopted April 2013) (MDD)**

DM1 Development within the Town Centre Hierarchy
DM2 Protecting Local Shops
DM3 Delivering Homes
DM4 Housing Standards and Amenity Space
DM8 Community Infrastructure
DM9 Improving Air Quality
DM10 Delivering Open Space
DM11 Living Buildings and Biodiversity
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 Public Realm
DM24 Place-sensitive Design
DM25 Amenity
DM26 Building Heights
DM27 Heritage and the Historic Environment
DM28 World Heritage Sites
DM29 Achieving a Zero-carbon Borough and Addressing Climate Change
DM30 Contaminated Land
Site Allocation 4 - London Dock

5.6. **Other Relevant Documents**

London Borough of Tower Hamlets

Planning Obligations Supplementary Planning Document (2012)
Designing Out Crime Supplementary Planning Guidance (2002)
Air Quality Action Plan (2003)

Clear Zone Plan 2010-2025 (2010)
Tower Hamlets Tenancy Strategy (2013)
Tower Hamlets Community Plan (2011)
Draft Affordable Housing Supplementary Planning Document (Engagement Version May 2013)
Tower Hamlets Employment Strategy, Draft (2011)
Tower Hamlets Enterprise Strategy, Draft (2011)

Mayor of London

Housing Supplementary Planning Guidance (2012)
London View Management Framework Supplementary Planning Guidance (2012)
London's World Heritage Sites – Guidance on Settings Supplementary Planning Guidance (2012)
Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (2012)
District Heating Manual for London (2013)
Use of Planning Obligations in the Funding of Crossrail Supplementary Planning Guidance (2010)
Sustainable Design and Construction Supplementary Planning Guidance (2006)
Draft Sustainable Design and Construction Supplementary Planning Guidance (2013)

English Heritage

Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment (2008)
The Setting of Heritage Assets (2011)
Draft Statement of Outstanding Universal Value, Tower of London (2012)

Other

London Borough of Tower Hamlets Strategic Housing Market & Needs Assessment, DCA (2009)
Building Bulletin 98: Briefing Framework for Secondary School Projects, Department for Education and Skills (2004)

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:

Internal Consultees

LBTH Parks & Open Spaces

- 6.3. No comments have been received.

LBTH Biodiversity Officer

- 6.4. The application site contains no habitats of significant biodiversity value. A combination of the bat roost potential survey and the bat activity surveys indicates that no bats are roosting on the site. Black redstarts might nest on the site, but the proposed living roofs and nest boxes will ensure that habitat for black redstarts is improved by the development.

- 6.5. If the measures set out in paragraphs 13.94 to 13.98 of the Environmental Statement are implemented, there will be an overall enhancement of biodiversity, which should be secured by condition. In addition, a condition should be included to require demolition of existing buildings to take place outside the black redstart nesting season (March to August inclusive) if possible. If demolition takes place during the nesting season, black redstart surveys, using the methodology recommended on the blackredstarts.org website, should be undertaken immediately before demolition to ensure no black redstarts are nesting on the site.
- 6.6. *Officer Comments: If planning permission were to be granted it is recommended that the above conditions should be included.*

LBTH Crime Prevention Officer

- 6.7. This is a very large and iconic development. All buildings should be designed so that they prevent any anonymity. They should face towards each other and towards the main through areas. There should be monitored CCTV. No hidden areas or large recesses. Suitable and secure lighting. Access control where SBD would require it. All areas should be well defined and not be ambiguous. Ensure that all footpaths and vehicle access is minimised so that there are a small number of well used and wide routes. These routes should be interconnecting so that they are then well used. I would respectfully request that this proposal is required to achieve full SBD certification as a condition of build. This is due to its size, history and to reduce impact to local residents and businesses
- 6.8. *Officer Comments: If planning permission were to be granted it is recommended that a condition should be included to require the development to achieve full Secured by Design (SBD) certification.*

LBTH Waste Management

- 6.9. There are no objections to the proposals. The waste storage arrangements and access seem adequate on plans.
- 6.10. *Officer Comments: Noted.*

LBTH Communities, Localities & Culture

- 6.11. Communities, Localities and Culture note 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.
- 6.12. The comments and requests for S.106 financial contributions set out below are supported by the Planning Obligations Supplementary Planning Document (SPD). Appendix 1 of the Planning Obligations SPD outlines the Occupancy Rates and Employment Yields for new development.
- A total contribution of **£439,362** is required towards Idea Stores, Libraries and Archives.
 - A total contribution of **£1,638,310** is required towards Leisure Facilities.
 - A total contribution of **£1,310,786** is required towards Public Open Space.
 - A total contribution of **£52,305** is required towards Smarter Travel.

- A total contribution of **£412,050** is required towards public realm improvements.

6.13. *Officer Comments. Noted. These contributions would be secured through the S106, which is discussed further in the 'Material Planning Considerations' Section of this report.*

LBTH Head of Market Services

6.14. No comments have been received.

LBTH Education Social Care & Wellbeing Directorate

6.15. The ESCW Directorate has engaged with the developer on its proposals as they relate to the school development arising from the confirmed site allocation. The site allocation aims to secure a 6FE secondary school with 6th form (approx 1,200 students in total). This will be an important scheme to meet the needs of the rising local population for school places and support the local community.

6.16. The compact site area (0.5ha) identified for the school is smaller than the Council had sought as a site allocation (1.5ha) and is considerably under the BB98 standard for restricted sites. The restricted site is based on a precedent design elsewhere in London.

6.17. Following the initial application, the applicant's proposals have been reviewed. An alternative accommodation layout was considered to ensure that the confined site could provide internal accommodation to meet BB98 standards in accordance with DM18. The proposed design for the school will provide external recreation space at roof level and other levels in order to maximise the available space for the students.

6.18. The LBTH review has shown that the internal accommodation can be provided to meet BB98 standards, but the site is able to meet only 40% of the external area requirement for a school of this size. The proposal includes using all available external levels for recreation and PE space, including roof level.

6.19. The engagement with the applicant at the outline stage has preserved options for detailed design stage on the ramped access to ensure that the LA will be able to achieve the best use of the available space for the school in detailed design. This is included in the revised scheme details submitted.

6.20. Both the safety of students arriving and leaving the school and the impact of the number of students in this location on the surrounding streets will be taken into account in designing the access to and from the school and is included in the Design Guidance. It is anticipated that the school will serve its local community but some students may travel greater distances. The school will provide cycle parking on site and the road safety improvements, including the proposed pedestrian crossing to the The Highway will ensure safe routes for students with separation from the vehicle access. When the school opens, the roll will build up over time so the impact of 1,200 students will not be immediate.

6.21. It is proposed that the Council will have the option to take a long lease of the site for the school within a period of 10 years of a grant of planning permission. The Council will be responsible for obtaining the detailed planning approval for the school and for procuring the construction of the school building. This will be included in the S.106 Agreement.

- 6.22. The school proposed for this site will be an innovative design for Tower Hamlets in view of the confined site area. This is regarded as acceptable with the provision that can be made for recreation space on the site and access to other facilities for PE off-site.
- 6.23. Officer Comments: *Noted. The assessment of the outline school proposals is provided in the 'Material Planning Considerations' section of this report.*

LBTH Environmental Health (Health & Safety)

Construction Phase:

- 6.24. The development should comply with the Construction (Design and Management) Regulations 2007, specifically in order to secure the incorporation of safety matters in the development from the start, including the production of a "Health and Safety File" for the client and future users(s). The Health & Safety File constitutes a record of the health and safety information for the projects client or end user and the responsibility for its preparation and up keep rests with the Planning Supervisor; ideally the process should be an on-going one not left until the construction is completed.

Once built:

- 6.25. Whilst the responsibility for the enforcement of the CDM Regulations rests with the Health & Safety Executive throughout the construction phase, The London Borough of Tower Hamlets will become the health & safety enforcing authority upon handover. There is therefore a need to be aware of the requirements of CDM and especially how the design will affect the end-user(s) of the development to fulfil their duties under the above Act and specifically legislation such as the Workplace Health Safety and Welfare Regulations 1992
- 6.26. Officer Comments: *Noted.*

LBTH Environmental Health (Air Quality)

Comments on May 2013 scheme and ES as originally submitted:

- 6.27. The following is required:
- The car parking emissions to be modelled
 - The playground in the school itself to be modelled as a receptor point
 - The levels in the opening year of the first phase in 2015

Comments on November 2013 revised scheme and updated ES:

- 6.28. All air quality issues have now been resolved.
- 6.29. Officer Comments: *Noted. The Air Quality Assessment is discussed in detail in the 'Material Planning Considerations' section of this report.*

LBTH Environmental Health (Contaminated Land)

- 6.30. EH records highlight that the site and surrounding area have been subjected to former industrial uses, which have the potential to contaminate the area. I understand ground works and soft landscaping are proposed and therefore a potential pathway for contaminants may exist and will need further characterisation to determine

associated risks. Any planning permission should therefore be subject to a condition to require the submission for approval of scheme to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

- 6.31. *Officer Comments: If planning permission were to be granted it is recommended that the above land contamination condition should be included.*

LBTH Environmental Health (Micro-climate)

- 6.32. No comments have been received.
- 6.33. *Officer Comments: The Council has appointed independent consultants Land Use Consultants and Cascade Consulting to assess the Wind Microclimate impacts arising from the development as set out in the Environmental Statement Volume I (May 2013) and Environmental Statement Volume I Revised Addendum (November 2013). The results of this assessment are discussed in the 'Material Planning Considerations' section of this report.*

LBTH Environmental Health (Noise & Vibration)

- 6.34. Whilst Environmental Health believes that parts of the development will fall within a SOAEL (Significant Observable Adverse Effect Level) as defined by the NPPL (Noise Planning Policy for England), the applicant has demonstrated with several clarifications on the noise matters that these issues will be mitigated to the satisfaction of the environmental health department and meet the requirements of BS8233 "good" design standard, as such our department no longer has a reason to object to the application presented.
- 6.35. The developments duration is longer than most within the Borough, mainly due to its size and because of this some residential and commercial properties will be adversely affected by noise, vibration and dust over a longer than normal period during demolition and construction phases. The developer has reassured EH that the Council's policies on construction and development will be followed and the contractor will enter into a S.61 Agreement under the Control of Pollution Act 1974 with the local authority to control any adverse effects.
- 6.36. Some noise and vibration issues, including also some planning considerations have been raised by the Smokehouse recording studios that they are likely to be adversely affected and will be potentially unable to operate with a major development, with significant lorry movements taking place over a considerable period of time.
- 6.37. EH has met with the owners in consultation with our town planning officers and the developer to try and address some of these issues, and to determine what methods of mitigation could reasonably be provided by the developer to alleviate any noise, vibration or dust issues that may occur.
- 6.38. The Council's own code of construction practice, details the measures that are reasonable for a developer to achieve and it follows Government Guidance issued through British Standard 5228-1:2009, as the required standard of good practice. Undoubtedly, other measures may have to be adopted which go beyond the required standards detailed in our own policies and code of practice, including controlled delivery times, stacking of lorries outside of The Highway, Pennington Street and Virginia Street with radio control, quiet periods and localised screening.

- 6.39. Any other control measures would have to be agreed with the developer, but we are of the considered opinion that whilst the Smokehouse Studios will sometimes be adversely affected, as will other sensitive receptors, these issues in our experience are normally resolvable with good communication and planning with all parties concerned.
- 6.40. *Officer Comments: The Environmental Health Officer Comments are noted. Officers recommend that a condition is imposed requiring the submission of a detailed Code of Construction Management. This would ensure that the LPA can require the provision of appropriate mitigation. These issues are considered in more detail in the 'Material Planning Considerations' section of this report.*

LBTH Environmental Health (Smell/Pollution)

- 6.41. No comments have been received.

LBTH Environmental Health (Health & Housing)

- 6.42. Premises must comply with relevant statutory requirements including the Housing Act 2004 and comply with relevant Building Regulations.
- 6.43. *Officer Comments: Noted.*

LBTH Emergency Planning Officer

- 6.44. No comments have been received.

LBTH Parking Services

- 6.45. No comments have been received.

LBTH Landscape Section

- 6.46. No comments have been received.

LBTH Parks & Open Spaces

- 6.47. No comments have been received.

LBTH Street Environment Section

- 6.48. No comments have been received.

LBTH Transportation & Highways

Modelling

- 6.49. TfL has led on the validation of the modelling of the impacts on the highway network, which fall largely on a TfL- maintained road and its signalised junctions. WSP supplied traffic generation figures although sufficient saturation (queuing) data was not collected. These problems were found after the model was submitted for scrutiny. TfL subsequently assisted the applicant help to make the model work. TfL now consider that the modelling is complete and the flows correct. However, LBTH Highways do not fully accept the applicant's assertion when they state in the TA Addendum that both [of their] traffic modelling exercises have concluded there is no

material adverse impact due to the development (para 2.3.1) based on the Vissim modelling assessment. It should be noted that while Vissim models shows that there will be a small increase in journey time on the section of The Highway overall; Transyt modelling assessment at junctions in the vicinity of the site has indicated that those junctions are already operating at/over its capacity.

- 6.50. With additional trips from the development the traffic situation is likely to get worse. Importantly, while the overall journey time reliability is not forecast to significantly deteriorate, the fact that TfL's explanation of modelling results indicates a high level of localised congestion in the vicinity merely reinforces the need to restrain car based trips for this development. The site is adjacent to a highly congested network (with road safety implications for vulnerable road users) and reducing the parking ratio will bring it in line with the Council's broader environmental and road safety aims. Some highway improvements in the vicinity are necessary and may help (as discussed in the 'Modelling' section) but they will not necessarily neutralise the situation completely unless parking provision levels reduce.

Servicing

- 6.51. The proposed basement servicing arrangement for the main site and on-street servicing for Times House is considered acceptable, subject to the inclusion of a condition to secure a detailed Delivery & Servicing Plan (incorporating a Waste Management Plan). The applicants have already indicated that there will be an internal management team who will manage the waste at this site on a daily basis, which is necessary and welcomed.

Pedestrian Access/Safety & Site Permeability

- 6.52. For the school, Highways support the Council's School Travel Plan Advisor's and TfL's views that no main accesses (particularly those for exit) should front or be close to The Highway. They also advise that the main pedestrian access to the school should not be located next to the ramp, which will be used by many vehicles each day. The current proposals are perhaps ambiguous and could lead to footway obstruction and increase of risk of pupils crossing the road beyond the proposed signal controlled pedestrian crossing on The Highway. A suitably worded planning condition could control this.
- 6.53. A Stage 1 Safety Audit has been undertaken on the provision of an at-grade Pelican Crossing Facility for pedestrians across The Highway, between Virginia Street and the Dock Street/Vaughan Way traffic signal junction. This was requested by LBTH to help address the added need for a safe crossing provided by the additional footfall generated by the development (and especially its new school which will take pupils from north and south of The Highway). LBTH Highways support the design and funding of a staggered crossing.
- 6.54. A Stage 1 Safety Audit has also been undertaken on the proposals for a ramp access. Best practice is to provide a 'reservoir of space for a vehicle to wait off the highway. Concern arises that a potential structural element in the dual ramp option could impact upon the inter-visibility as vehicles approach Virginia Street, whereby there could be a potential increased risk of vehicular conflicts occurring, particularly if one vehicle intends to turn right towards Pennington Street and the other intends to turn left in Virginia Street. The following recommendation by the Audit is supported and should be borne in mind when detailed designs are drawn up: because "vehicles approach Virginia Street from either ramp, an appropriate and suitable inter-visibility

area/zone between the two should be provided, to ensure that the potential hazard is removed from the overall scheme proposals”.

Car Parking

- 6.55. Highways do not support a 0.5 ratio of residential parking spaces to units. Although this on average approximates to the maximum standard, the highway network is already congested as per existing situation (with close to/at 100% degree of saturation). Consequently, in an ideal situation, no further traffic generation should be added as the network could become highly unstable and congested even with a small addition to traffic without any mitigation. LBTH Highways suggest that either the applicant agrees to a further reduction which anticipates PTAL improvements and reductions in car ownership/modal share by car (to a maximum ratio 0.39) or the applicant agrees to review and adjustment on levels as the development proceeds.
- 6.56. The proposed large number (90 including 9 disabled spaces) of commercial-use spaces has not been justified. Our Local Plan states that for A1 retail use, there shall be no car parking unless a TA can demonstrate that walking, cycling and home delivery cannot cater for demand. This argument has not been put forward. There is a zero parking standard too for A2 and A3-A5. For offices (B1), the standard is 1 space per 600-1000 sqm outside the CAZ else. Ultimately, reserved matters should require no more than the maximum standard per land use (as only maximum floorspace per use is proposed at this stage) and there should be justification along with reference to TA findings to support this, as typically LBTH's office/commercial/employment developments and I would be concerned that the proposed level could encourage car-based commuting.
- 6.57. LBTH Highways note that the applicant now accedes to the provision of eight car club spaces, which is welcomed provided the spaces are on-site.

Cycle Parking

- 6.58. 2,338 secure cycle parking spaces will be provided, which should be conditioned as a minimum. Highways recommend that 50% of on-site spaces should be at level and accessible without mechanical or lifting means. All visitor cycle parking should be of a Sheffield-type design. Cycle parking must have level access and its access should not be primarily a shared arrangement with vehicles. The route to and from cycle storage should be convenient and easy to use (eg door-opening minimised). Adequate shower and locker provision should be secured as a reserved matter, according to London standards.

Highways Improvements and Conditions

- 6.59. A S.278 Agreement will be required to relocate access points and make good damage from construction. A standard-worded detailed informative should be applied to any planning permission. It is recommended that this should be linked to the phasing of the development. A S.106 is being drawn up to fund improvements to the public realm. Conditions are required for a Construction Management Plan, the retention and maintenance of cycle parking for the life of the development, provision of electric vehicle charging points (EVCP's) (20% active and 20% passive for residential, 20% and 10% passive for commercial) and the provision of a Travel Plan (and appointment of a TP co-ordinator should be conditioned). This is in addition to a Delivery & Servicing Plan and Parking Management Plan.

LBTH School Travel Advisor

6.60. No comments have been received.

6.61. *Officer Comments: Whilst no written comments have been received, LBTH Transportation & Highways confirm that they have met with the LBTH School Travel Advisor on three occasions during the course of the application and that their views are represented in the written response from LBTH Transportation & Highways.*

External Consultees

Port of London Authority

6.62. The PLA has no in principle objection to the proposed development. The applicant has explained in their transport assessment that consideration has been given to the potential use of the River Thames as a potential route for construction material and waste and that some consideration may be given by the appointed main contractors towards possible use of the River Thames and associated concrete batching/aggregates wharves. It is recommended that a condition attached to any grant of planning permission, requiring the production and approval of a report which seeks to maximise the use of the River where practicable. The construction of the development should be carried out in accordance with the approved report.

6.63. Steps should be taken by the applicant to encourage more use of this sustainable method of transport. This could be through the provision of timetables to residents and workers or providing tickets for a river trip so that residents and workers might be encouraged to try this alternative form of transport. Whilst frequency and capacity may be low compared to other modes of transport, river transport does have its advantages. Additionally, the focus of the report is on the provision of a new pier at Wapping, although the PLA would encourage travel from the existing Tower Pier.

6.64. *Officer Comments: Noted. It is recommended that a condition be included to secure a Construction Environmental Management Plan, which shall include a feasibility study on the use of River Thames and associated concrete batching/aggregates wharves during the demolition and construction phases.*

Canal and River Trust

6.65. This application falls outside the notified area for its application scale. There is no requirement for you to consult us in our capacity as a Statutory Consultee.

6.66. *Officer Comments: Noted.*

National Air Traffic Services

6.67. The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

6.68. *Officer Comments: Noted.*

Design Council

6.69. No comments have been received.

English Heritage

Application for Planning Permission (Hybrid)

- 6.70. *English Heritage provided the following comments on the scheme as originally submitted in their letter dated 16 August 2013:*
- 6.71. The tallest element of the proposals rises to 34 storeys (122.3m AOD). It will be clearly visible as a large mass of new development to the right of the North Tower of Tower Bridge in LVMF View 25A.1. Thus the currently mostly open rectangle of sky space formed by Tower Bridge's two towers and its horizontal deck and upper walkway will be partially obscured. In our view, the retention of this sky space contributes significantly to the iconic silhouette of the famous bridge and that infilling this space with new development would have a detrimental visual impact on this silhouette, and therefore on the setting of the Grade I listed building. The impact of this intrusion into the setting when viewed at dusk or at night is not demonstrated in the Design and Access Statement or the Environmental Assessment (View 8) as accessible on the Tower Hamlets website but it can be anticipated to be even greater.
- 6.72. The proposed new tall building will rise significantly higher than the existing Thomas More Centre in LVMF Views 11B.1 and 11B.2. In this regard, the proposed tall building will be visible in the backdrop of or adjacent to the Tower of London. Whilst we acknowledge that these are not the most significant views of the Tower, we believe that the proposals will further exacerbate the harm caused by the existing Thomas More Centre building, acknowledged by the applicant's themselves to be "a bulky mass" (paragraph 3.6.5 Design and Access Statement) thereby forming an overly dominant backdrop to the World Heritage Site, reducing its visual prominence and harming its setting.
- 6.73. The Grade II listed Ivory House is a key building illustrating the former industrial history of the St Katharine's Dock and therefore a key element justifying conservation area designation. The position of the building at the junction of the basins and the inclusion of the clock tower are key components of its significance. The fact that there is open sky behind and around the clock tower enables easy appreciation of the architectural composition. The introduction of a significant and highly visible structure, appearing to be in close proximity in the immediate background results in visual competition and a reduction in the ability to appreciate the listed building, thereby causing harm to its significance.
- 6.74. St Paul's School and St Paul's Mission are both Grade II listed and currently close the view north from Fletcher Street. The two buildings can be seen together in this view with the spire of the school peeking above the roofline of the Mission. The introduction of a significant building, rising abruptly behind the Mission and another lower building blocking views of the spire and appearing immediately behind one of the stacks, harms the ability to appreciate the architectural composition of the Mission building and removes the visual link between it and the school in this view. The impact of the new building on the setting of the listed Mission in other views along Wellclose Square and how that impact changes by day and night is not provided so the full extent of potential harm cannot be assessed.
- 6.75. The setting of the grade I listed Tobacco Dock will be affected by both C1 and the proposed relationship with Block J of the master-plan, which is only submitted in outline. The long low parallel ranges and simple palette of materials are key characteristics of the listed building and whilst its setting has been compromised to

some extent by buildings rising above the roof line (View 35) the proposed development will still have a major impact. The ability to appreciate the silhouette of the majority of the roof of the easternmost range against an open sky will be lost with the introduction of development rising above, although again without information on the detailed design in different conditions, merely a wire- line illustration, objectively assessing the extent of impact is difficult.

- 6.76. Since there would be harm to the settings of internationally significant heritage assets and this is simply not justified by apparent public benefits, the proposals fail to accord with the law and national policy set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. The proposals are contrary to the local planning policy established by the London Plan, LVMF and Tower Hamlets Core Strategy and do not reflect English Heritage Guidance. We therefore recommend that the only proper decision that can be taken within the decision-making framework is to refuse this application in its current form. Accordingly we object to the proposals.
- 6.77. *Following the submission of amendments to the scheme on 19 November 2013, which include a reduction in the height of the tower from 33 to 25 storeys, English Heritage provided the following further comments in their letter dated 29 November 2013:*
- 6.78. English Heritage welcomes the amendments and considers them to be a significant improvement compared to the previous proposals. In summary, we welcome the reduction in height of the proposed tall building and believe that this reduction significantly mitigates the visual harm to the setting of Tower Bridge in the key LVMF view from City Hall. We believe the reduction in harm to Tower Bridge's setting means that a request to the Secretary of State to call in the applications (should they be consented) is no longer warranted.
- 6.79. We do, however, continue to believe that even a reduced height tower causes some harm to the setting of Tower Bridge and urge your Council to weigh this harm against the public benefits of the scheme as set out in NPPF paragraph 134.
- 6.80. *Officer Comments: The impacts of the development on LVMF and local views and on the setting of designated heritage assets, weighed against the public benefits of the scheme, is discussed further in the 'Material Planning Considerations' section of this report.*

Application for Listed Building Consent

- 6.81. *English Heritage provided the following comments on the scheme as originally submitted in their letter dated 31 July 2013:*
- 6.82. The proposals at Area 1 are for the removal of the existing post-war roof and gable and replacing them with a contemporary flat roof structure that bridges the gap between the Pennington Street warehouse and the proposed new Building B. At Area 5 a new first floor glazed, flat-roofed pavilion is proposed to replace the existing roof lanterns.
- 6.83. In our view, the contemporary interventions at both ends of the listed building significantly harm the architectural integrity of the warehouse and fail to respond to the simple, functional design of the building, which is at the heart of its significance. They reduce the legibility of the historic building and the ability to appreciate and understand its former use as a dockside warehouse. Whilst we acknowledge that the

areas proposed for change do not retain historic fabric *per se* (following reinstatement post war) we consider the continuation of the simple roof form and gable ends to be important to the overall integrity of the listed building, preserving its recognisable form and significance as a former dockside warehouse. In that context, we believe the current proposals at Areas 1 and 5 causes harm to the significance of the Grade II listed building, and this harm is not necessary for the building to be successfully re-used.

- 6.84. We acknowledge that the wider regeneration scheme will provide a range of public benefits to the area, including, potentially, the heritage benefit of bringing the Grade II listed warehouse into a long term sustainable use. However, we have seen no evidence that these benefits could only be achieved by the currently proposed interventions to the listed building at Areas 1 and 5.
- 6.85. *Following the submission of amendments to the scheme on 19 November 2013, which include the retention of the pitched roof to Area 1 and the reinstatement of the pre-existing hipped roof to Area 5, English Heritage provided the following further comments in their letter dated 29 November 2013:*
- 6.86. I am pleased to confirm that the amended proposals address the concerns we set out in our advice letter dated 8 August, 2013. In that regard, we are content for your authority to decide this application as you see fit.
- 6.87. **Officer Comments:** *Noted. The assessment of the proposed works to the listed building is provided in the 'Material Planning Considerations' section of this report.*

English Heritage Archaeology (Greater London Archaeology Advisory Service)

- 6.88. The ES does not accurately or objectively convey the scale of environmental impact with respect to cultural heritage. The NPPF guidance refers to LPAs requiring the results of field evaluation results to inform on archaeological significance. I confirm that the level of investigation so far undertaken cannot be described as a field evaluation of sufficient scope to "describe the significance of any heritage assets affected" (para 128). The submitted information would need significant enhancement in order to ascertain with confidence whether the actual effects would be significant or not, and what might constitute an appropriate mitigation strategy.
- 6.89. I therefore recommend that the LPA does not determine this application without further information from the developer. Although GLAAS often advises archaeological planning conditions in Tower Hamlets, this is on smaller schemes and with better understanding of the likely remains to be present and their significance.
- 6.90. *Officer Comments: Much work has been undertaken following receipt of this formal comment, along with detailed engagement with the Council's independent environmental impact assessment assessors and their archaeological specialist (who has been in direct communication with the developer's archaeological consultant (MOLA). Following this more detailed work and engagement officers are satisfied that the ES has properly conveyed the scale of environmental impact in respect of the cultural heritage and are of the view that the archaeological resource can be properly dealt with post determination, through the use of robust planning conditions. The archaeological implications of the development are assessed in the 'Material Planning Considerations' section of this report.*

Environment Agency

- 6.91. The submitted flood risk assessment (FRA) London Dock Flood Risk Assessment dated May 2013 ref 47064102, MARP001 and additional information submitted by JSA Consulting Engineers (letters ref 4589/9a/MCH/AD/SD108535 dated 8/10/2013 and PA/13/01276 dated 20/08/2013) satisfactorily outline the surface water management scheme for the site allowing us to remove our objection to the proposal.
- 6.92. We request that the following planning conditions are placed on any planning permission granted. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.
- Land contamination scheme
 - Land contamination verification report
 - Land contamination remediation strategy
 - Restrictions on surface water drainage
 - Penetrative piling and foundation designs to be approved
- 6.93. *Officer Comments: Noted. If planning permission is granted it is recommended that the above conditions should be included. The assessment of flood risk and land contamination is provided in the 'Material Planning Considerations' section of this report.*

Greater London Authority

- 6.94. In summary, the GLA made the following comments in their Stage 1 response:

Mix of Uses:

- 6.95. A high density residential led mixed use development on the London Dock site at the City Fringe location is acceptable in strategic terms, in accordance with London Plan Policy 2.13.

Residential Use

- 6.96. The provision of residential accommodation is supported by London Plan Policy 3.3, which seeks to increase London's housing supply.

Employment Use

- 6.97. Given the site does not fall within a designated Strategic Industrial Land (SIL) and the proposal is a as a genuine mixed use scheme that will generate approximately 1,500 jobs once completed, the loss of B1 employment floorspace does not cause concerns at the strategic level.

Retail Use

- 6.98. The inclusion of retail uses on the London Dock site is acceptable.

Social Infrastructure

- 6.99. The inclusion of 6,441 flexible community/health/cultural uses accords with London Plan Policy 3.16.

Education Provision

- 6.100. The provision for a secondary school is strongly supported strategically. Notwithstanding this, the GLA would like and a commitment from the Council as to the timing and funding of the delivery of the school and when the site will be made available to the Council to deliver educational facilities.

Housing Choice

- 6.101. The mix for the market tenure is broadly acceptable given the site's central location and the justification given by the applicant. The mix for affordable tenure, including a high proportion of affordable family homes, is supported. The absence of intermediate tenure family homes is on balance accepted.

Affordable Housing

- 6.102. The scheme would deliver 15% affordable housing. The applicant will need to submit a viability appraisal to support the affordable housing offer and demonstrate that the maximum reasonable amount of affordable housing is being delivered.

Tenure

- 6.103. The proposed tenure split of 70:30 is not strategically compliant with London Plan Policy 3.11, although it is considered acceptable on balance. In accepting a 70:30 split, before the scheme is referred back to the Mayor at Stage 2, the applicant is requested to apply a policy compliant tenure split to the scheme's viability assessment to indicate whether there would be a difference of affordable quantum.
- 6.104. Sensitivity testing of the scheme's viability should be carried out to demonstrate to what extent the total affordable quantum would be increased if the scheme were to deliver only affordable rented units.

Residential Quality

- 6.105. The current internal layout and design of Times House results in poor residential quality with a high proportion of single aspect north facing units, which should be minimised. Some internal rooms appear small and inefficiently laid-out. The conversion of the building should be capable of delivering a higher residential quality. The number of single aspect north-facing units in Block B needs to be addressed.
- 6.106. For the outline element the applicant should provide further information such as design codes setting out the maximum proportion of single aspect units, floor to ceiling heights, number of units per landing and individual entrance to ground floor units so as to meet the Mayor's design standards.

Density

- 6.107. The proposed residential density of between 913 and 921hr/ha is in line with Table 3.2 and Policy 3.4 of the London Plan, which sets a density range of 300 – 1,100hr/ha in this instance.

Children's Play Space

- 6.108. Whilst the provision of children's play space is supported, further information is needed from the applicant in relation to these spaces, their designation and main function.

Urban Design

- 6.109. The new strategic east-west route linking St Katherines Docks to Shadwell Basin and the refurbishment of the warehouse are strongly supported.
- 6.110. The architectural quality of the scheme will be high and notwithstanding comments regarding residential quality, the general design is strongly supported.
- 6.111. However, the following design aspects need to be addressed:
- The provision of direct entrances to ground floor residential units.
 - Concerns around the boundary treatment of the Water Gardens and blank gables undermining the quality of the Promenade.
 - The southern building line of Block A should be pulled back in line with the 'U' to ensure the route is legible from the surrounding area, including Vaughan Way.
 - The commercial units at Plots A and J have publically accessible spaces on all sides – confirmation is needed that all ground floor public edges of these buildings will be taken up by good quality active frontages.
 - Further information is needed regarding Plot J and its impact on the adjacent Grade I listed Tobacco Dock.

Massing and Strategic Views

- 6.112. The overall height, mass and bulk of the scheme is acceptable. The taller element of the scheme falls within strategic LVMF viewpoints 5A.2, 6A, 11B.1, 11B.2, 15B.1 and 25A.1. The submitted visual impact assessment demonstrates that whilst the tower is visible, its impact does not present any significant concerns in relation to strategic views as it is either distinctly in the distant background of the view or is not particularly prominent and the proposal would not have a detrimental impact on the Tower of London World Heritage Site or its outstanding universal value.

Inclusive Access

- 6.113. The proposed achievement of Lifetime Homes standards is supported and should be secured by condition.
- 6.114. Further information is needed on the wheelchair accessible units, including their location and internal layout. Clarity is also needed on how inclusive assess has been considered within the Promenade. Consideration should also be given to providing public toilets and the demand for a 'Shopmobility' scheme prior to Stage 2.

Climate Change Mitigation

- 6.115. The proposed 42% reduction in CO2 emissions exceeds the London Plan requirement.
- 6.116. Confirmation is needed that the heat network will supply space heating for all dwellings and non-domestic building uses. The CHP operation should be optimised to provide a proportion of the space heating local as well as the domestic hot water. The development should be designed to allow for future connection to a district heating network should one become available.

Transport – Access Strategy

6.117. The vehicular and servicing access points are acceptable, subject to detailed design and safety audits. TfL seeks assurances the pedestrian access routes will be available on a 24 hour basis. TfL has concerns around the proximity of the school pedestrian access point and the refuse/servicing ramp to the basement.

Transport Impact

6.118. The level of residential car trips has been underestimated and should be remodelled using Census 2011 data.

6.119. The development will result in a significant increase in demand for local bus services – a financial contribution of £1.1 million should be provided to add 1 bus to the schedule. A contribution of £20,000 is also sought to upgrade the two bus stops on Vaughan Way.

6.120. The proposed layout of the proposed pedestrian crossing on The Highway does not meet DfT standards and raises visibility concerns for vehicles turning right out of Wellclose Street and should be revised.

6.121. A pupil entrance for the school may be more appropriately located near the Vaughan Way frontage, enabling pupils to disperse into the Arrival Square.

6.122. The TRANSYT models contain errors that should be addressed and further micro-modelling, such as VISSIM, should be undertaken.

6.123. A contribution of £200,000 is requested towards a TfL scheme for improvements to the junction of The Highway/Dock Street/Vaughan Way.

6.124. A contribution of £1.5 million is requested towards TfL's congestion relief project at Shadwell DLR station to mitigate the impacts of the development.

Car Parking

6.125. The level of residential car parking (0.6 ratio) should be reduced to meet London Plan Policy 6.13. The 90 commercial car parking spaces are in line with London Plan standards. Active and passive electric vehicle charging points should be provided in line with London Plan Policy 6.13. The development should be secured as 'permit free'.

Walking and Cycling

6.126. The proposed provision of 2,338 cycle parking space is in line with London Plan policy 6.9. However, there are concerns over the location of cycle parking at basement level and it is unattractive and will conflict with vehicle movements and should be reviewed to ensure that cycle parking facilities can be safely and conveniently accessed by cyclists. Cycle permeability through the site should be improved and additional cycle routes should be designated through the site.

6.127. A contribution of £185,000 is sought for the installation of a new 24 cycle docking station in this area.

Conclusion

6.128. The application broadly complies with the London Plan, although there are some outstanding issues that need to be resolved.

- 6.129. *Following the submission of the revised scheme in November 2013, together with associated supporting documentation, the GLA provided the following updated response in their letter dated 12 December 2013:*
- 6.130. Subject to reviewing the conclusions of the independent viability assessment, the applicant has addressed the matters raised in the Stage 1 report dated 30 July 2013.
- 6.131. Officer Comments: *Noted. The matters raised in the GLA Stage 1 report are discussed in detail in the 'Material Planning Considerations' section of this report. In the run up to finalising this report and the various S.106 Heads of Terms, there has also been significant dialogue with the GLA and TfL around the proposed affordable housing offer and the scale of financial-related planning obligations being directed to public transport infrastructure at the expense of more localised mitigation requirements. For example, the amended affordable housing offer (moving from 15% - 30% on site provision) has been discussed with the GLA as well as the requested Shadwell DLR contribution and there has been some engagement around the applicants scheme viability model which has been verified by the Council's independent scheme viability advisor.*

London Fire and Emergency Planning Authority

- 6.132. We are unable to confirm from the plans that fire access to the site is still available and the developers should confirm this has not changed.
- 6.133. The site has been fitted with private fire hydrants as the distance from the public supply is excessive. The developer should confirm that these will still be in use.
- 6.134. Additional fire routes may impact on heritage areas. It is recommended that any necessary fire routes on the site should take into account the outcomes of any heritage survey and the developers should work with English Heritage and the LBTH conservation officer to minimise any impact.
- 6.135. The Authority strongly recommends that sprinklers are considered to this development.
- 6.136. Officer Comments: *The applicant has responded to these comments in a letter from FDS Consult, dated 3 October 2013, in which it is confirmed that fire vehicle access will be provided from the public highway and via the Quayside. In addition, it is confirmed that the fire appliance routes will be fully coordinated with the structural engineers to ensure that the structure will be adequately sized to support a London Fire Pump Appliance. The response also includes a plan showing the locations of the fire hydrants and confirms that sprinklers will be provided in any building that contains a floor that is over 30m in height in accordance with Approved Document B.*
- 6.137. *The LFEPA has provided further comments in their letter dated 13 December 2013, in which they confirm that the water supplies and pump appliance access to the buildings appear generally adequate, although this is dependent on any rising main inlet being visible from the appliance and the location of fire service entry and access to any likely fire-fighting shafts.*
- 6.138. *Such matters would be formalised post-application and officers therefore consider that the proposed scheme is acceptable in fire and emergency planning terms.*

Historic Royal Palaces

- 6.139. We note that the proposed tower element of the scheme (Block C1) has been reduced in height from 33 to 25 storeys and would no longer be visible from within the Tower of London (as illustrated in the Design & Access accurate visual representations views 15, 16 and 17) or from adjacent to the World Heritage Site (WHS) looking eastwards (View 18) and would only be marginally visible in the open sky-space within the bascules of Tower Bridge (views 08 and 09). Historic Royal Palaces therefore has no further objection to the revised scheme with regard to its potential impact on the wider setting of the Tower of London WHS.
- 6.140. *Officer Comments: Noted. An assessment of the scheme's impacts on heritage assets, including the Tower of London World Heritage Site, is provided in the 'Material Planning Considerations' section of this report*

Natural England

- 6.141. No objections. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect bats.
- 6.142. With regard to domestic species, the Natural England protected species standing advice should be used to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.
- 6.143. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.
- 6.144. *Officer Comments: Noted. An assessment of the biodiversity enhancement measures that are proposed within the scheme is provided in the 'Biodiversity' section of this report.*

Tower Hamlets Health

- 6.145. Using the Healthy Urban Development Unit (HUDU) model it has been calculated that the proposed development would require a total capital contribution of £2,399,657 to be secured towards health.
- 6.146. *Officer Comments: Noted. The health contribution is discussed further in the 'Material Planning Considerations' section of this report.*

Sport England

- 6.147. Sport England does not wish to comment on this particular application.
- 6.148. *Officer Comments: Noted.*

Thames Water Utilities

- 6.149. No objections subject to the inclusion of the following conditions:

- No development shall take place until impact studies of the existing water supply infrastructure have been submitted and approved in consultation with Thames Water.
- No impact piling shall take place until a piling method statement has been submitted and approved in consultation with Thames Water.

6.150. Officer Comments: *If planning permission were to be granted it is recommended that the above conditions should be included.*

London City Airport

6.151. London City Airport has no safeguarding objection to the proposed developments. In the event that craneage or construction equipment is required at a higher elevation than that of the proposed development, then their use must be subject to separate consultation with the airport. The developer must provide to LCY a construction programme and methodology before work commences on-site to be approved by the airport with regard to safeguarding.

6.152. Officer Comments: *Noted.*

British Broadcasting Corporation - Reception Advice

6.153. The BBC would ask that the developer undertakes a suitable survey, by a professional body, to identify the potential impact of the new building on the reception of television and radio serviced by the general public.

6.154. The BBC would then ask that a S.106 obligation is placed on the developer to fund, in full, the rectification of any adverse effects on the ability of viewers and listeners to receive radio and television services, which have been caused by the erection of the new building.

6.155. Officer Comments: *A TV and radio reception monitoring and rectification obligation is to be included in the S106.*

London Borough of Southwark

6.156. No comments have been received.

Royal Borough of Greenwich

6.157. The Royal Borough has formally considered the matter and raises no objections.

6.158. Officer Comments: *Noted.*

City of London Corporation

6.159. No comments have been received.

Transport for London

Modelling

6.160. The modelling shows The Highway runs with little or no spare capacity, with tidal flow into town in AM peak and out of town in the PM peak. Similar capacity results are

achieved with and without the crossing. The Corridor VISSIM model shows a negligible change in journey time into town with and without the new crossing plus development flows. However, there is an increase in the outbound journey time which goes up by 2.5 seconds per vehicle without the crossing and 18 seconds per vehicle with the crossing. These average journey times are measured between the western entry of the Limehouse Link tunnel and the entry to the Tower Hill Gyratory from East Smithfield.

- 6.161. To maintain the existing level of service on the TLRN and minimise impact of the development, the local highway authority needs to be made aware that the green time on the Dock Street and Vaughan Way approach may be capped to prioritise the maintain TLRN route. The modelling assumed trip generation was agreed with TfL Planning and Tower Hamlets. Additional mitigation would be to reduce car parking provision.
- 6.162. The overall benefits of the development in the Wapping area need to be considered against any highway impacts on The Highway as highlighted above as a result of any additional trips on the network. To manage any additional demand on the highway as a result of the development, it is advisable the developer makes a S.106 and S.278 agreement to fund potential mitigation measures to improve traffic flow on a number of key sites on the highway.

Quantum

- 6.163. Although there is change of housing mix from the original proposal with an increase of more affordable housing, it is noted that the application is still seeking a consent of 1800 residential units overall. Therefore TfL consider the change of proposal would have little material difference in terms of trip generation and mode share from the original proposals. Therefore the basis of assessment and result from the original proposal would still stand.

Public Transport

- 6.164. The proposed development would result in a significant increase in demand for local bus services. TfL therefore seek a contribution of £890,000 to add one additional bus into the schedule for either the D3 or 100 routes.

Car Parking

- 6.165. With the latest revisions 990 parking spaces are still proposed, this includes 900 spaces for residential and 90 spaces for commercial uses. It is still exceeding the London Borough of Tower Hamlets maximum; therefore further reduction should be encouraged. Furthermore, TfL cannot agree with the applicant's view stated in paragraph 2.3.1 that the proposed development would have little impact to traffic on The Highway based from the Vissim modelling assessment. It should be noted that while Vissim models shows there will be a small increase in journey time on the section of The Highway overall, Transyt modelling assessment at junctions in the vicinity of the site has indicated that those junctions are already operating at/over its capacity and mitigation is sought by TfL. This also reinforces TfL's view that the proposed level of parking is not justified.
- 6.166. However, the provision of eight car club spaces is welcomed by TfL.

Cycling

6.167. The proposed quantum of cycle parking spaces is in line with Policy 6.9 of the London Plan and is welcomed. TfL however have concerns about the location of the cycle parking area and its access route through the basement, which would be difficult, unattractive and may conflict with vehicle movements and should be reviewed. The provision of shower and changing facilities is supported. In order to improve cycle permeability through the area, additional cycle routes should be designate through the site.

Proposed Crossing on The Highway

6.168. TfL considers that the provision of an additional signal controlled pedestrian crossing on The Highway is principally accepted; however its full acceptance and delivery would be subject to detailed design, modelling, further Safety Audit and completion of S.278 Agreement between the developer and TfL.

School Access – Plot E

6.169. TfL remain seriously concerned about the proposed provision of access points fronting/close to The Highway, as this would lead to footway obstruction and increase of risk of pupils crossing the road beyond the proposed signal controlled pedestrian crossing on The Highway. Therefore TfL requests no regular access to be used by pupils of the school should be provided fronting The Highway. A suitably worded planning condition could control this.

Delivery & Servicing Plan

6.170. A delivery & servicing plan shall be secured by condition/planning obligation for each of the respective phase/element for the proposal and be submitted for approval prior to occupation. TfL welcomes that all servicing will take place at basement and final detailed design should be approved prior to construction commencing to ensure safety of all users, including cyclists & pedestrians within the basement and near the entrance adjoining the public highway.

Contribution

6.171. TfL considers that the proposed development would require transport mitigation for highway, bus capacity and stop upgrade, DLR Shadwell Station capacity upgrade and cycle hire expansion and relocation, as per previous discussion, the details of contribution and amount sought stands as follows:

- Junction Vaughan Way/ Dock Street / The Highway - agree a new crossing on The Highway in principle; the developer shall be responsible for whole cost of the new crossing by entering in a s278 agreement with TfL; however if this falls through for any reason or proves to be practically infeasible, they will be required instead to pay £200K (index linked) towards the Dock Street junction improvement.
- Bus service enhancement - £890K
- Upgrading to bus shelters to Vaughan Way - £10k
- Cycle hire provision - £90k toward expansion of docking station, £110K toward relocation of docking stations affected by the development.
- Shadwell DLR station enhancements - £500k
- Highway and traffic impact mitigation - £210K) NB. Indicative cost of scheme (i.e. expanding Right turn storage capacity at Wapping Lane jct) is approx. £250K, so TfL would need finance the £40K shortfall elsewhere.

- 6.172. Officer Comments: *The above matters are discussed in the 'Material Planning Considerations' section of this report. As raised above, there has been detailed discussion between your officers and TfL around the scale of public transport contributions. Financial contributions directed towards bus improvements have been reduced to take account of bus trips generated by the proposed school. Your officers have been formally advised by GLA officers that TfL have received funding through the Comprehensive Spending Review to help deliver enhanced bus usage in connection with new state funded schools. Similarly, in view of viability constraints and the general desire to balance strategic and local mitigation requirements, your officers have determined that the request raised by TfL in relation to enhancements to Shadwell DLR and the upgrading of the Vaughan Way bus shelters should be re-directed towards mitigating the health service related impacts.*

London Bus Services

- 6.173. No comments have been received.
- 6.174. Officer Comments: *Transport for London have advised that the views of London Bus Services have been incorporated into the responses from TfL and the Mayor of London's Stage 1 letter.*

London Underground

- 6.175. London Underground Infrastructure protection has no comment to make on this planning application.
- 6.176. Officer Comments: *Noted.*

Docklands Light Railway

- 6.177. Shadwell station is within walking distance of the development, approximately 470 metres away. DLRL has undertaken capacity analyses of all stations, including Shadwell station. Based on the trip generation figures presented in the TA, passenger trips generated by the Former News International development will push Shadwell station to capacity and prevent passenger flows from moving safely through the station.
- 6.178. DLRL have worked up a scheme to improve station capacity at Shadwell, which would include the provision of escalators, increased lift capacity, and additional platform capacity, to move passengers efficiently through the station. The total scheme cost will not be requested from the developer. Rather, DLRL request a one-off contribution of £1.5 million from the Former News International development to go towards station capacity enhancements, in particular to improve vertical circulation through the station.
- 6.179. In order to promote sustainable travel choices by both employees and residents and facilitate efficient journeys, DLRL requests that the applicant be obliged to install real-time departure screens in the building lobby areas. These screens would permanently show the departures from Shadwell station.
- 6.180. Officer Comments: *As raised above, TfL sought contribution for Shadwell DLR Station capacity improvement works - reduced from £1.5 million to £500,000, which would have gone towards replacing the existing, slow hydraulic lift with a new electric lift. However, in view of viability constraints, your officers have been required to*

prioritise S.106 planning obligation requests and have recommend that the £500,000 be redirected towards health related mitigation requirements. It is likely that the proposed development will generate around £7.4 million in London Mayoral CIL payments which will be directed Crossrail. These issues are further in the 'Material Planning Conservations' section of this report.

London Overground Infrastructure

6.181. No comments have been received.

Ancient Monuments Society

6.182. No comments have been received.

Council for British Archaeology

6.183. There may be archaeological remains which will need to be investigated. A boundary wall with blank arcading facing onto the Quayside is clearly not ancient but needs to be considered.

6.184. The retention and conversion of the Pennington Street Warehouse is welcomed even through it will create a barrier along the northern edge of the site.

6.185. The Committee had major concerns around the detailed component of the scheme, particularly in relation to the need for and desirability of the tower block and its detailed architectural design. There were also concerns regarding Times House and its impact on the Listed Warehouses and on the street-scene of The Highway.

6.186. The Committee was concerned with the outline component given there are listed buildings on the site and that the Grade II* listed Tobacco Wharf lies immediately to the east. The Committee welcomed the linkages being planning but felt that this approach could be extended to a wider area.

6.187. *Officer Comments: Noted. These matters are discussed further in the 'Material Planning Considerations' section of this report.*

Garden History Society

6.188. No comments have been received.

Georgian Group

6.189. No comments have been received.

The Society for the Protection of Ancient Buildings

6.190. No comments have been received.

The Twentieth Century Society

6.191. No comments have been received.

The Victorian Society

- 6.192. It is clear from the visualisations submitted with the application that a 25 storey tower would still stand isolated as a building on this scale from many key viewpoints. The tower would be extremely prominent, overshadowing this primarily low-to-medium rise area and would fundamentally alter its character.
- 6.193. Most significantly, the proposed development would have a negative impact on the setting of Tower Bridge. From one of the most popular viewpoints of the iconic Grade I listed structure, the plaza adjacent to City Hall, the new building would be prominent between the bridge's towers; currently, the bridge frames a clear 'sky window' from this standpoint. The one building adjacent to the site which does approach the proposed height of the new development is on Vaughan Way to the west of the site. However, this building does not appear in the Tower Bridge sightlines upon which the new tower would impact most severely.
- 6.194. Further to the harm caused by this development, the Society also has serious concerns about the precedent it would establish. Where this one building would have a negative impact on the setting of Tower Bridge, the effect of a growing conurbation of tower blocks would be much greater.
- 6.195. We urge that this application be refused, to preserve the setting of one of London's major landmarks, and to maintain the nature of this historic area.
- 6.196. *Officer Comments: The impacts of the development on the setting of heritage assets, including the Grade I listed Tower Bridge, is discussed further in the 'Material Planning Considerations' section of this report.*

Tower Hill Improvement Trust

- 6.197. No comments have been received.

Stephen & Matilda Tenants Co-operative

- 6.198. No comments have been received.

South Quay Residents Association

- 6.199. No comments have been received.

Friends of St Katharine Docks

- 6.200. No comments have been received.

St Katharines by the Tower

- 6.201. No comments have been received.

Tower Bridge Wharf Residents Association

- 6.202. No comments have been received.

HM Tower of London

- 6.203. No comments have been received.

Network Wapping

- 6.204. Construction and end-use employment should be advertised locally and at the training facilities closest to the site.
- 6.205. Concern regarding the height of the tower and other buildings across the site.
- 6.206. Query whether there is an opportunity for a cinema/library/cultural facility/Idea Store/LBTH One-stop Shop within the development? Public use of school facilities in the evening and on weekends is suggested in conjunction with cultural provision.
- 6.207. Health care provision is a concern and it is recognised that there are opportunities for on-site and off-site healthcare provision.
- 6.208. Concern over the lack of family sized (3+ bed) units.
- 6.209. Some regret has been expressed regarding the removal of facades with perceived architectural quality at Times House.
- 6.210. The area of land allocated to the school is much smaller than proposed at the Examination into the MD DPD. The school is poorly integrated (and any associated community use) into the Gauging Square is noted. Block B has detrimental impact on setting of school.
- 6.211. It is regretted that the lower levels of the school, including courtyard/play space suffer poor daylight provision.
- 6.212. Concern was expressed at the ventilation outlets for the basement car park/plant adjacent to Quay 430.
- 6.213. It was suggested that a greater provision of natural landscape is provided, with regard to micro-climate benefits and providing a 'green grid'.
- 6.214. The potential for business development and employment opportunities within the development is keenly anticipated.
- 6.215. New connections through the site and access through the warehouse are appreciated.
- 6.216. It is anticipated a new neighbourhood centre demonstrating economic and cultural dynamism will be provided within the site, which would be greatly appreciated.
- 6.217. *Officer Comments: Noted. The applicant subsequently submitted amendments to the scheme, with the height of the tower being reduced from 33 to 25 storeys and the proportion of family sized homes and affordable housing being increased. It should be noted that the S106 would include an obligation to require 20% the workforce/services at construction and end-use phases to be locally sourced along with apprentice opportunities during the construction and end user phases. The assessment of the uses, scheme and landscape design and amenity impacts is provided in the 'Material Planning Considerations' section of this report. Additional comments made by Network Wapping on the revised plans are included in the list of issues as above.*

National Grid

6.218. National Grid has identified that it has apparatus in the vicinity of your enquiry which may be affected by the activities specified. Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

6.219. Officer Comments: Noted.

EDF Energy Networks Ltd

6.220. No comments have been received.

7. LOCAL REPRESENTATION

7.1. A total of 2,965 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 on site and in the local press. The number of representations received from neighbours and local groups in response to notification and publicity of the application to date are given below:

No of individual responses	44	Objecting:	41	Supporting:	3
No of petitions received:	0				

7.2. 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. For completeness, all issues raised are summarised. The full representations are available to view on the case file. Members may wish to note that following receipt of amended drawings (especially the reduction in the height of the tower and proposed amendments to the Times House conversion and other more minor alterations and amendments) your officers have re-consulted those local residents and local organisations that had previously made representations on the application as initially submitted.

Objection:

Land Use

- The school facilities should be made open to the public (e.g. libraries and sports facilities).
- Additional childcare facilities (e.g. nurseries and primary school places) should be provided.
- The secondary school should be located on another site.
- There is a risk that the development will fail to attract enough visitors to support the commercial/retail spaces.
- The amount of employment floorspace should be increased.
- Concern is raised over the small size of the school site to accommodate 1,200 pupils.

Housing

- The residential density would be far higher than surrounding developments.
- The number of housing units should be reduced.
- The amount of social rented and affordable homes should be increased.
- There is a lack of family sized market housing in the first phase.

Design & Conservation

- The height of the proposed 33 storey tower is out of keeping with its surroundings.
- The height, mass and scale of the buildings is out of keeping with surrounding buildings.
- The facing materials and outer appearance of buildings are unlike anything in Wapping.
- A tall 'marker building' is not needed for way-finding locally.
- The 33 storey tower is too close to Quay 430.
- The tower will spoil eastwards views from St Katherines Dock.
- The tower will impact on views of the Tower of London and Tower Bridge.
- The scale of the development does not reflect the suburban character of Wapping.
- The proposed architecture and modern design is out of keeping with the Wapping area.
- Post-demolition, the site areas of the later phases of the development should be temporarily landscaped/greened.
- There should be more variation in the design and layout of the Market Gardens.
- It is unclear what type of provision for children's play areas will be.
- More than 50% of the site should be public open space.
- More green space should be provided.
- The renderings of the buildings seem very generic and not in keeping with the dock heritage of the site.
- The proposed water features are dangerous given their shallowness and lack of physical barriers.
- The water feature in the Gauging Square will see little use due to the climate and safety issues (slipping).
- The public spaces lack flexibility and informality.
- The proposed pedestrian routes do little to provide connections to the north and south except via the existing road network.
- The developer should confirm when the full new east/west pedestrian routes will become available – should not be in 15 years.
- The proposals will create a residential community that feels 'gated' as the development turns its back to everything on its southern side.
- The development would result in the enclosure of Vaughan Way.
- The development should show some of the remaining historic dock wall in the Gauging Square.

Amenity

- The mechanical ventilation for the basement car park will result in noise disturbance and increased air pollution to neighbouring residents in Quay 430.
- The proposed buildings will overshadow adjacent sites.
- The development will result in a loss of privacy to neighbouring residents.
- The development will result in a loss of daylight and sunlight to neighbouring residential properties.
- The submitted Daylight & Sunlight Assessment is incomplete - it is missing parts of Quay 430 and does not take into account the complex layout of units.
- The demolition and construction works will cause disturbance to neighbouring residents.
- No construction works should take place on Saturdays.
- St George should repave Pennington Street and remove the speed bumps to lessen traffic noise impacts during construction.
- The school servicing entrance will result in noise disturbance to residents in Telford's Yard.

- The new openings in the warehouse should be closed at night to stop people spilling out on the Pennington Street and causing noise disturbance to neighbours.
- Real-time noise and vibration monitoring should be carried out during demolition and construction phases to protect local residents.
- The development will channel traffic noise from the highway to properties in Quay 430.
- The proposed additional storey to Times House will result in a loss of privacy, loss of light and overshadowing to east facing penthouses in Telford's Yard.
- The construction access should be moved away from Southern boundary of the site.

Highways

- Vehicle access to the site from Vaughan Way will exacerbate existing traffic problems on this street and poses a safety risk.
- The development will cause major congestion on the roads.
- Local public transport will not be able to cope with the development.
- The Highway will be dangerous for pupils.
- Additional bus services should be provided.
- An additional pedestrian crossing on The Highway would slow traffic down.
- Underground car parking spaces should be limited or removed.
- LBTH maximum car parking standards should be observed.
- The removal of the 'Boris Bikes' would be a great loss to the area.
- Further work is needed on the junctions with The Highway at Vaughan Way and Wapping Lane (in terms of increased capacity and pedestrian facilities).
- The school's location will impact on traffic at rush hour (drop-offs/pick-ups).
- The proposed 1,870 construction vehicle journeys per week will have a minor impact on local traffic.
- A bridge option should be considered for the crossing on The Highway.
- The development will exacerbate the existing lack of on-street parking.

Environmental Impacts

- There are no detailed plans to mitigate the noise, dust and air pollution resulting from the demolition and construction works.
- The Construction Management Plan should be made publically available for comment pre-determination.
- The potential structural impacts on neighbouring buildings from the demolition and construction works should be taken into account.
- The proposed 1,200 car parking spaces will increase air pollution.
- The proposed 1,200 HGVs entering and exiting the site per week would add to air pollution and noise and vibration disturbance.
- The proposed buildings are likely to generate wind at ground level that is uncomfortable for pedestrians.
- There has been no detailed assessment of wind impact on surrounding residential buildings.
- LBTH Opinion on the EIA Scoping Document has not been fully complied with.
- The proposed 15 year build period, with associated disturbance to neighbours, is excessive and should be reduced.
- The buildings will result in light pollution to neighbouring residents at night.

Biodiversity

- Existing nesting bird nesting grounds on the site should be protected during and after the development.
- The impacts of the removal of existing trees must be carefully assessed.

- The existing trees between Asher Way and Vaughan Way should be retained.

Health

- Healthcare facilities should be provided within the scheme.
- The development would impact on existing local primary care providers, who are already overstretched.
- Concern over potential health impacts for children by locating the school next to The Highway (air quality).

Human Rights

- The noise, vibration and other demolition and construction impacts of the development would result in the loss and closure of the Smokehouse Studio on Pennington Street, which the objector states provides their sole source of income and ability to service their fiscal responsibilities to support their family.

7.3. Officer Comments: *The above is discussed further in the 'Material Planning Considerations' section of this report.*

Other

- Concern that the site could become a terrorist target in the future.
- Can neighbouring residents get a Council Tax discount during the build period to compensate for the disruption?
- The development may cause possible loss of TV and mobile signals.
- The long build programme will impact on surrounding property prices.
- The development will increase property prices and make the area unaffordable.
- It is unclear how the development will affect the electricity, water and gas connections of existing residents.
- The development will put significant pressure on local services and infrastructure.
- All facing flats should be provided with double-glazing and air conditioning.
- 24 hour public access through the site should be secured.
- The Community Engagement Strategy is misleading and not fully representative of local concerns.
- This application should not solely be subject to S106 negotiation – CIL should be applied to the further planning applications [reserved matters] given the 15 year development period.
- The developers should hold more public meetings to engage with the local community, which should be attended by all 9 affected Ward Councillors.
- The developer should compensate residents for the likely increase in building and car cleaning due to dust from the demolition and construction works.

7.4. Officer Comment: *The above issues are discussed generally in the 'Material Planning Considerations' section of this report.*

Support:

Land Use

- The development will provide a critical mass of people to sustain local facilities in Wapping.
- The new shops and public realm facilities are supported.

Design

- The redevelopment will allow public spaces and walkways to join up Wapping as a community.

- Support the large square and Market Gardens, together with the use of water features.
- The overall layout of the development looks convincing and full of interest.

Heritage

- Support the retention and re-use of Pennington Street Warehouse.

Highways

- Support public transport improvements and The Highway crossing.
- Adequate on-site car parking should be provided to prevent illegal and obstructive parking elsewhere in the area.
- The re-paving of Pennington Street is supported and should be expanded to include side streets.
- Concerned that one lane of The Highway would be dedicated to a cycle lane.

Other

- The developer's community engagement and transparent consultation process is supported.

7.5. *Officer Comment: The above matters are discussed in the 'Material Planning Considerations' section of this report.*

7.6. In addition to the statutory consultation carried out for this application, the applicant hosted several public exhibitions on the development proposals within the Pennington Street Warehouse. Public exhibitions on the originally submitted scheme were held in June and July 2013, whilst further public exhibitions on the revised (current) scheme were held in November 2013. Attendees were invited by the applicant to submit feedback forms and copies of these have been provided to the Council. Your officers also chaired a Community Forum (which was managed by officers rather than the applicant in accordance with standard Community Forum protocols) which took place on the 4th July 2013.

7.7. The public exhibitions for the scheme as originally submitted generated a total of 19 feedback forms, of which 9 objected to the proposals, 9 supported the proposals and 1 neither objected nor supported the proposals.

7.8. The public exhibitions for the revised (current) scheme generated a total of 7 feedback forms, of which 6 supported the proposals and 4 neither objected nor supported the proposals.

8. MATERIAL PLANNING CONSIDERATIONS

8.1. The main planning issues raised by the application that the committee must consider are:

- Land Use
- Urban Design
- Heritage Assets
- Amenity
- Energy and Sustainability
- Transport, Connectivity and Accessibility
- Environmental Considerations (Air Quality, Microclimate, Contaminated Land, Flood Risk and Biodiversity)
- Environmental Statement

- Planning Contributions and Community Infrastructure Levy
- Local Finance Considerations
- Human Rights
- Equalities

Land Use

Policy Context

- 8.2. The application site is included in the site allocations of the Council's adopted Managing Development Document (2013), which designates the site for a comprehensive mixed-use development to provide a strategic housing development, a secondary school, publically accessible open space and other compatible uses including employment floorspace. The supporting text to the site allocation states that the provision of a new secondary school site takes first priority over all other non-transport infrastructure requirements, including affordable housing, to ensure that it is economically viable and that the new school is provided in a sustainable location to help meet education needs arising across the Borough.

Loss of Employment Floorspace

Policy Context

- 8.3. Policy SP06(3b) of the Council's adopted Core Strategy (2010) supports the provision of a range and mix of employment uses and spaces in the Borough, including retaining, promoting and encouraging flexible workspace in town centre, edge-of-town centre and main street locations.
- 8.4. It should be noted that Policy DM15(1) of the Council's adopted Managing Development Document (2013), which seeks to resist the loss of viable employment floorspace, is not applicable in this instance as the application site is included within the Site Allocations section of the managing Development Document. The Council recognises that the nature of uses allocated for the site requires a change from the existing uses, in order to deliver their component strategic infrastructure uses. Therefore, the normal tests for proposals resulting in a loss of employment floorspace do not apply.

Loss of Employment Floorspace Resulting from the Development

- 8.5. The site presently comprises 121,685sqm of office (Use Class B1) and general industrial (Use Class B2) floorspace within three buildings, specifically the former News International print works and office building, which is a monolithic structure that occupies the majority of the central and eastern section of the site, together the Grade II listed Pennington Street Warehouse and the vacant Times House office block.
- 8.6. The scheme would provide up to 20,816sqm (GEA) of flexible non-residential uses, of which between 5,204sqm and 10,408sqm would be provided as offices and flexible workspace (Use Class B1). As such, the proposal will involve the loss of approximately 110,000sqm of employment floorspace. Paragraph 15.4 of the supporting text to Policy DM15 of the Managing Development Document (2013) recognises that where a site is allocated for new uses, marketing of the site for its existing use is not required.

- 8.7. Given that the site is allocated for strategic housing led mixed-use redevelopment, and given that between 5,204sqm and 10,408sqm of B1 employment floorspace would be re-provided within the scheme with an overall maximum employment yield of 1,525 employees including all other uses, it is considered the proposed loss of existing employment floorspace at the site is acceptable in this instance

Proposed Mix of Uses

Policy Context

- 8.8. Policy 2.13(B) of the London Plan (2013) seeks to ensure that development within the City Fringe Opportunity Area optimises residential and non-residential output and densities, provides necessary social and other infrastructure to sustain growth and where appropriate, contains a mix of uses.
- 8.9. Policy SP01(2) of the Council's adopted Core Strategy (2010) seeks to ensure that evening and night-time economy uses are not over-concentrated in areas where they will have a detrimental impact on local people, are of a balanced provision to cater for varied need and are complimentary to existing uses and activities.
- 8.10. Policy SP01(5) of the Council's adopted Core Strategy (2010) promotes mixed use development at the edge of town centres to support the role of town centres.
- 8.11. Policy DM1(2) of the Council's adopted Managing Development Document (2013) supports a mix of uses within the Tower Hamlets Activity Area
- 8.12. Policy SP06(3) of the Council's adopted Core Strategy (2010) supports the provision of a range and mix of employment uses within the Borough, promotes flexible workspace in edge-of-town centre location and encourages the provision of units (of approximately 250sqm or less) suitable for small and medium enterprises.
- 8.13. Policy DM15(3) of the Council's adopted Managing Development Document (2013) seeks to ensure that development of new employment floorspace provides a range of flexible units, including units of less than 250sqm and 100sqm, to meet the needs of Small and Medium Enterprises (SME).
- 8.14. Policy DM1(4) of the Council's adopted Managing Development Document (2013) directs A3/A4/A5 uses (restaurant and café/ drinking establishment/ hot food takeaway, respectively) to the Central Activities Zone, Tower Hamlets Activities Areas and designated town centres, provided they do not result in an over-concentration of such uses.
- 8.15. Policy DM1(5) of the Council's adopted Managing Development Document (2013) states that the proximity to an existing or proposed school will be taken into consideration in proposals for A5 hot food takeaway use.
- 8.16. Policy DM2(2) of the Managing Development Document (2013) states that development of local shops outside of town centres will only be supported where:
- (a). There is a demonstrable local need that cannot be met within an existing town centre;
 - (b). They are of an appropriate scale to their locality;
 - (c). They do not affect amenity or detract from the character of the area; and
 - (d). They do not form part of, or encourage, a concentration of uses that would undermine nearby town centres.

- 8.17. Policy DM8(4) of the Managing Development Document (2013) seeks to ensure that new community facilities are located either within or at the edge of town centres.

Proposed Mix of Uses

- 8.18. The proposed development includes total of 20,816sqm Gross External Area (GEA) of non-residential floorspace, comprising a flexible mix of A1, A2, A3, A4, A5, B1, D1 and D2 uses. Of this overall amount of non-residential floorspace, 15,451sqm GEA is included in the detailed component of the scheme, located on part of the ground floor of Buildings A and C, throughout the ground and first floors of Building B and throughout the ground floor and basement of the Grade II listed Pennington Street Warehouse.
- 8.19. A further 5,365sqm GEA of flexible non-residential uses is provided in the outline component of the scheme, to be located on part of the ground floor of Plots D, F, G and H and throughout the ground floor of Plot J, which is located at the eastern end of the site, adjacent to Tobacco Dock. Details of the proposed flexible mix of non-residential uses are provided at Table 1 below.

Table 1: Proposed Mix of Uses by Floorspace

Land Use	Minimum Floorspace (GEA)	Maximum Floorspace (GEA)
Retail & Leisure (Use Class A1/A2/A3/A4/A5)	10,408	14,571
Offices & Flexible Workspace (Use Class B1)	5,204	10,408
Residential (Use Class C3)	N/A	189,007
Secondary School (Use Class D1)	N/A	12,101
Other Non-residential Institutions (Use Class D1)	1,041	6,245
Assembly & Leisure (Use Class D2)	1,041	6,245

- 8.20. The application lies within the City Fringe Activity Area, which adopted policy identifies as an appropriate location for mixed use development, including leisure uses, provided the development does not result in an over-concentration such uses and is of an appropriate scale within the context of its surroundings.
- 8.21. The application site is not located within a designated Town Centre, although the site lies 40 metres to the north-east of the Thomas More Neighbourhood Centre, 320 metres to the south of the Watney Market District Centre and 330 metres to the north-west of the Wapping Lane Neighbourhood Centre.
- 8.22. Adopted policy also seeks to direct new retail uses to designated town centres and stipulates that the provision of new shops outside of designated town centres will only be supported where there is a demonstrable need for the shops, where they are of an appropriate scale to their locality, where they would preserve the amenity and the character of the area and where they would not result in a concentration of uses that would undermine nearby town centres.

- 8.23. The applicant has provided further detail on the breakdown of the retail and leisure uses (A1/A2/A3/A4/A5) within the submitted Town Centre Use Assessment (May 2013) and Town Centre Use Assessment Addendum (November 2013). This document confirms that of the retail and leisure floorspace to be provided, up to 550sqm will comprise an A1 convenience store, up to 1,311sqm will comprise other A1 convenience floorspace, up to 2,186sqm will comprise A1 comparison floorspace and up to 1,748sqm will comprise A1 service floorspace.
- 8.24. The proposed development is located adjacent to, although outside of the Thomas More Neighbourhood Centre. It is noted that the supporting text to Policy DM2 at paragraph 2.3 of the Managing Development Document (2013) indicates that new A1 shops outside of town centres should each have a gross internal area of no greater than 100sqm, so as not to undermine nearby town centres.
- 8.25. Whilst the proposal includes provision of a single A1 convenience store of 550sqm, officers would highlight that the proposal is not for a new retail development but rather for a strategic residential-led mixed use scheme that will provide a combined residential and employment yield of approximately 5,000 people, together with up to 1,200 pupils within the secondary school. As such, it is considered that the proposed development is of sufficient size to generate a critical mass in terms of population to create and sustain localised demand for A1 retail provision, including an A1 top-up convenience store. The applicant has also provided information in the Town Centre Use Assessment Addendum (November 2013) showing that the anchor stores in nearby town centres are trading well over the company averages and thus any impacts on the viability of these town centres would be negligible. As such, it is considered that the proposed retail provision is acceptable in this instance.
- 8.26. Of the overall maximum of 14,571sqm for A1-A5 uses, the applicant has capped the level of A3/A4 uses at 10,200sqm GEA for A3/A4 uses. Whilst this is a significant provision of A3/A4, the applicant argues that these uses will animate the public spaces within the development, such as through the use of outdoor seating, which will create a 'route of prosperity' that draws people through the site towards Tobacco Dock. Officers acknowledge that new A3/A4 uses will contribute towards place-making and will provide local amenities for both residents and employees, together with those living and working in the wider area. As such, it is considered that the A3/A4 uses are acceptable.
- 8.27. During the course of the application, officers raised concerns that the proposed flexible approach to non-residential uses could result in A5 hot food takeaways being located in close proximity to the proposed school. This would be contrary to aim of Policy DM1(5) of the adopted Managing Development Document (2013), which seeks to tackle obesity in young people by ensuring the premises selling 'energy-dense' fast food are not located near schools.
- 8.28. The applicant has responded to these concerns in Section 5.0 of the Town Centre Use Assessment Addendum (November 2013), confirming that that the total A5 hot food takeaway floorspace within the scheme will be capped at 150sqm GEA. In addition, the applicant considers that the inclusion of fast food retailers would reduce the commercial appeal and value of the new homes and other floorspace within the development and that in other St George developments A5 premises include 'Me Love Sushi', such as at Imperial Wharf. Officers consider the proposed limited A5 provision is acceptable subject to the inclusion of a condition to require no A5 use within Blocks B and D, which are located immediately adjacent to the school site.

- 8.29. The proposed development includes the provision of between 5,204sqm and 10,408sqm of B1 offices and flexible workspace, which is supported in line with Policy SP06(3) of the Council's adopted Core Strategy (2010) and Policy DM15(3) of the Council's adopted Managing Development Document (2013). These policies support the provision of a range and mix of employment uses within the Borough, promote flexible workspace in edge-of-town centre location and encourage the provision of units suitable for small and medium enterprises. In addition, the provision of B1 employment floorspace within the scheme accords with the Council's requirements for the site as set out in the London Dock site allocation in the Managing Development Document (2013).
- 8.30. The development also includes the provision of between 1,041sqm and 6,245sqm of community (Use Class D1) floorspace and between 1,041sqm and 6,245sqm of assembly and leisure (Use Class D2) floorspace, which is considered to be acceptable in terms of the scale of the uses in relation to the proposed strategic housing development and its surroundings and in terms of its proximity to the existing Thomas More Neighbourhood Centre, in accordance with Policies DM1(2) and DM8(4) of the Council's adopted Managing Development Document (2013). Some of this space could be taken up as an on-site health facility if on site provision is favoured by health providers.

Secondary School

Policy Context

- 8.31. The London Dock site allocation in the Council's adopted Managing Development Document (2013) requires any redevelopment proposals for the site to include provision for a secondary school. The supporting text of the site allocation states that a new secondary school takes priority over all other non-transport infrastructure requirements including affordable housing, in relation to the redevelopment of the site, to ensure that it is economically viable and that the new school is provided in a sustainable location to help meet education needs arising across the Borough.
- 8.32. Policy 3.18 of the London Plan (2013) supports the provision of new secondary schools, which should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations. This policy also encourages development proposals which maximise the extended or multiple use of educational facilities for community or recreational use.
- 8.33. Policy SP07(2) of the Council's adopted Core Strategy (2010) seeks to increase provision of secondary education facilities to meet an increasing population, with the most suitable sites for new schools identified in the Sites and Placemaking DPD (now incorporated into the MDD).
- 8.34. Policy SP07(3) of the Core Strategy (2010) seeks to ensure that school facilities are located in order to maximise accessibility for pedestrians, cyclists and public transport users and to ensure they promote inclusive access for all. Secondary schools should be located in highly accessible locations, to be integrated into the secondary and main movement routes as they generate trips from a wider catchment area.
- 8.35. Policy DM18(1d) of the Council's adopted Managing Development Document (2013) supports the development of schools where a site has been identified for this use or

a need for this use has been demonstrated, where the design and layout take into account the relevant guidance.

Proposed Secondary School

- 8.36. The proposals include provision for a new secondary school within the outline component of the scheme, identified as Plot E on plan. The proposed school would be located at the north-west end of the site, at the junction of The Highway and Virginia Street, situated immediately to the north of Building B (which forms part of the detailed component) and immediately to the east of Plot D (which forms part of the outline component). The proposed school site covers an area of 0.55ha and the parameters for the school provide for a full site basement and a maximum height for the school building(s) of between 18.0m and 30.5m AOD.
- 8.37. The design guidelines for the secondary school site, revised in November 2013, specify a maximum GEA for the building of 12,101sqm and specify that the secondary school will provide six forms of entry plus a sixth form and will accommodate up to 1,200 pupils.
- 8.38. The applicant has provided an indicative layout for the school site at Section 4.0 of the submitted Design & Access Statement Addendum, which identifies how the proposed parameters could accommodate a school building with reference to the internal and external area standards for secondary schools as set out in the government's Briefing Framework for Secondary School Projects (Building Bulletin 98).
- 8.39. The LBTH Education Social Care & Wellbeing Directorate (ESCW) have commissioned Pollard Thomas Edwards Architects (PTEA) to undertake a full review of the proposed school site, including a site specific secondary school design study, so as to ascertain whether a new secondary school could be delivered and operated on the site, meeting both the Government's standards as set out in BB98 and addressing the Borough's identified need for additional secondary school places.
- 8.40. The LBTH review has shown that the internal accommodation can be provided to meet BB98 standards, but the site is able to meet only 40% of the external area requirement for a school of this size. The proposal includes using all available external levels for recreation and PE space, including roof level. Following this work your officers are satisfied that a satisfactory school proposal will be able to be delivered within the identified parameters but clearly, would need to be subject to reserved matters approval at a future date.
- 8.41. The engagement with the applicant at the outline stage has preserved options for detailed design stage on the basis of either a single or shared basement ramp option to ensure that the school provider would be able to achieve the best use of the available space for the school in detailed design. This is included in the revised scheme details submitted.
- 8.42. The LBTH ESCW Directorate has advised that the safety of students arriving and leaving the school and the impact of the number of students in this location on the surrounding streets will be taken into account in designing the access to and from the school and is included in the Design Guidance. It is anticipated that the school will serve its local community but some students may travel greater distances.
- 8.43. The school will provide cycle parking on site and the road safety improvements, including the proposed pedestrian crossing to The Highway or enhancements to the

Dock Street/Vaughan Way/The Highway junction, will ensure safe routes for students with separation from the vehicle access. When the school opens, the roll will build up over time so the full impact of 1,200 students will not be immediate.

- 8.44. It is proposed that the Council will have the option to take a long lease of the site for the school within a period of 10 years following the grant of planning permission. The Council will be responsible for obtaining the detailed planning approval for the school and for procuring the construction of the school building. This will be included in the S.106 Agreement along with a sunset clause (index-linked) to provide an education contribution in accordance with the Planning Obligations SPD if a school is not delivered within the time frame for whatever reason.
- 8.45. The school proposed for this site would require will be an innovative design approach when the reserved matters come forward. However, officers are satisfied that the indicative design proposed demonstrates that a secondary school can successfully be accommodated on the site.

Housing

Policy Context

- 8.46. At a National level the NPPF (2012) seeks the delivery of a wide choice of high quality homes, to widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 8.47. Policy 3.3 of the London Plan (2013) seeks to ensure the identified housing need in London is met through the provision of new homes, requiring Boroughs to exceed their housing targets.
- 8.48. Policy SP02(1) of the Council's adopted Core Strategy seeks the delivery of 43,275 new homes over the plan period (equating to 2,885 new homes per year) in line with the housing targets set out in the London Plan. Appendix 2 of the Core Strategy (2010) reviews the delivery programme for new houses investment and weeks to provide within the plan period (2010 to 2025) a new housing allocation of 1,470 within Wapping although at this time the London Dock site (former News International site) was not identified for residential led mixed use redevelopment (now promoted through the Managing Development Document).
- 8.49. The London Dock site allocation in the Council's adopted Managing Development Document (2013) designates that application site for a comprehensive mixed-use development required to provide a strategic housing development, a secondary school, publically accessible open space and other compatible uses including employment uses.

Housing Delivery

- 8.50. The proposed development would deliver up to 1,800 new homes on the site, with 529 homes being included in the detailed component of the scheme and up to 1,271 homes included in the outline component. The proposed development would be constructed in multiple phases over a 15 year period. An indicative demolition and construction programme is provided at Section A5 of the ES Volume 1 Revised Addendum (November 2013), details of which are set out in Table 2 below. This outlines how the phases of the development may come forward.

Table 2: Revised Demolition and Construction Programme

Phase	Area/Block	Commencement Date (month)	Completion Date (month)
Demolition	Print Works	1	14
	Phase 1 Area	4	9
	Phase 3 Area	62	66
	Phase 4 Area	90	95
	Phase 5 & 6 Area	120	124
Phase 1	Block A	2	36
	Block B	6	31
	Block C	27	81
	Times House	2	23
	PSW Area 1	66	78
Phase 2	Block D	2	92
	Plot E (indicative)	11	44
Phase 3	Block F	62	109
	PSW Area 2	95	108
Phase 4	Block G	95	139
	PSW Area 3	125	137
Phase 5	Block H	125	169
	PSW Area 4	155	167
Phase 6	Block J	155	178
	PSW Area 5	165	176

- 8.51. The proposed strategic quantum of housing and phased delivery of new homes across the site will make a significant contribution towards the Borough's housing target and is supported in line with Policy 3.3 of the London Plan (2013), Policy SP02(1) of the Council's adopted Core Strategy (2010) and the London Dock site allocation in the Council's adopted Managing Development Document (2013). There has been some concerns raised around the 15 year construction period and whether the construction phasing could be condensed. The phasing of a development of this scale is dependent upon a range of complex variables linked to the rate of sale of residential apartments, fluctuations in the residential property market and the practicalities of developing such a large and complex site whilst maintaining health and safety conditions for construction workers and for those living and working nearby. It would not be reasonable for the local planning authority to impose a more immediate phasing programme under these complex circumstances.

Residential Density

Policy Context

- 8.52. Policy 3.4 of the London Plan (2013) seeks to optimise housing output for different types of location within the relevant density range shown in Table 3.2 (in the London Plan) taking into account local context and character, the design principles and public transport capacity.

Proposed Residential Density

- 8.53. For vertically mixed use schemes, whereby buildings include a mix of residential and non-residential uses on different floors of buildings, the residential density of the development can be calculated using the 'Greenwich Method', in which the non-residential floorspace is deducted from the net site area in proportion with the percentage of proposed non-residential floorspace within the scheme. In this instance, by deducting the proposed non-residential proportion of floorspace (8.96%) from the overall site area of 6.1ha, it can be seen that the adjusted site area for the purposes of calculating residential density is 5.55ha.
- 8.54. The proposed development will deliver up to 1,800 new homes, with 529 homes included in the detailed component of the application and a further 1,271 homes included in outline. The applicant has provided an indicative schedule of residential accommodation in Section A6 of the submitted Environmental Statement, Volume 1, Revised Addendum, November 2013, which is included in this report at Table 3 below.

Table 3: Accommodation Schedule for the Whole Development

Homes	Market	Intermediate	Rented	Total
Manhattan	194	16	0	210
1 bedroom	329	163	81	573
2 bedroom	601	33	68	702
3 bedroom	178	0	83	261
4 bedroom	12	0	42	54
Total	1,314	212	274	1,800

- 8.55. As such, it is anticipated that the proposed development would deliver up to a total of 5,091 habitable rooms on a site of 5.55 ha. Using the Greenwich Method, it has been calculated that the proposed residential density would be 917 hr/h and 324 units/ha, with an average of 2.8 habitable rooms per unit.
- 8.56. Officers consider that the application site lies within a 'Central' location for the purposes of a residential density assessment, due its proximity to the City of London and due to the scale, height and form of surrounding buildings. It is noted that the Public Transport Accessibility Level (PTAL) ranges between 1b (poor) and 4 (good) across the site, with the PTAL being lowest at the southern edge of the site, which is largely due to the limited access/permeability through the site at present. The proposed residential blocks would be located on those parts of the site with a PTAL range of 2-4.
- 8.57. As the proposed development includes the formation of new access points, including at the south-west, south-east and north-east corners of the site, the walking distance to the nearest public transport "Point of Interest" from within the site will be reduced. As such, it is anticipated that the PTAL across the site will improve, particularly along the southern boundary.
- 8.58. Taking into account the site's 'Central' setting, the existing PTAL and anticipated improvements to PTAL as a result of the development, officers consider that the proposed residential density of 917hr/ha and 324 units/ha lies within the target density ranges set out in the Sustainable Residential Quality Density Matrix at Table 3.2 of the London Plan (2013), which provides a target density range of 300-1,100hr/ha in this instance.
- 8.59. Notwithstanding that the density sits within an acceptable range, it remains important to take into account the wider impacts of the development, including the scale, height, mass and form of buildings and their impact on the surrounding townscape

and street scenes, together with impacts on the amenity of neighbouring residents and future residential occupants within the site in terms of daylighting and sunlighting conditions, outlook and privacy. These matters are discussed in detail in the later sections of this report and officers consider that, on balance, the proposed residential density is acceptable in this instance.

Affordable Housing

Policy Context

- 8.60. Policy 3.11 of the London Plan (2013) seeks to maximise affordable housing provision and ensure an average of at least 13,200 more affordable homes per year in London over the 20-25 year term of the London Plan.
- 8.61. Policy SO8 of the Council's adopted Core Strategy (2010) seeks to ensure that housing contributes to the creation of socially balanced and inclusive communities by offering housing choice reflecting the Council's priorities for affordable and family homes. Policy SP02(3) Core Strategy (2010) sets a strategic target for affordable homes of 50% until 2025 and requires 35% - 50% affordable homes on sites providing 10 new residential units on more, subject to viability.
- 8.62. Policy DM3(2) of the Council's adopted Managing Development Document (2013) seeks to ensure that affordable housing is built to the same standards and shares the same level of amenities as private housing. Policy DM3(3) of the Managing Development Document (2013) seeks to ensure that development maximises the delivery of affordable housing on-site.

Proposed Affordable Housing Provision

- 8.63. The proposed development (as amended and following negotiations and an assessment of scheme viability) would provide 30% affordable housing by habitable room and 27% by unit across the whole scheme, comprising a total of 212 intermediate units and 274 affordable/social rented units (assuming the delivery of 1800 units overall). Of the 529 units within the detailed element of the scheme, 34 intermediate and 70 affordable/social rented units are to be provided, which equates to 21% by habitable room and 20% by unit as a proportion of the detailed element.
- 8.64. It should be noted that the affordable housing offer as originally submitted would have provided 15% affordable housing by habitable room. Following the independent assessment of the applicant's viability appraisal by the Council's appointed viability consultants (Deloitte) together with detailed and involved negotiations between officers and the applicant, the affordable housing offer was increased to 30% by habitable room.
- 8.65. Deloitte has confirmed that the revised viability appraisal shows that the development would not achieve the developer's required level of profit at today's costs and sales values. As such, the current affordable housing offer has been made on the assumption that the scheme viability will improve over the 15 year construction period and therefore takes into account growth in sales values. Deloitte and officers can confirm that the current proposals represent the maximum level of housing and affordable housing that can be achieved by the scheme. As the viability model includes growth over the 15 year build period, there is no case to include a viability re-appraisal as and when later phases are consented in detail and delivered. The offer made by the applicant in the hope that private residential sales values will increase into the future.

- 8.66. The application proposes a 70:30 split between rented units and an intermediate housing product.
- 8.67. The family sized rented units (3+ bed) are to be provided at Social Target Rent levels, which is supported in line with the housing needs in the Borough.
- 8.68. The 1 and 2 bed rented units are to be Affordable Rent units provided at POD levels for the E1 post code. The rents for these unit, including service charges, would therefore not exceed:
- 1 bed £207.12
 - 2 bed £220.54
- 8.69. With regard to the provision of intermediate tenure affordable housing, the applicant is proposing the use of a new form of intermediate product known as 'First Time Buyer' (FTB) in place of shared ownership units. Like shared ownership units, FTB is a low cost shared equity product, where the new build home is purchased at a discount price, without the need for public subsidy. It is noted that the applicant, St George Central London Limited, has built schemes that include FTB homes elsewhere in London, including within the London Borough of Ealing, although this is the first time that FTB has been proposed within the London Borough of Tower Hamlets.
- 8.70. Under FTB arrangements, an eligible purchaser buys a percentage of the property available with no interest or rent charged on the unsold remaining equity. It should be noted that prospective purchasers would be subject to the same eligibility criteria as used for shared ownership homes. FTB units therefore represent a more affordable housing product for prospective purchasers than shared ownership units, where a rent is also charged above the mortgage repayments. It should be noted that FTB units would be liable for service charges.
- 8.71. A further difference between the FTB and shared ownership products is that the applicant is proposing to covenant the unsold equity in the FTB units to the Council. The retained equity is released when a purchaser staircases up in order to purchase 100% of the equity (at the discretion of the Council) enabling the Council to gain a capital receipt to reinvest in other affordable housing initiatives or programmes.
- 8.72. In addition, as the FTB units are not managed by a registered provider, there is no need for the units to be located in separate cores from the market units. As such, the FTB units can therefore be pepper-potted throughout the market blocks and cores, as is proposed in this scheme, which is supported in line with the Council's overarching objective of creating mixed and balanced communities. Those residents who might find FTB an attractive option are limited through average income levels (within income levels increasing across the various unit sizes/types) with priority given to Tower Hamlets residents in the first instance.
- 8.73. Taking into account the above, officers consider that the provision of 30% affordable housing with family rented accommodation provided at social target rent levels and the non-family rented accommodation at affordable rent (POD) to be a good offer and one that is rarely achieved across London – especially when a site allocation also seeks the delivery of educational infrastructure. Officers are satisfied that the applicant has demonstrated that it is the maximum level of affordable housing provision that the scheme could viably deliver whilst meeting a substantial planning obligation requirement (including S106 obligations and the London Mayoral CIL). The

proposal therefore accords with Policy 3.11 of the London Plan (2013), Policy SP02(3) of the Council's adopted Core Strategy (2010) and Policy DM3(2) of the Council's adopted Managing Development Document (2013).

Housing Mix

Policy Context

- 8.74. Policy 3.8 of the London Plan (2013) seeks to ensure that new developments offer a range of housing choices in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors.
- 8.75. Policy SP02(5) of the Council's adopted Core Strategy (2010) requires a mix of housing sizes on all sites providing new housing, with an overall target of 30% of all new housing to be of a suitable size for families (3+ bed), including 45% of new social rented homes to be for families.
- 8.76. Policy DM3(7) of the Council's adopted Managing Development Document (2013) seeks to ensure that development provides a balance of housing types, including family homes.

Proposed Housing Mix

- 8.77. The proposed development would deliver up to 1,800 new homes, with 529 units included in the detailed component of the scheme and up to 1,271 units included within the outline component. The proposed housing mix across the whole scheme is provided in Table 4 below.

Table 4: Proposed Housing Mix (detailed and outline components)

Tenure	Home Type	Proposed Mix	Policy Target
Market	Manhattan	5-15%	50%
	1 bed	20-25%	
	2 bed	45-55%	
	3 bed	15-20%	
	4 bed		
Intermediate (FTB)	Manhattan	8%	25%
	1 bed	77%	
	2 bed	15-16%	
	3 bed	0%	
	4 bed	0%	
Affordable/Social Rented	Manhattan	0%	30%
	1 bed	30%	
	2 bed	25%	
	3 bed	30%	
	4 bed	15%	

- 8.78. With regard to the market tenure mix, the applicant has proposed a mix range on the basis that the majority of units within the scheme are in the outline component and a mix range will allow the development to adapt to changing market conditions and demand over time. The range also provides the Council with a degree of certainty that the market units will be delivered broadly in line with the Council's policy targets, although it is noted that the range does allow for a possible under-provision of 1 bed

and 3 bed units and an over-provision of 2 bed units. However, given the particularly long timescales involved in the construction of the development (15 years) on balance, officers consider the proposed market tenure mix is acceptable.

- 8.79. In terms of the intermediate tenure mix, the proposed scheme would represent a significant departure from policy targets, with provision of 84% 1 bed and 16% 2 bed units and no 3 bed units. The applicant has advised officers that an over-provision of 1 bed intermediate (FTB) units would provide a cost benefit that would be used to cross-subsidise the delivery of social/affordable rented units (provided at POD levels for the 1 and 2 beds and social target levels for the 3+ beds). This was included within the viability toolkit and the conclusion to the viability discussions was predicated on this approach. Officers consider this approach to be acceptable.
- 8.80. In terms of the affordable/social rented tenure mix, the proposed scheme would exactly accord with the Council's target mix, which is supported.
- 8.81. Taking into account the above and on balance, it is considered that the proposed development would provide a suitable balance of housing types, including family homes, in accordance with Policy 3.8 of the London Plan (2013), Policy SP02(5) of the Council's adopted Core Strategy (2010) and Policy DM3(7) of the Council's adopted Managing Development Document (2013).

Tenure Split

Policy Context

- 8.82. Policy 3.11(A) of the London Plan (2013) seeks a tenure split for affordable homes from new development of 60% social rented and 40% to be intermediate rented or sale.
- 8.83. Policy SP02(4) of the Council's adopted Core Strategy (2010) and Policy DM3(1) of the Council's adopted Managing Development Document (2013) require an overall strategic tenure split for affordable homes from new development of 70% social rented and 30% intermediate.

Proposed Tenure Split

- 8.84. For the detailed component of the scheme, which includes 529 affordable homes, the proposed tenure split is 80:20 (affordable/social rented to intermediate), which is weighed in favour of affordable/social rented units due to the inclusion of Times House in the detailed component, which currently comprises the bulk of the affordable/social rented units in the scheme. The tenure split for the outline component of the scheme is 67:33.
- 8.85. However, across the whole development the tenure split is 70:30, which accords with Council policy. As such, whilst there is disparity in the tenure splits between the detailed and outline components, on balance, it is considered that the overall split between rented and intermediate tenures is acceptable, in accordance with the requirements of Policy SP02(4) of the Council's adopted Core Strategy (2010) and Policy DM3(1) of the Council's adopted Managing Development Document (2013).

Layout and Internal Space Standards

Policy Context

- 8.86. Policy 3.5 of the London Plan (2013) seeks to ensure that new residential developments accord with the minimum space standards set out in Table 3.3 (in the London Plan) and take into account of factors relating to 'arrival' at the building and the 'home as a place of retreat', have adequately sized rooms and convenient and efficient room layouts, meet the changing needs of Londoners over their lifetimes, address climate change adaptation and mitigation and social inclusion objectives.
- 8.87. Policy DM4(1) of the Council's adopted Managing Development Document (2013) seeks to ensure that all housing developments have adequate provision of internal space in order to provide an appropriate living environment, to accord with the minimum space standards in the London Plan (2013).

Proposed Design and Layout of Residential Units

- 8.88. The submitted plans demonstrate that the residential units within the detailed component (Buildings A, B, C and Times House) meet the relevant space and design standards set out in the Mayor of London's Housing SPG (2012) and the London Plan (2013). All of the proposed affordable family homes (3+ bed) within the converted Times House building include a separate kitchen and living/dining room and a separate bathroom and WC, which is supported.
- 8.89. Officers consider that the proposed residential units are well designed and include adequate internal space so as to provide an appropriate living environment for future residential occupants. The proposal therefore accords with Policy DM4(1) of the Council's adopted Managing Development Document (2013) and Policy 3.5 of the London Plan (2012).

Wheelchair Housing and Lifetime Homes Standards

- 8.90. Policy 3.8 of the London Plan (2013) seeks to ensure that all new housing is built to 'Lifetime Homes' standards and that 10% of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 8.91. Policy SP02(6c) of the Council's adopted Core Strategy (2010) requires new developments to comply with accessibility standards, including 'Lifetime Homes' requirements.
- 8.92. The applicant has provided an indicative schedule accommodation for the residential blocks within the detailed component at Section 14.0 of the Revised Design and Access Statement Addendum, November 2013, which identifies each wheelchair adaptable unit and confirms that at least 10% of all units with a given block are to be wheelchair adaptable.
- 8.93. If planning permission were to be granted it is recommended that conditions are included to require the detailed design of the units to meet with the Council's 'Lifetime Homes' and wheelchair accessibility standards.

Amenity Space

Policy Context

- 8.94. Policy SP02(6d) of the Council's adopted Core Strategy (2010) requires adequate provision of housing amenity space for new homes, including private amenity space in every development.

- 8.95. Policy DM4(2) of the Council's adopted Managing Development Document (2013) requires the provision of a minimum of 5 sqm of private outdoor space for 1-2 person dwellings, with an additional 1 sqm provided for each additional occupant, whilst specifying that balconies and private external spaces should have a minimum width of 1500mm. In addition, the provision of communal amenity space is required for developments with 10 or more residential units, with 50 sqm provided for the first 10 units, plus a further 1 sqm per additional unit thereafter.

Private and Communal Amenity Space Provision

- 8.96. From the submitted plans it can be seen that all 529 units within the detailed component of the scheme include provision of private amenity space in the form of balconies, terraces or winter gardens that exceed the Council's minimum standards. Specifically, the detailed component includes provision of 9,486sqm of private amenity space against a minimum target of 3,117sqm, as required by Policy DM4(2) of the Council's adopted Managing Development Document (2013).
- 8.97. The proposals also include provision of communal amenity spaces in the form of a Water Garden at the centre of Block C, a terrace located immediately to the south of the tower (Building C1) and two courtyards at ground and podium level within Times House. In total, the detailed component includes provision of 1,689sqm of communal amenity space, against a minimum target of 569sqm.
- 8.98. Taking into account the above, it is considered that the proposals include adequate provision of private and communal amenity space, in accordance with Policy SP02(6d) of the Council's adopted Core Strategy (2010) and Policy DM4(2) of the Council's adopted Managing Development Document (2013).

Urban Design

Policy Context

- 8.99. Policy 7.4 of the London Plan (2013) seeks to ensure that buildings, streets and open spaces provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets, contributes to a positive relationship between the urban structure and natural landscape features, is human in scale, allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, and is informed by the surrounding historic environment.
- 8.100. Policy SP10(4) of the Council's adopted Core Strategy (2010) seeks to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.
- 8.101. Policy DM24 of the Council's adopted Managing Development Document (2013) requires development to be designed to the highest quality standards, incorporating principles of good design and ensuring that the design is sensitive to and enhances the local character and setting of the development in terms of scale, height, mass, building plot sizes, building lines and setback, roof lines, streetscape rhythm, design details and through the use of high quality building materials and finishes.
- 8.102. The London Dock site allocation in the adopted Managing Development Document (2013) sets the following design principles for the site, which seek to ensure that development: respects and is informed by the existing character, scale, height,

massing and fine urban grain of the surrounding built environment, specifically to the north, south and east; protects and enhances heritage assets on the site and in the surrounding areas; integrates the Greed Grid route within the site, and; improves the public realm at active edges, specifically along The Highway and Vaughan Way.

- 8.103. The Council's priorities and principles for the Wapping area as set out in LAP 3 & 4 in the adopted Core Strategy (2010) state that development should be informed by the scale and character of historic warehouse buildings, whilst providing responsive, modern building typologies, and that the redevelopment of the former News International Site should retain a permeable street network through the site and both north/south and east/west, and

Existing Site

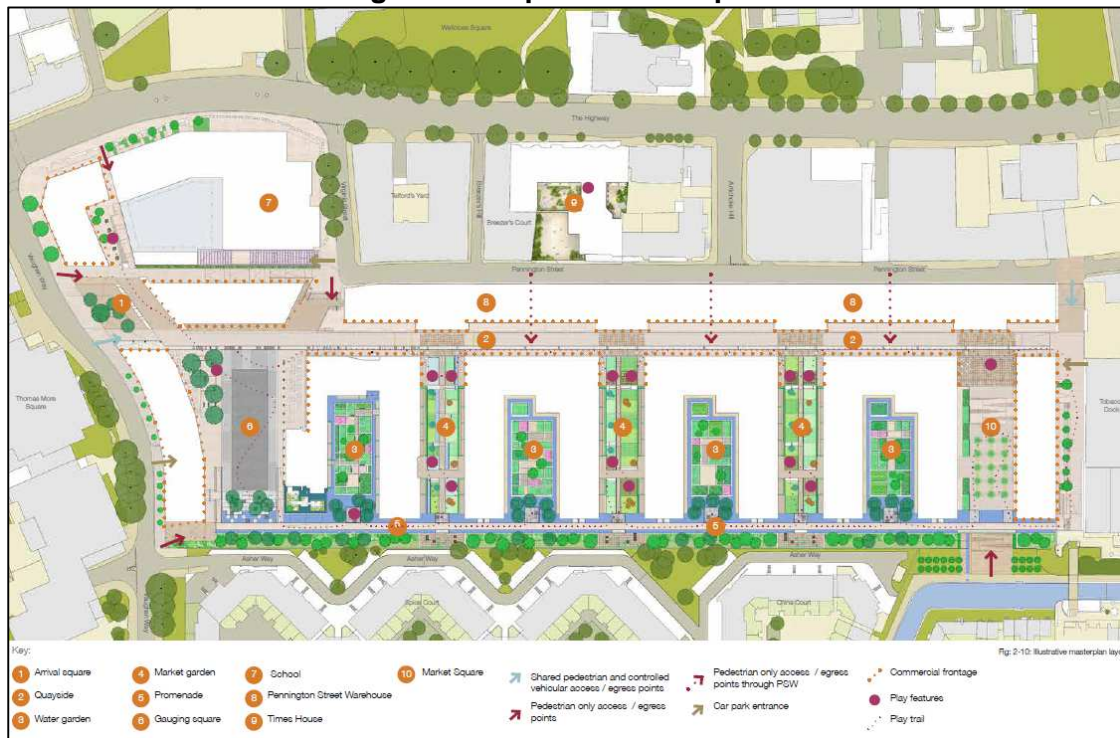
- 8.104. The main site is a long 'L' shaped plot that covers 5.85 hectares and is bounded by The Highway and Pennington Street to the north, by the Grade I listed Tobacco Dock to the west, by the Quay 430 gated residential development to the south and by Vaughan Way to the west. The application site also includes the six storey Times House office building, which is located immediately to the north of the main site, situated between Pennington Street and The Highway.
- 8.105. The majority of the central and eastern section of the site is occupied by the former News International offices and print works, which is a monolithic, rectilinear building that was constructed during the 1970/80s that faced in red brick and beige and brown cladding with sections of tinted glazing. The building is approximately 280m long, 70m wide and ranges between 35m and 41m in height (AOD). The Grade II listed Pennington Street Warehouse spans the northern boundary of the site along Pennington Street, which is two storeys in height, 320 metres long and 20 metres wide. The western side of the site was historically used as an open-air car park in association with the print works and offices and remains undeveloped. The existing buildings print works do little to enhance the character of the immediate locality and are harmful to the setting of neighbouring heritage assets.

Proposed Masterplan

- 8.106. The masterplan for the site includes 9 new buildings, with four 'U' shaped blocks laterally aligned along the centre of the site, two linear blocks at the eastern end western end of the site, a corner block at the junction of Vaughan Way and The Highway together with a school and a further linear located immediately to the west of and aligned with, the listed Pennington Street Warehouse, which is to be retained.
- 8.107. The scheme includes the creation of three new public squares, with hard and soft landscaped Market Gardens providing north/south pedestrian routes between the 'U' shaped blocks. At the centre of the 'U' shaped blocks, landscaped Water Gardens are provided as community amenity spaces for residents. The scheme also includes the creation of two new east/west pedestrian routes that span the length of the site, with the Quayside located between the 'U' shaped blocks and the Pennington Street Warehouse and the Promenade located along the southern edge of the site. New access to the site is provided from Vaughan Way, The Highway, Virginia Street, Pennington Street and the canal footpath at the south-east corner of the site.
- 8.108. In terms of the overall approach to site layout, it is noted that over half of the site by area (3.2ha) comprises open space, of which 2.2ha is provided as publically accessible open space, which is strongly supported. Officers also consider that the provision of new public squares, together the east/west and north/south landscaped

pedestrian routes and the formation of new access to the site, accords with Council's objectives set out in the London Dock site allocation in the adopted Managing Development Document (2013). These objectives seek to ensure that any redevelopment proposals for the site provide new connections will improve the permeability of the site and within Wapping.

Figure 2: Proposed Masterplan



Building Height, Mass, Scale and Townscape

Policy Context

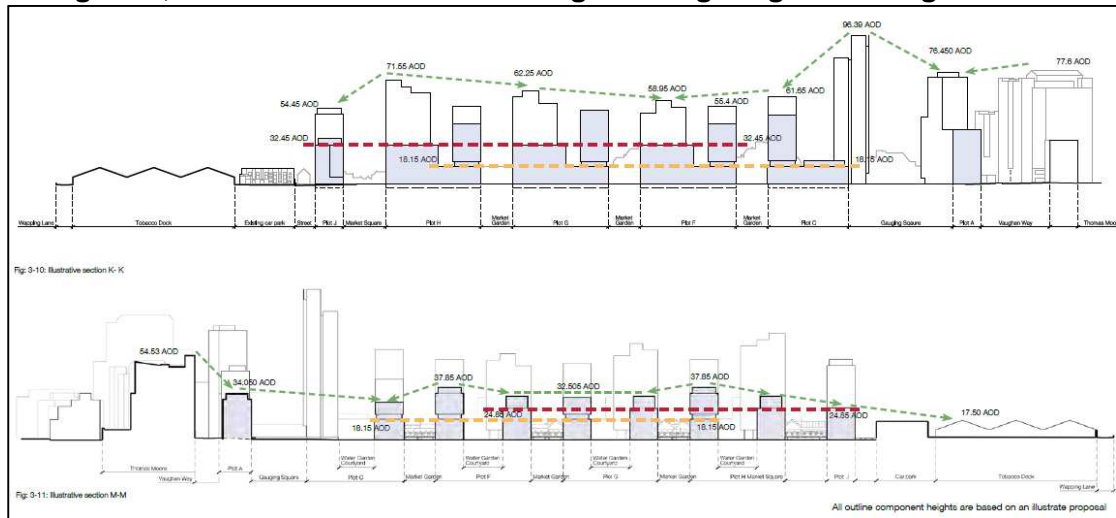
- 8.109. Policy 7.7 of the London Plan (2013) sets out criteria for tall and large buildings, including appropriate locations such as the CAZ, opportunity areas and areas of intensification and seeks to ensure that buildings do not affect the surrounding area in terms of its scale, mass or bulk; relates to the urban grain of the surrounding area; improves the legibility of the area; incorporates the highest standards of architecture and materials; has appropriate ground floor uses, and; makes a significant contribution to local regeneration.
- 8.110. Policy DM26 of the Council's adopted Managing Development Document (2013) requires proposals for tall buildings to be of a height and scale that is proportionate to its location within the town centre hierarchy and sensitive to the context of its surroundings and achieve high architectural quality and innovation in the design of the building; within the Tower Hamlets Activity Area, requiring development to demonstrate how it responds to the difference in scale of buildings between the CAZ and the surrounding residential areas; not adversely impact on heritage assets or views; and not result in any adverse environmental impacts.
- 8.111. The Council's design principles for the London Dock site, as set out in the London Dock site allocation in the Council's adopted Managing Development Document (2013), state that development should respect and be informed by the existing

character, scale, height, massing and fine urban grain of the surrounding built environment, specifically to the north, south and east.

Proposed Building Heights

- 8.112. The application site presently includes the former News International print works and office building, which is a monolithic, rectilinear structure that occupies most of the site and rises to up to 33-40m AOD (approximately 11-13 residential storeys) in height, together with the Grade II listed Pennington Street Warehouse, which is two storeys in height and the Times House office building, which is 6 storeys in height plus a lower ground floor.
- 8.113. With regard to the proposed building heights, the detailed component of the scheme includes three new buildings, with Block A located along the western edge of the site, which ranges between 8 and 20 storey in height. Block B, which encloses the north side of the Gauging Square, is 8 storeys in height. Block C is the first of the main 'U' shaped blocks and encloses the east side of the Gauging Square and comprises two distinct elements, with the western section of the block (referred to as Block C1 on plan) comprising a 25 storey tower, whilst the northern and eastern sections of the block (referred to as Block C2/C3 on plan) ranges between 4 and 16 storeys in height, with the height of the eastern section stepping down from 16 to 7 storeys in height at the southern end of the block.
- 8.114. The outline component of the scheme includes three further 'U' shaped blocks located to the east of Block B, with these buildings being identified on the parameter plans as Plot F, Plot G and Plot H moving eastwards across the site. Plots F, G and H are tallest at their north-east corners and fall in height towards the south, with the maximum height of the blocks set as 62.5m, 68.5m and 74.5m AOD respectively. A further outline block is proposed at the eastern end of the site, between Plot H and the Grade I listed Tobacco Dock, which is identified as Plot J and is rectangular in plan form and comprises four vertical elements of differing heights, which each have maximum heights ranging between 27.5m and 59.0m AOD.
- 8.115. Two further outline blocks are proposed at the north-west corner of the site fronting Vaughan Way, The Highway and Virginia Street, which are identified as Plot D and Plot E on the parameter plans. Plot D is tallest at its north-west corner and falls in height to the south, with a maximum height of 51.0m AOD (or approximately 17 residential storeys), whilst Plot E is the secondary school, which has a maximum height of 28.8m AOD, including Multi-Use Games Areas (MUGA) at roof level.
- 8.116. The 'U' shaped blocks have been designed to step down from north to south to take into account any potential impacts on local views from the residential areas to the south that typically range from 4 to 10 storeys. The existing News International building is monolithic and imposing and has a poor relationship to the local context, particularly to the south. The proposed blocks with their 'U' shaped footprint and set back upper storeys would create more openness, break the monotonous building envelope of the existing condition and create a better relationship with the residential blocks to the south.
- 8.117. To the east, adjacent to Tobacco Dock, the block is divided into four separate identifiable blocks and only one section of the block rises to 19 storeys. The remaining three blocks form a low to medium rise podium that defines the new entrance from the tow path from south and forms an edge to the Market Square.

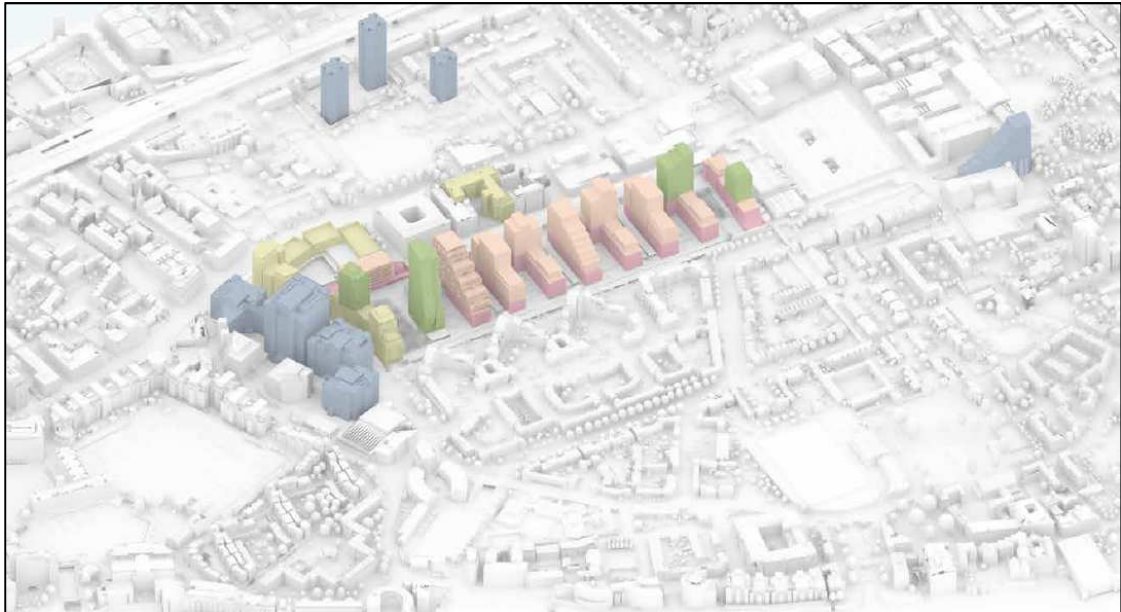
Figure 3; Illustrative Sections Showing Building Heights Through the Site



- 8.118. The site is located within the LBTH City Fringe Activity Area, which Policy DM26 of the adopted Managing Development Document (2013) identifies as a suitable location for tall buildings, provided such buildings respond to the difference in scale of buildings between the CAZ and the surrounding residential areas.
- 8.119. The prevailing scale of buildings in the immediate locality is predominately lower rise than the maximum heights proposed by the development. However, there are examples of taller buildings including 21 Wapping Lane (at 19 storeys, 69.8m AOD) and the Thomas More Square commercial development, which includes a tower rising to 77m AOD. Officers note that with the exception of the proposed 25 storey tower (Building C1), all other buildings will be lower in height than Thomas More Square.
- 8.120. Officers consider that there a number of reasons why buildings of the scale proposed can be accepted on the site. Firstly, officers note that the considerable size of the application site provides the opportunity to ensure that larger buildings are given adequate setting, with areas of lower rise development to give relief to the overall scale of development. The location of each taller element has been carefully selected to act as markers. Officers consider that the massing of the scheme has been carefully handled, with the U blocks exhibiting a strong shoulder height which provides the framing for street-level views.
- 8.121. The tallest elements of the scheme are located to the western end of the site close to Thomas More Square and Vaughan Way, reflecting the edge of the Central Activities Zone and to enable a better integration with the existing Thomas More Square building. The tower has been carefully located so as better integrate with the Thomas More Square building when seen from LVMF views 11B.1 and 11B.2 from London Bridge.
- 8.122. During the course of the application the profile of the tall building has been further narrowed and the height of the tower has been reduced from 33 to 25 storeys. This has further reduced the visual impact of the tall building from long distant views. The

use of glazing as external envelope of the tall tower further will also reduce the perceived bulk in local views.

Figure 4: Proposed Bulk, Scale and Massing Illustration



- 8.123. In the Inspector's Report following the Examination in Public of the MD DPD, it was stated at paragraph 83 that "a larger number of new dwellings/percentage of new housing than originally envisaged, possibly at a higher density and perhaps in taller than average buildings for the locality may well have to be permitted to achieve a deliverable scheme".
- 8.124. Given the significant size of the application site, it considered that the development would be read as a new townscape/place-making intervention within the locality, which together with its 'City Fringe' location at the north-western edge of Wapping adjacent to The Highway, provides justification for buildings of a scale and height greater than that of buildings typical of Wapping.
- 8.125. On the basis of the significant regenerative benefits of the scheme, including but not limited to the provision of a new secondary school and delivery of 30% affordable housing, officers consider that on balance, the scale, height and mass of the proposed building is acceptable in this instance. A scheme of more limited intensity and scale would not have been able to deliver the regenerative benefits currently envisaged.

Detailed Component – Detailed Design & Elevational Treatment

- 8.126. The detailed component of the scheme comprises Blocks A, B, C and Times House, together with public open space within the Arrival Square and the Gauging Square. Block A lines the curved western boundary of the site along Vaughan Way and is 87m long, 18m wide and ranges between 8 and 20 storeys in height. Block A comprises five distinct elements of varying heights, with each element being 10, 20, 8, 13 and 8 storeys in height from north to south. The design detail, facing materials and articulation of each element is varied, with the block reading as a series of adjoining buildings. Block A would be principally faced in precast concrete cladding, including patterned coloured metal cladding, with projecting balconies with either

metal or glazed balustrades. The scale of the buildings generally corresponds to that of the Thomas More Square buildings on the opposite (west) side of Vaughan Way.

- 8.127. Block B would bound the eastern side of the Arrival Square and the northern side of the Gauging Square and is proposed at 8 storeys in height and comprises a fully glazed trapezoidal base at ground and first floor with a rectangular block sitting atop the base. The building would include a double-height fully glazed frontage at ground and first floor levels, with the building principally being faced in coloured metal cladding. The upper floors of the building would include part-recessed terraces, which would project out from the building in a 'zig-zag' angular fashion, which would correspond to the angular arrangement of the fenestration, with the arrangement on each floor off-set from those above and below.
- 8.128. Block C would bound the eastern site of the Gauging Square includes two distinct elements, with the western section of the block (Building C1) comprising a 25 storey tower and the eastern section of the block (Building C2/C3) forming a 'U' shaped block that ranges between 4 and 15 storeys in height. Building C1 would comprise two elements, with the west section and elevation of the building being fully glazed with an angular profile, giving the tower a crystalline appearance when viewed from the west. Conversely, the east section and elevation of building comprises a stepped rectilinear tower that would be faced in pre-cast concrete with recessed fenestration providing a strong vertical emphasis.
- 8.129. Building C2 steps down in height from north to south and includes a four storey base faced in brick with protecting balconies. The upper floors would be separated by precast concrete bands and includes recessed balconies with either metal or glazed balustrades and bay windows. These two distinct elements of the building would be separated by a fully glazed 4th floor, which would provide a visual break between the architectural treatments.

Figure 5: CGI of Detailed Component (north-west view towards Blocks A & C)



- 8.130. The detailed component includes significant alterations to the Times House building. It is proposed to strip back the building to shell and core and remove a large section of the southern part of the building, opening up the internal courtyard and providing improved daylight and sunlight penetration into the centre of the block. It is also proposed to erect an additional set-back storey, increasing the height of the building from 6 to 7 storeys plus lower ground floor. It is also proposed to entirely re-clad the building.
- 8.131. On the north elevation, fronting The Highway, the proposed building incorporates an articulated frontage with shopfront glazing and a brick façade punctuated by rectangular glazing set within deep reveals behind metal balustrades. The 5th and 6th floors of the building would be set back from The Highway to provide terrace space and faced in precast concrete and glazing. The courtyard elevations would be faced in white render and include projecting balconies with metal balustrades and glazed winter gardens. The south elevation of the building, fronting Pennington Street, would be brick faced, whilst the return facing the courtyard is to be clad in coloured metal cladding.

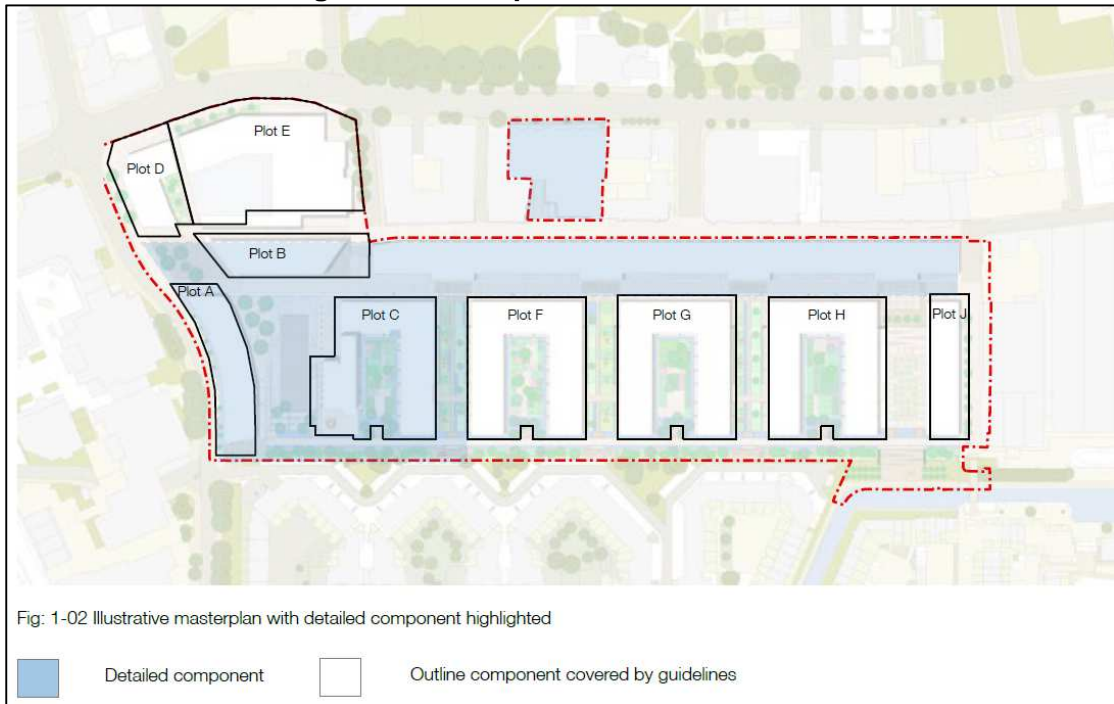
Figure 6: Proposed Times House viewed from Pennington Street



- 8.132. The Highway/Vaughan Way comprises of variety of building types characterised by various materials and building types. The proposal has a strategy to organise blocks within the master plan according to their immediate local context. The blocks to the west has a consistent palette of material with a mix of reconstituted stone, metal and glass. The blocks along Quayside parallel to the listed warehouse has a podium section with brickwork and the sections above podium level of reconstituted stone, metal and glazing. This is to establish a clear relationship at the ground level to the warehouse context whilst maintaining lightness and variety on the floors above. Closer to Tobacco Dock, the low rise block reflects the warehouse typology with the use of brick work and the higher sections of the blocks uses a palette comprising of reconstituted stone, metal and glass.
- 8.133. Officers consider that the design approach and architectural vernacular of the buildings in the detailed component is of a high quality. The variations in elevational treatment, materials and appearance of the buildings provide visual interest and will help to define each of the spaces around these buildings. In addition, the ground floors of Buildings A and B and the north and west elevation of Building C2/C3 would include shop-fronts serving a range of retail and commercial spaces that will provide active frontages and will help to animate the spaces around the building. Officers also consider the proposed palate of facing materials to be acceptable, subject to a condition being included to secure samples and full details of these materials.
- 8.134. It is noted that the Mayor of London in his Stage 1 letter identified a lack of residential entrances at ground floor level as an area of concern. The applicant has sought to address this concern amending the scheme to include direct entrances to the units at the southern end of Building C2/C3 via the Promenade, which is supported. It is noted that the provision of direct entrances from the Market Gardens would be highly problematic due to the level changes along these routes.

Outline Component – Parameters and Design Guidelines

Figure 7: Masterplan and Plot Location



Plot D

8.135. Plot D is located to the north-west of the site, on the corner of the Highway and Vaughan Way, and is characterised by:

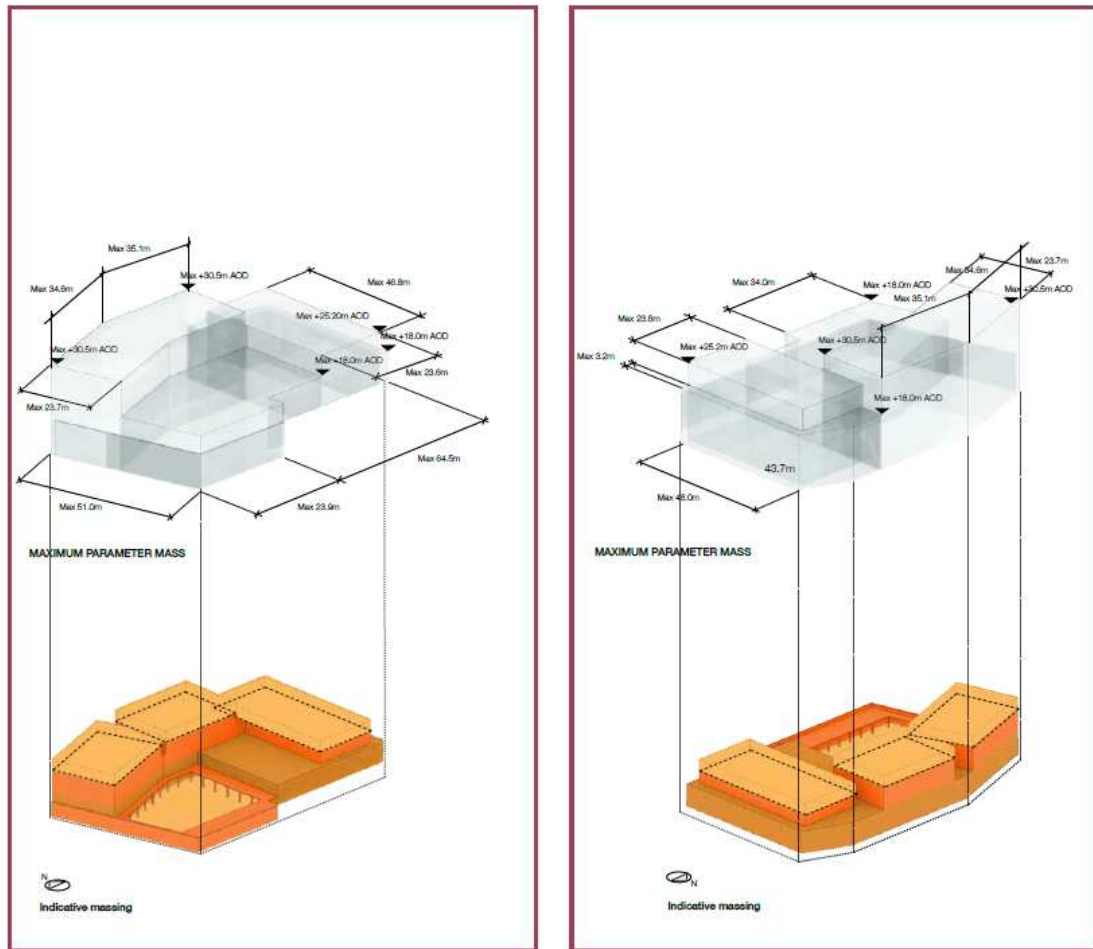
- An enclosed courtyard;
- 4.5m wide public route from Highway through the plot;
- Located adjacent to plot E;
- Located on a key corner on the Highway;
- Historic wall acts as a buffer from the Highway to the north.

8.136. This outline plot is primarily residential in use with other permitted uses at ground floor (A1-A5, B1, D1 and D2). It has a plot area of 1855sqm with max GEA of 10,695sqm. The built form has a clear base, middle and top sections and a colonnade that runs to the south that provides a clear east/west link between Vaughan Way and Pennington Street between Plot E (the school) to the north and Block B to the south.

8.137. Though the building form appears as one continuous block in the plan form, the design guidelines ensure that it's broken down into four separate blocks articulated by a variation on façade and articulation of building heights. In terms of its architecture treatment and materiality, it follows the approach taken in Plot A of the detail component.

Plot E

Figure 8: Parameters for Plot E



8.138. Plot E is located to the north of the site fronting the Highway and Virginia Street. To the west lies Plot D and to the south lies Block B. Plot E is characterised by:

- Built edges defining the Highway and Virginia Street;
- Courtyard/play space to the south;
- A well-defined base with upper floors.

8.139. The plot would accommodate a school for 1,200 students with six forms of entry plus a sixth form and has a site area of 5.5 ha and maximum GEA of 12,101sqm including a basement. The historic wall line acts as a buffer from the heavily trafficked Highway and a few opening are proposed to make it accessible form the north. The material palette comprises of brickwork, reconstituted stone, stone and aluminium doors and windows.

8.140. The parameters include provisions for a either a joint basement ramp with the main site or separate basement ramp for Plot E. This flexible approach has been carefully considered and is illustrated in the drawings. This ensures that Plot E and the basement ramp that serves main development site could be delivered in different phases with little interference on each other.

8.141. The design intent and proposed guidelines draws heavily from the Chelsea Academy School, which is located in a similar dense urban location. The proposed palette of materials, scale and bulk attempts to follow a similar approach to Chelsea Academy and is considered acceptable in principle in urban design terms.

Figure 9: Chelsea Academy



Plot F

8.142. Plot F is the first plot to the east of the outline component of the application. It is located immediately to the east of Block C and to the south of the Quayside and Grade II listed Pennington Street Warehouse. The plot is characterised by:

- A 'U' shaped block with the two arms edging the market gardens on either side of the plot;
- Frontage to the Quayside and Pennington Street Warehouse;
- Frontage to the Promenade to the south;
- Enclosed communal space (water gardens) at the centre of the plot.

8.143. Plot F has a plot area of 4,620sqm with a max GEA of 33,687sqm. The principle use in the plot is residential with other permitted uses on the ground floor including flexible A1-A5, B1, D1 and D2. The 'U' shaped block is organised with main frontages along the Quayside and the two arms perpendicular to the Pennington Street Warehouse.

8.144. The 'U' shaped block is structured with a base, middle and a top section. The base comprises of a 'U' shaped section rising to 34m AOD to the north east corner and varying in height between the 20.5m AOD and 27m AOD to the west and to the east. The middle sections sit about the base with varying skyline by articulating the building height ranging from 45m AOD to 55m AOD. Over this sits the articulated top section that breaks the skyline and creates variation in roof profile. The top sections are set back from the base and middle section of the block. Vertical slots are introduced between the various sections of the blocks to allow daylight into the courtyard and further break the massing of the blocks. A minimum width of 6-11m and a maximum of 9-14m is proposed as vertical slots. The tall section of the block would rise to between 53.5m and 62.5m.

8.145. Plot F is based on the detail component of Block A, B, and C1 and the palette of materials comprises of brickwork, metal, reconstituted stone, stone and glass.

Plot G

8.146. Plot G is the second plot to the east of the outline component of the application. It is located immediately to the east of Plot F, to the west of Plot H and is bounded by the Quayside and Pennington Street Warehouse to the north and the Promenade to the south. This plot is characterised by:

- A 'U' shaped block with the two arms edging the market gardens on either side of the plot;
- Frontage to the Quayside and Pennington Street Warehouse;
- Frontage to the Promenade to the south;
- Enclosed communal space (water gardens) at the centre of the plot.

8.147. Plot G has a plot area of 4,680sqm with a max GEA of 33,503 sqm. The principle use in the plot is residential with other permitted uses on the ground floor including flexible A1-A5, B1, D1 and D2.

8.148. Similar to Plot F, the 'U' shaped block is organised with main frontages along the Quayside and the two arms running perpendicular to the Pennington Street Warehouse with a base, middle and a top section. Similar to Plot G, the base comprises of a 'U' shaped section rising to 34m AOD to the north east corner and varying in height between the 20.5m AOD and 27 m AOD to the west and to the east.

8.149. However, unlike Plot F, the middle section comprises of a stepped cluster on the western arms of the U-block and a tall building component on the eastern arm at the north east corner. The stepped cluster to the west rises from a minimum height of 29m to 53.5m to a maximum height of 31m to 56.5m south to north. The taller element on the north eastern corner would rise to between 59.5m and 68.5m AOD.

8.150. Over this sits the articulated top section that breaks the skyline and creates variation in roof profile. The top sections are set back from the base and middle section of the block. Vertical slots are introduced between the various sections of the blocks to allow daylight into the courtyard and further break the massing of the blocks. A minimum of 6m-11m and a max of 9-14m is proposed as vertical slots.

8.151. Plot F is based on the detailed component of Blocks A, C1 and C2/C3 and the palette of materials comprises of brickwork, reconstituted stone, stone and glass.

Plot H

8.152. Plot H is the third plot to the east of the outline component of the application. It's located to the east of Plot G, to the west of Plot J and is bounded by the Quayside and Pennington Street Warehouse to the north and the Promenade to the south. This plot is characterised by:

- A 'U' shaped block with the two arms edging the market garden to the west and the Market Square to the east;
- Frontage to the Quayside and Pennington Street Warehouse;
- Frontage to the Promenade to the south;
- Enclosed communal space (water gardens) at the centre of the plot.

- 8.153. Plot H has a plot area of 4,600sqm with a max GEA of 36,914sqm. The principle use in the plot is residential with other permitted uses on the ground floor including flexible A1-A5, B1, D1 and D2. Similar to Plot G, the 'U' shaped block is organised with main frontages along the Quayside and the two arms running perpendicular to the Pennington Street Warehouse with a base, middle and a top section. Similar to Plot G the base comprises of a 'U' shaped section rising to 34m AOD to the north east corner and varying in height between the 20.5m AOD and 27 m AOD to the west and to the east.
- 8.154. However, unlike Plot G, the middle section comprises of three blocks adjacent to each other of varying height on the western arm of the U-block and a tall building component on the eastern arm at the north east corner. The three blocks range in height from a minimum of 38.5m AOD to the south and 45m AOD to the north and a middle section rising to 55.5m AOD. And they range in height from a maximum of 40.5m AOD, to 48.5m AOD and the middle section rising to 59m AOD. The taller element on the north eastern corner would rise to between 66m and 74.5m AOD.
- 8.155. Over this sits the articulated top section that breaks the skyline and creates variation in roof profile. The top sections are set back from the base and middle section of the block. Vertical slots are introduced between the various sections of the blocks to allow daylight into the courtyard and further break the massing of the blocks. A minimum of 6m-11m and a max of 9-14m is proposed as vertical slots.
- 8.156. Plot F is based on the detail component of plots A, B and C1 and the palette of materials comprises of brickwork, metal reconstituted stone, stone and glass.

Plot J

- 8.157. Plot J is the fourth plot to the east of the outline component of the application. It's located to the east of Plot H, to the south of Pennington Street Warehouse and to the west of the Grade I listed Tobacco Dock. This plot is characterised by:
- Frontage to a public square to the west;
 - Frontage to the Quayside and the Pennington Street Warehouse to the north;
 - Frontage to the public Promenade to the south.
- 8.158. Plot J has a plot area of 1,560sqm with a max GEA of 12,427sqm. The principle use in the plot is residential with other permitted uses on the ground floor including flexible A1-A5, B1, D1 and D2.
- 8.159. Unlike other plots in the outline component of the application, Plot J is rectangular oriented north/south. The plot is divided into four sections of varying heights to create a varying roof scape. Similar to other plots, Plot J has a base, middle and a top section. The base component is two storeys and continuous along the length of the block. The middle sections various in height from a minimum of 27.5mAOD and a maximum of 59m AOD. Over this sits the articulated top section that breaks the skyline and creates variation in roof profile. The top sections are set back from the base and middle section of the block. An 11m vertical slot is introduced between the sections of the blocks to break the length of the block and create variation in built form and roofscape.
- 8.160. Plot J is based on the detail component of Plot A and the palette of materials comprises of brickwork, reconstituted stone, stone and glass.

Figure 10: Existing Northwards View from Canal



Figure 11: Proposed Northwards View from Canal Showing Plot J



Heritage and Impacts on Local and Strategic Views

Policy Context

- 8.161. Policy 7.11 of the London Plan (2013) designates a list of strategic views that have been identified as containing significant landmarks, buildings or urban landscapes that help to define London at a strategic level. The policy seeks to protect vistas towards strategically important landmarks by designating landmark viewing corridors and wider setting consultation areas and seeks to identify and protect aspects of views that contribute to a viewer's ability to recognise and to appreciate a World Heritage Site's authenticity, integrity, significance and Outstanding Universal Value. Designated views are to be managed through the Mayor's LVMF Supplementary Planning Guidance.
- 8.162. Policy 7.12(A) of the London Plan (2013) states that new development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements. It should also preserve or enhance viewers' ability to recognise and to appreciate strategically important landmarks in these views and where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places.
- 8.163. Policy 7.12(B) of the London Plan (2013) states that development in the foreground and middle ground of a designated view should not be overly intrusive, unsightly or prominent to the detriment of the view. Development proposals in the background of a view should give context to landmarks and not harm the composition of the view as a whole. Where a silhouette of a World Heritage Site is identified by the Mayor as prominent in a Townscape or River Prospect and well preserved within its setting with clear sky behind it, it should not be altered by new development appearing in its background. Assessment of the impact of development in the foreground, middle

ground or background of the view or the setting of a landmark should take into account the effects of distance and atmospheric or seasonal changes.

View 01 – Greenwich Park (LVMF 5A.2)

- 8.164. LVMF 5A.2 is a London Panorama looking north-west from Greenwich Park towards St Paul's Cathedral and includes Greenwich Park and Greenwich Town Centre in the foreground of the view, whilst the middle ground is the flat plane of the river valley. St Paul's Cathedral, Tower Bridge and The Monument to the Great Fire are visible in the panorama. The Mayor of London's LVMF SPG (2012) identifies the relationship between Tower Bridge, the Monument to the Great Fire and St Paul's Cathedral as an important element of this view seeks to ensure that new development preserves or enhances the setting of these landmarks and the relationship between them.
- 8.165. Within this view the proposed 25 storey tower would sit low in the foreground of 30 St Mary Axe (commonly known as 'The Gherkin') and would be read as part of the existing cluster of tall buildings within the City of London, whilst the lower rise buildings within the proposed development would sit below the horizon and would blend in to surrounding urban landscape. As such, officers consider that the proposed development would not appear as unduly prominent in this view, nor would it have a significant adverse impact on the viewer's ability to distinguish the key landmarks and their interrelationships in the view.

View 02 – Blackheath Point (LVMF 6A)

- 8.166. LVMF 6A is a London Panorama from looking north-west from Blackheath Point and includes a Protected Vista of St Paul's Cathedral. The longer distance view includes a number of tall buildings in isolation on the skyline, with Tower Bridge visible between St Paul's Cathedral and the City cluster of tall buildings, including 30 St Mary Axe. The dome of St Paul's Cathedral is silhouetted against the sky in this view, enabling clear recognition and appreciation of the landmark.
- 8.167. The London Dock development lies outside of the Landmark Viewing Corridor of the Protected Vista of St Paul's Cathedral and the proposed 25 storey tower would sit low down to the right of Heron Tower, whilst the lower rise buildings within the development would sit below the horizon and would blend in to surrounding urban landscape and/or be obscured by existing buildings in the foreground. Given the limited scale of the building's protrusion into the skyline together with its proximity to the existing cluster, the proposals result in a negligible visual impact in this view.
- 8.168. It should be noted that the viewpoints for LVMF 5A.2 and 6A are located within the Royal Borough of Greenwich, who were consulted on the application and have raised no objections. In addition, in his Stage 1 report the Mayor of London states that the scheme as originally submitted would have a minimal impact on views to St Pauls in the longer distance views from Greenwich Park (LVMF 5A.2 and 6A).

Views 04 and 05 – Eastwards from London Bridge (LVMF 11B.1 and 11B.2)

- 8.169. LVMF 11B.1 and 11B.2 are river prospects looking east from the centre and southern end of London Bridge respectively, directed towards the Tower of London World Heritage Site and Tower Bridge. The LVMF SPG (2012) identifies Tower Bridge as the focus of the views, dominant over the Tower of London, whilst noting that HMS Belfast adds considerable interest to the views.

8.170. In LVMF 11B.1 and 11B.2 the proposed 25 storey tower would to a limited extent protrude into the skyline immediately behind and to the right of the Thomas More Square building. However, given the limited protrusion and that the building would be located significantly to the left of Tower Bridge in these views, it is considered that the impact of the tower would be minor. In his Stage 1 report the Mayor of London states that the proposed 33 storey tower (as originally submitted) and existing skyline context would ensure that Tower Bridge remained the dominant structure in LVMF views 11B.1 and 11B.2 and raised no objection.

View 09 – City Hall – Queen’s Walk (LVMF 25A.1)

8.171. LVMF 25A.1 is a panoramic view looking north from The Queen’s Walk to the Tower of London World Heritage Site, with the view point located on a stretch of the south bank of the Thames close to the two public open spaces either side of City Hall. The focal point of this view is the Tower of London, although the panorama includes other buildings and landmarks of interest, including the Grade I listed Tower Bridge.

Figure 12: LVMF 25A.1 with Proposed Development (25 Storey Tower)



8.172. English Heritage objected to the proposed 33 storey tower (as originally submitted) on the following grounds:

8.173. *“[The tower] will be clearly visible as a large mass of new development to the right of the North Tower of Tower Bridge in LVMF View 25A.1. Thus the currently mostly open rectangle of sky space formed by Tower Bridge’s two towers and its horizontal deck and upper walkway will be partially obscured. In our view, the retention of this sky space contributes significantly to the iconic silhouette of the famous bridge, and that infilling this space with new development would have a detrimental visual impact on this silhouette, and therefore on the setting of the Grade I listed building.”*

8.174. The proposals were subsequently reviewed at a meeting of the English Heritage London Advisory Committee (LAC) on 3 October 2013. Following the LAC meeting a further response from English Heritage was received in which it was confirmed that English Heritage considered that the proposals would cause ‘substantial harm’ to the setting of the Grade I listed Tower Bridge.

- 8.175. The proposed scheme was subsequently amended by the applicant, with the height of the tower being reduced from 33 to 25 storeys. The revised views assessment is provided in the Revised Environmental Statement Volume II (November 2013).
- 8.176. It can be seen that the proposed 25 storey tower would still be visible in the sky space formed by the towers, deck and upper walkways. Part of the proposed tower would be obscured by the Tower Hotel building and the reduced height of the tower has lessened its prominence in this view.
- 8.177. English Heritage have reviewed the amended scheme and supporting documentation and advise that they welcome the reduction in height of the proposed tall building and believe that this reduction significantly mitigates the visual harm to the setting of Tower Bridge in the key LVMF view from City Hall. English Heritage believe the reduction in harm to Tower Bridge's setting means that a request to the Secretary of State to call in the applications (should they be consented) is no longer warranted. English Heritage go on to state that they believe that even a reduced height tower causes some harm to the setting of Tower Bridge and advise that the Council will need to weigh this harm against the public benefits of the scheme. It should also be noted that the Victorian Society consider that the proposed 25 storey tower would have a negative impact on the setting of Tower Bridge and object to the application.
- 8.178. It should also be noted that the view point for LVMF 25A.1 is located on a walkway that includes other LVMF view points and that these views will often be kinetic in nature, with the landmarks being viewed whilst walking. The applicant has provided further evidence in the Revised ES Volume II (November 2013) that demonstrates that the proposed tower would be obscured from view in viewing locations immediately to the east and west of LVMF 25A.1 and that the impacts on the setting of Tower Bridge would thus be transitory to some degree.
- 8.179. Officers consider that whilst the proposed 25 storey tower would result in some harm to the setting of Tower Bridge, the significant regenerative benefits of the scheme, including the formation of a new City Fringe residential and employment generation destination with an appropriate mix of uses, the reuse of Pennington Street Warehouse, the provision of a new secondary school, the delivery of 30% affordable housing including social target rented family sized units and the provision of new public open space and pedestrian links outweighs this harm.
- 8.180. It should be noted that the Mayor of London stated in his Stage 1 report that that the view illustrated from the Queens Walk at HMS Belfast shows that in the context of the Tower Hotel and the Canary Wharf cluster beyond the two would not negatively impact on the ability to recognise and appreciate the Tower of London or Tower Bridge.

Tower of London UNESCO World Heritage Site

- 8.181. The application site lies approximately 600 metres to the east of the Tower of London UNESCO World Heritage site. The Mayor of London's London World Heritage Sites - Guidance on Settings Supplementary Planning Guidance (2012) states that the wider setting of the Tower has to some extent been eroded and that some tall new buildings have to a degree had an adverse effect on the Property's visual integrity.
- 8.182. The 33 storey tower as originally submitted was visible in a number of local views within and around the Tower of London World Heritage Site. Historic Royal Palaces

(HRP) objected to the proposed tower on the grounds that it would have an adverse impact of views from within and around the Tower of London. HRP also advised that UNESCO is concerned about the detrimental visual impact on the setting of the World Heritage Site of the ever-increasing number of tall buildings around it that intrude into its skyspace and that there is a very real risk that the Tower of London WHS could be placed on the list of endangered World Heritage Sites if such development continues.

- 8.183. The scheme was subsequently amended, with the height of the tower being reduced to 25 storeys. As a result the tower would no longer be visible in View 15 (east on existing the Jewel House), View 16 (east from Tower Green towards Officers' quarters) and View 17 (east from Tower Green with Queen's house behind). In View 18 (east over the Tower of London) the top of the proposed 25 storey tower would slightly protrude into the skyline behind the Tower Bridge House office building, although officers consider that the impact is negligible.
- 8.184. Whilst the proposed 25 storey tower would be visible in LVMF View 25A.1, it is considered that the impact of the building is on the setting of Tower Bridge within the view panorama and not on the setting or outstanding universal value of the Tower of London World Heritage Site itself.
- 8.185. HRP were consulted on the amended proposals and have confirmed that they have no further objection to the revised scheme with regard to its potential impact on the wider setting of the Tower of London World Heritage Site.

Local Views and the Setting of Listed Buildings and Conservation Areas

- 8.186. View 11 in the Revised ES Volume II (November 2013) is looking north-eastwards from Tower Bridge. The proposed tower, part of Block A and the tops of the 'U' shaped block would be visible in the skyline to the right of Thomas More Square, although this view is dominated by the Tower Hotel and the height and scale of the buildings would provide a degree of transition between the hotel and lower rise buildings along the river frontage. As such, it is considered that the impact will be minor.
- 8.187. View 12 is looking north from the Bermondsey Conservation Area (Design Museum). The upper levels of the tower, Block A and the 'U' shaped blocks will be visible above the 1980's riverside residential block. The view includes Thomas More Square and a number of contemporary buildings with glazed facades and it is considered that the impacts will be minor.
- 8.188. View 13 is looking north-west from the King's Stairs and the upper floors of the tower and Blocks A and J will be visible in the skyline. However, this view includes the existing/consented tall building cluster in the City and it is considered that the proposed development would not cause any significant harm in this view.
- 8.189. View 14 is looking north from Rotherhithe and the upper floors of the tower and Plot J will to a limited extent protrude into the skyline behind the Grade II listed Gun Wharf converted Victorian warehouse. It is noted that the consented tall buildings at 21 Wapping Lane and 122 Leadenhall will be visually more dominant in the skyline than the proposed development and officers consider that the proposals would not adversely affect the setting of the listed Gun Wharf.
- 8.190. View 21 is looking south from Fletcher Street within the Wilton's Music Hall Conservation Area. The upper floors of the tower and Block A would be visible over

the rear roofline of the Grade II listed St Paul's School and Mission. English Heritage raised concerns that the scheme as originally submitted scheme (with 33 storey tower), with the proposed buildings (Block A and C1) harming the setting of these listed buildings, notably the spire. The reduced height tower, which has a slender profile in this view, reduces this impact and the LBTH conservation officer considers that the spire is not a prominent feature within this view and that the overall effects of the setting of the listed building and wider Wilton's Music Hall Conservation Area are limited and are considered to be on balance, acceptable.

- 8.191. View 22 is looking south from Ensign Street in the Wilton's Music Hall Conservation Area. Whilst this view includes a number Grade II listed bollards on the west side of the carriageway on Ensign Street, there are no listed buildings within this view. Block D and the upper floors of Block A will be visible at the southern end of Ensign Street, providing a degree of enclosure to what is currently a relatively unobstructed skyline. Officers do not agree with the applicant's assertion that the proposal will have a beneficial effect in this view, but rather consider that the proposals will have a minor adverse impact on the streetscene and setting of the Wilton's Music Hall Conservation Area. These impacts must be balanced against the benefits of the scheme and officers consider them to be acceptable on this basis.
- 8.192. View 23 is looking eastwards from St Katherine Docks and includes the significant Tower Hotel to the right, the Commodity Quay office block to the left and the Grade II listed Ivory House former warehouse element in the view. The dock is located within the Tower of London Conservation Area. The negotiated reduction in height of the tower to 25 storeys has significantly reduced the impact of the proposed development on the setting of the warehouse, with the clock tower remaining the prominent feature within the skyline in this view. The LBTH conservation officer considers that the revised proposals adequately address the concerns raised by English Heritage and that the revised tower would not adversely affect a person's ability to appreciate the features of architectural interest of this listed building in this view.
- 8.193. View 24 is looking eastwards from the centre of St Katherine Docks, with the dock wall being Grade II listed and the viewpoint being located within the Tower of London Conservation Area. This view is composed primarily of late 20th Century flats and the western façade of the unattractive Thomas More building. The proposed 25 storey tower will appear to the right of the Thomas More building. Officers refute the applicant's claim in the ES that the impact would be moderate, beneficial, although consider the impact to be neutral overall
- 8.194. View 25 is looking north-east from the footway on Stockholm Way. The view contains mixed twentieth century developments rising above and to the left of the historic brick wall. The proposed 25 storey tower is in the centre of the view and other elements of the development are visible to the left and right. Officers consider that the impact will be minor adverse.
- 8.195. View 27 is looking north from Wapping Pier Head, within the Wapping Pier Head Conservation Area. The skyline beyond the wall is at present relatively clear. The series of towers of the proposed development will be visible, rising above the brick wall which terminates the open space. Officers consider that the development will have a minor adverse impact on the setting of the conservation area in this view.
- 8.196. View 30 is looking west from the footway on Wapping Lane towards the application site with the Grade I listed Tobacco featuring prominently in the foreground and middle ground along the right (north) side of this view. The existing Former News

International print works and office building is visible in the background of this view above the roofline of the western end of Tobacco Dock. English Heritage objected to the scheme as originally submitted (with 33 storey tower) on the grounds that the development would impact on the silhouette of the western roofline of Tobacco Dock and that the introduction of development rising above the listed building resultant loss of skyline would have a major impact on the setting of the building. The proposed adjacent building to Tobacco Dock is Plot J, which is included in the outline element of the scheme, which is represented by a wire line in this view, located immediately behind Tobacco Dock. The proposed 25 storey tower will also be visible below the left side of Plot J.

- 8.197. In response to requests from officers and the GLA, the applicant has provided indicative illustrations of how a building on Plot J might appear in this view, which is provided within the Design and Access Statement Revised Addendum (November 2013). Officers note that the reduced height of the proposed tower would also lessen the impacts on the setting of Tobacco Dock in this view. However, whilst the proposed building would be of much higher architectural quality than the existing, monolithic print works building, the visual juxtaposition between the significant height and scale of Plot J and the low rise 2 storey Tobacco Dock would harm the setting of the Grade I listed building. Members will therefore need to be satisfied that the overall benefits of the scheme outweigh the harm caused to the setting of this listed building. Officers believe this to be the case for the reasons outlined above.

Figure 13: View 30 with Indicative Illustration for Block J



- 8.198. View 31 is looking south-west from within the St George in the East churchyard gardens. The Grade I listed St George in the East Church is the prominent feature in this view and the view point is located within the St George in the East Conservation Area. The existing open skyline to the south (left) of the church would be significantly reduced by the consented hotel building at 136-140 Pennington Street (ref PA/11/01278). Proposed outline Plots H and J would be visible in the skyline between the church and the consented hotel. The LBTH conservation officer

considers that the proposed development will have a minor adverse impact on the silhouette of the Grade I listed St George in the East, which will need to be balanced against the wider benefits of the scheme.

- 8.199. View 32 is looking south from the footway on Wellclose Street towards the vacant western section of the application site. Proposed Blocks A and C would feature prominently in the skyline in this view, extending above the height of the existing Telford's Yard building, with the proposed 25 storey tower being the prominent feature in this view. However, given that this section of the site is presently undeveloped and given the urban nature of the area, it is considered that the proposed development would not have any significant adverse impacts on local townscape in this view.
- 8.200. View 33 is looking south from within Swedenborg Gardens, with the grassland comprising the foreground and the Times House and Telford's Yard buildings featuring prominently in the middle ground. The upper storeys of the proposed blocks will be visible in the skyline above the existing buildings, which officers consider will have a minor adverse impact on the townscape rhythm and roof-scape of the existing built form, although this impact is not considered to be unacceptable and will not directly affect the setting of any designated heritage assets in this view.
- 8.201. View 36 is looking south-west from a point to the west of the St George Swimming Pool. The existing former News International print works and office building can be seen in the central background of this view, with the roofline of the Grade I listed Tobacco Dock visible in the middle ground on the left side of this view. The proposed development would appear very prominent in this view, due to the scale and height of buildings in relation to the surrounding built form. Whilst the uninterrupted skyline behind the roofs of Tobacco Dock would be largely preserved, officers consider that the sharp transition in the scale and height of building would have a moderate adverse impact on local townscape and the setting of the Grade I listed Tobacco Dock in this view. Officers consider that the benefits of the scheme outweigh the harm caused.
- 8.202. Views 37, 38, 39 and 40 are taken at various points along Pennington Street, with the Grade I listed Tobacco Dock and Grade II listed Pennington Street Warehouse comprising the main built features and heritage assets within these existing views. The proposed development will be visible above Tobacco Dock and the warehouse in these views, although it is noted that the general scale and height of these buildings is uncharacteristically low for a site in Central London. Officers consider that the proposals would have a moderate adverse impact on the setting of these listed building, although again, officers believe that the benefits of the scheme outweigh the harm caused.
- 8.203. All other views within the Revised ES Volume II (November 2013) have been reviewed and are considered to be acceptable in terms of the impacts on heritage assets, local townscape and the street scene.

Public Open Space

Policy Context

- 8.204. Policy SP04(1) of the Council's adopted Core Strategy (2010) seeks to maximise opportunities for new publically accessible open space, of a range of sizes and promotes publically accessible open spaces as multi-functional spaces that cater for a range of activities, lifestyles, ages and needs. This policy also seeks the creation of

new green corridors and the enhancement of existing ones to connect publically accessible open spaces to main destination points, such as town centres, schools and other publically accessible open spaces.

8.205. Policy SP10(4) of the Council's adopted Core Strategy (2010) seeks to ensure that development provides spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds, including the use of high-quality landscape design.

8.206. Policy DM10(1) of the Council's adopted Managing Development Document (2013) requires development to provide or contribute to the delivery of an improved network of open spaces in accordance with the Council's Green Grid Strategy and Open Space Strategy.

Proposed Public Open Space Provision

8.207. The proposed development will provide a significant amount of new publically accessible open space across the site, totalling an area of 22,242sqm (2.2 hectares), of which 11,707sqm is included within the detailed component of the scheme.

8.208. The proposed development includes provision of a series over interconnected public open spaces, including three squares (the Arrival Square, Gauging Square and Market Square), three landscaped corridors between the main 'U' shaped blocks (the Market Gardens), the east/west walkway located between the Pennington Street Warehouse and 'U' shaped blocks (the Quayside) and the east/west walkway along the southern edge of the site, spanning the full length of the site (the Promenade). These open space elements will significantly contribute to the place-making vision of the London Dock site allocation and will provide inclusive access to the site and permeability with neighbouring sites.

8.209. Indicative materials, features, street furniture and planting to be used in the public spaces is provided in the Section 2.0 of the Design and Access Statement Detailed Design (May 2013) and Section 7.0 of the Design and Access Statement Outline Masterplan (May 2013). The proposed paving materials include differing types of stone paving, large, dark stone slabs, mosaic, 'cascade' stone blocks of sets at varying levels and self-binding gravel. Officers consider that the proposed paving design and materials is of a high quality, durable and in keeping with the architectural vernacular of the wider scheme.

8.210. The public open spaces will also include a range of street furniture and features, including seating, cycle stands and bins, using common materials such as steel or timber, together with playable landscape features, street, façade and feature lighting, and water features. The proposed street furniture and features within the public spaces is supported as it will encourage people to dwell within the spaces, which will provide activity throughout the day and will improve the feeling of safety and security though natural surveillance.

8.211. The public realm proposals include tree planting within the Arrival Square and Gauging Square at the western end of the site, at the southern edge of the site along the Promenade, within the Market Gardens between the 'U' shaped blocks and within the Market Square at the eastern end of the site. Soft landscaping and planting is also proposed within the Market Gardens, along the southern boundary of the site and within the market square. The proposed scheme of tree planting and soft landscaping along publically accessible routes is strongly supported in line with the Council's objective of the delivery of an improved network of open spaces and green

corridors as set out in Policy DM10(1) of the Council's adopted Managing Development Document (2013).

- 8.212. If planning permission is granted it is recommended that a condition be included to require the submission for approval of a landscaping strategy for the detailed component, including details and samples of paving materials, specification and location of street furniture, lighting and features, together with details of soft landscaping, tree planting and maintenance.
- 8.213. It should be noted that the S.106 Agreement would include an obligation to secure 24 hour public access through the site.
- 8.214. Officers consider that the proposed approach to provision of public open-space will result in the delivery of quality new spaces that will be attractive and of benefit to the wider community.

Safety and Security

Policy Context

- 8.215. Policy 7.3 of the London Plan (2013) seeks to ensure that developments are designed so as to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating by ensuring that routes and spaces are legible and well maintained, by enabling natural surveillance of publicly accessible spaces and by encouraging a level of human activity that is appropriate to the location, incorporating a mix of uses where appropriate, to maximize activity throughout the day and night, creating a reduced risk of crime and a sense of safety at all times.
- 8.216. Policy DM23(3) of the Council's adopted Managing Development Document (2013) requires development to improve safety and security without compromising good design and inclusive environments by locating entrances in visible, safe and accessible locations, by creating opportunities for natural surveillance, by avoiding the creation of concealment points, by making clear distinctions between public, semi-public and private spaces and by creating clear sightlines and improving legibility.

Secured by Design

- 8.217. The applicant has engaged with the LBTH Crime Prevention Officer during the course of the application, who raised some concerns over the new accesses through the Pennington Street Warehouse as they advise that anti-social behaviour could occur if these spaces were not heavily used or managed effectively. It should be noted that rights of access would be secured through the S.106 should planning permission be granted. However, it is recommended that a condition also be included to require the submission of approval of the management arrangements for the Pennington Street Warehouse access, including the hours of operation, public access boundaries and the detailed design of these elements.
- 8.218. The LBTH Crime Prevention Officer raises no objection to the proposals and advises that suitable CCTV, lighting and access control is provided. In addition, the LBTH Crime Prevention Officer advises that any planning permission be subject to a condition to require the development to meet full Secured by Design certification, which is supported.

8.219. Subject to condition, it is considered that the proposed development would reduce the opportunities for criminal behaviour and improve safety and security without compromising good design and inclusive environments, in accordance with Policy 7.3 of the London Plan (2013) and Policy DM23(3) of the Council's adopted Managing Development Document (2013).

Children's Play Space

Policy Context

8.220. Policy 3.6 of the London Plan (2013) seeks to ensure that development proposals that include housing include adequate provision of play and informal recreation space, based on the expected child population generated by the scheme and an assessment of future needs.

8.221. Policy SP02(6) of the Council's adopted Core Strategy (2010) requires sites that are providing family homes to provide adequate space for play for children.

8.222. Policy DM4(2) of the Council's adopted Managing Development Document (2013) requires developments to incorporate children's play space based on the London Borough of Tower Hamlets child yields and the Mayor of London's Shaping Neighbourhoods – Play and Informal Recreation SPG (2012), which specifies the provision of 10sqm of play space for each child.

Proposed On-site Children's Play Space Provision

8.223. Based on the information within the indicative schedule of residential accommodation at Table 6-20 within the ES Vol. I Revised Addendum, November 2013, together with the Council's local child yield assumptions set out at Figure 2.6 of the Tower Hamlets Planning for Population Change and Growth Capacity Assessment (2009), it has been calculated that the child yield (0-15 years old) of the detailed component would be 135 children, whilst the child yield for the whole development would be 457 children. A detailed breakdown of the child play space minimum requirements for the development by child age group is provided at Table 5 below.

Table 5: Child Play Space Requirements

Development Phase	Requirement for 0-3 years	Requirement for 4-10 years	Requirement for 11-15 years	Total
Detailed Component	557sqm	545sqm	244sqm	1,346sqm
Entire Development	1,855sqm	1,843sqm	870sqm	4,568sqm

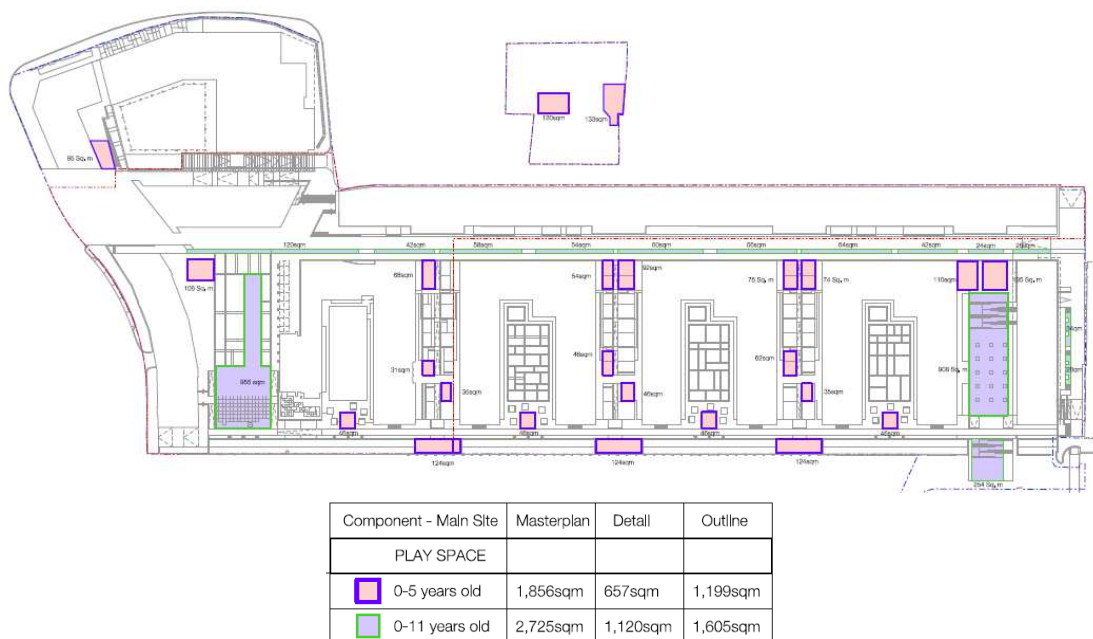
8.224. The proposed development provides a total of 4,581sqm of children's play space in the form of Local Areas for Play (LAP) and Local Equipped Areas for Play (LEAP), which are distributed throughout the development and are linked by an interconnected Play Trail. Of this play space, 1,777sqm is included in the detailed component of the scheme. As such, it can be seen that the proposed development exceeds the Council's minimum requirements for provision of children's play space in quantitative terms.

8.225. The Mayor of London's Play and Informal Recreation SPG (2012) seeks to ensure that all children and young people have access to places for play within reasonable and safe walking distance of new residential developments. For children under 5

years old play spaces should be provided within 100m of their homes, whilst for 5-11 year olds play spaces should be within 400m of their homes and for 12+ year old should be within 800m.

8.226. The proposal includes a number of localised play spaces in close proximity to each residential block for 0-5 year olds, together with larger play spaces within the Market Square and Gauging Square, located at the west and east ends of the site respectively, together with Play Trail that runs the length of the Quayside, for older children. The proposed location of play spaces throughout the site is shown in Figure 13 below.

Figure 13: Location of Children’s Play Spaces



8.227. Given that the residential conversion of Times House will take place in the first phase of the development programme and thus could be delivered prior to the completion of the new-build elements of the detailed component, including play spaces within the main site, separate play spaces are to be provided within Times House. These spaces will provide up to 253sqm of play space exclusively for children residing within Times House and would be located within the two courtyards at ground floor level.

8.228. Some indicative information on the possible design, form and features of play spaces is provided in Section 8.0 of the submitted Revised Design & Access Statement Addendum, November 2013. These include the use of water features within the Gauging Square, the use of playful street furniture and sculpture and the use of climbable hard/soft landscaping features with level changes.

8.229. Whilst features such as water jets would not be usable for play during the winter months, it is noted that these are only proposed in part of the Gauging Square. Notwithstanding the use of water jets, given the overall provision of children’s play space throughout the site, officers consider the play space proposals to be acceptable subject to full details of the design, materials and features to be used in the play spaces being secured by condition. The retention of these facilities or planned alterations to them will be covered through the S.106 Agreement.

Pennington Street Warehouse – Application for Listed Building Consent

Policy Context

- 8.230. Government guidance set out in Section 12 of the NPPF (2012) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with this weight being proportional to the importance of the assets.
- 8.231. Policy SP10(2) of the Council's adopted Core Strategy (2010) seeks to ensure that development protects and enhances listed buildings and their settings.
- 8.232. Policy DM27 of the Council's adopted Managing Development Document (2013) states that applications for the alteration, extension or change of use of a heritage assets will only be approved where it does not result in an adverse impact on the character, fabric or identity of the heritage asset or its setting; it is appropriate in terms of design and materials; it enhances or better reveals the significance of the asset or its setting, and; provides opportunities to mitigate climate change.

Alterations to the Grade II Listed Pennington Street Warehouse

- 8.233. The proposals include the restoration and refurbishment of the Grade II listed Pennington Street Warehouse, together with a number of internal and external alterations to the building. These works are in association with the proposed conversion of the building to provide a mix of non-residential uses and to improve permeability through the London Dock site by providing new access from Pennington Street via newly formed openings on the north elevation of the building and remodelled entrances on the south elevation.
- 8.234. The building was purpose built as a warehouse to serve London Dock and is thought to date from around 1804. The building is two storeys in height and incorporates a modern pitched roof, with a flat concrete flat roof at the eastern end of the building, and is approximately 320 metres in length and includes a vaulted undercroft along its length. The former warehouse spans almost the entire length of the application site's northern boundary on Pennington Street. The English Heritage listing description for the warehouse is provided in Section 4 of this report.
- 8.235. The Pennington Street Warehouse is both a historically and visually significant building within the locality, being one of the few remnants of the original London Dock. English Heritage consider that the aesthetic value of the warehouse lies primarily in its utilitarian simplicity, reinforced by a restricted palette of the traditional, simple materials often found in other examples of warehouses across the country. The repetitive blind arches, windows and door openings along its more than 300 metre long elevations provide the building with a strong sense of architectural sophistication that belies the its utilitarian use.
- 8.236. The building is currently vacant and in a poor state of repair and officers note that the building has been subject to a number of alterations over the years, most notably during the 1980's when the building was being converted into offices as part of the News International development. These alterations included the replacement of the entire roof, together with the installation of internal partition walls, mezzanines and a significant amount of mechanical plant, which served the wider News International print works and offices.

- 8.237. The warehouse is subdivided into 5 distinct areas along its length, with Area 1 located at the western end of the building and Area 5 located at the eastern end. The existing, modern pitched roofs to Areas 1, 2, 3 and 4 will be retained and recovered, with new lanterns being introduced in Areas 2, 3 and 4, which would be flanked by ridge lights. The modern concrete roof to Area 5 would be removed and a hipped roof reinstated, together with the installation of timber tresses to match the surviving originals. Any damaged brickwork is also to be repaired and repointed in lime mortar, whilst some areas are to be reconstructed as necessary to match existing.
- 8.238. On the north elevation it is proposed to open up of all of the large blind arches on the north façade, with three of the openings (located in Areas 2, 3 and 4) being fitted with powder coated steel doors to provide new access through the building. Seven of the other new openings on the north façade will be glazed and covered in a powder coated steel mesh to provide light and ventilation to the basement level.
- 8.239. On the south elevation it is proposed to remove all of the existing eternal steps and replace them with five new sets of steps, ramps and decks made of steel, concrete and timber in order to provide both stepped and step-free access from the Quayside to each of the five areas of the building.
- 8.240. At the western end of the warehouse (Area 1) it is proposed to remove the existing modern brick western gable wall and erect a new wall 1 metre further west. The new wall will incorporate a significant section of glazing that will enable passers-by to view both the vaults and ground floor levels within the former warehouse. The new wall will also support a new canopy that extends from Building B to the west of the warehouse, which will frame the entrance into the London Dock site from Pennington Street and will provide a visual and physical link between this historic building and the wider contemporary development.
- 8.241. Internally, it is proposed to create new lightwells to the basement through the main floor in order to provide natural light and ventilation to the vaulted lower levels of the building. Areas 1 and 5 would include one lightwell each, whilst Areas 2, 3 and 4 will include two lightwells each. It should be noted that the creation of the lightwells will involve the loss of 20 out of the 200 piers of the basement vaulting. It is also proposed provide three new circulation cores, with lifts and stairs, which are to be located at the western end of Area 1 and in the middle of Areas 2, 3 and 4.
- 8.242. It should be noted that the proposals as originally submitted in May 2013 included more substantial alterations to Areas 1 and 5 of the warehouse; specifically, it was proposed to replace the roof at Area 1 with a modern flat roof that bridged over the gap between the Pennington Street warehouse and the proposed new Building B. At Area 5 it was originally proposed to erect a new first floor glazed flat-roofed pavilion.
- 8.243. Both English Heritage and the LBTH conservation officer objected to these contemporary interventions at both ends of the listed building on the grounds that they would significantly harm the architectural integrity of the warehouse and fail to respond to the simple, functional design of the building, which is at the heart of its significance. Following discussions between the applicant, English Heritage and LBTH officers, the scheme was amended to retain the pitched roof at Area 1 and remove the bridge element between the warehouse and Building B, and to reinstate the pre-existing hipped roof at Area 5. This approach is supported by both English Heritage and the LBTH conservation officer.
- 8.244. Furthermore, officers are supportive of the wider programme of works to the warehouse, including the opening of the blind arches on the north elevation to

provide new access and glazing, which although involving the loss of some historic fabric, will activate the building's frontage on Pennington Street and provide much needed permeability enhancements to the wider London Dock site, which is a requirement set out the site allocation for London Dock in the adopted Managing Development Document (2013).

- 8.245. In addition, whilst the introduction of new circulation cores and lightwells would result in the loss of some of the original piers of the basement vaulting, officers acknowledge that the provision of new access and natural light and ventilation to the basement is necessary in order to enable this space to be used for commercial activities and is therefore needed as a regenerative catalyst in this instance. Furthermore, it is considered that the circulation cores and lightwells have been designed so as to minimise the loss of historic fabric and would preserve the historic and architectural integrity of the building.
- 8.246. If listed building consent is granted it is recommended that conditions be included to secure full details, samples and methods for the proposed works, and to ensure that the proposed works of making good match existing in terms of materials and finished appearance.
- 8.247. Subject to these conditions, it is considered that the proposed restoration, refurbishment and alterations to the Grade II listed Pennington Street Warehouse have been sensitively designed and would protect the special historic and architectural interest of this listed building. The proposals therefore accord with the requirements of Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DM27 of the Council's adopted Managing Development Document (2013) and government guidance set out in Section 12 of the National Planning Policy Framework (2012).

Archaeological Impacts

Policy Context

- 8.248. Policy SP10(2) of the Council's adopted Core Strategy (2010) seeks to protect and enhance archaeological remains and Archaeological Priority Areas.
- 8.249. Policy DM27(4) of the Council's adopted Managing Development Document (2013) states that developments located within or adjacent to Archaeological Priority Areas will be required to be supported by an Archaeological Evaluation Report and that any nationally important remains will be required to be preserved permanently in site, subject to consultation with English Heritage.

Archaeological Impacts

- 8.250. The northern section of the application site, including Plot D, Plot E and Times House, lies within an Archaeological Priority Area as designated in the Council's adopted Managing Development Document (2013). The applicant has provided an Archaeology Assessment at Section 12 of the ES Volume 1 (May 2013) and Section A12 of the ES Volume 1 Revised Addendum (November 2013).
- 8.251. During the course of the application the scheme was revised, with the key changes in respect of archaeology being the deepening of the basement below Blocks C and F in order to accommodate all servicing for the main site at basement level, together with the relocation of basement access ramps.

- 8.252. English Heritage (Greater London Archaeological Advisory Service) was further consulted on the amended proposal – especially the deepening of the proposed basement, which was considered necessary to facilitate the removal of surface level servicing. GLAAS submitted a further letter (dated 17th December 2013) raising concerns that they believe that insufficient information has been received in respect of the impact of the deepened basement to properly assess the impact of amendment on the archaeological resource. Whilst they appreciated that the ES had been amended, they are of the view that little evidence had been submitted to support the conclusions.
- 8.253. The concern revolved around the methodology adopted to reach the ES conclusions (which were based around use of borehole data). English Heritage requested the re-work of existing data to present a 3 dimensional map and is not satisfied that archaeological investigation (post determination) provides adequate mitigation. They have commented that the ES does not accurately or objectively convey the scale of environmental impact with respect of the cultural heritage. The English Heritage letter therefore advised that the local planning authority should not determine the application without further information from the developer. Whilst the letter advised that GLAAS normally advises the imposition of conditions to deal with the archaeological issues, this tends to be in relation to smaller schemes.
- 8.253 Following receipt of this letter, your officers have been in communication with the applicant's archaeological consultant – MoLA - with a view to provide further information in an attempt to satisfy English Heritage (provision of a comprehensive deposit model) that mitigations and protection of the archaeological resource is adequately protected. Officers have also sought advice from the Council's independent archaeological adviser (who works for the Council's EIA Consultant) to provide further independent advice on the robustness of the ES process in relation to archaeological issues and proposed mitigation.
- 8.254 Since the submission of English Heritage's letter, the applicant has provided an updated HEA and deposit model to provide supplementary information to corroborate the findings of the ES. The Council's archaeological adviser is satisfied that the ES and submitted supporting material are now sufficient to afford decision-makers an appropriate understanding of the likely significance of impacts of the proposed development. If Members are minded to grant planning permission, this should be subject to conditions that will secure the following:
- a comprehensive mitigation strategy, to be agreed by the LPA, EH/GLAAS and the developer, and delivered in accordance with a Written Scheme of Investigation;
 - assurance that phased geo-archaeological investigation and where required, evaluation to influence design iterations and piling plans;
 - appropriate reporting of unexpected discoveries; and
 - publication of the results, appropriate to the significance of the assets recorded.
- 8.255 Prior to consideration by Members, this further work (completed and commented upon when finalising this report) will be forwarded to English Heritage to satisfy them that archaeological issues could be reasonably controlled and dealt with through the imposition of planning conditions (post determination). The Council's advisor recognises that there are inherent limitations with the use of limited borehole data but accepts that a greater degree of uncertainty should reasonably be expected with sites such as London Dock. Discussions on this issue will continue in the run up to

Strategic Development Committee and further information in respect of this issue will be included in a future update report.

Energy Efficiency and Sustainability

Policy Context

8.256 At a National level, the National Planning Policy Framework (2012) 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 (2013), Policies SO24 and SP11 of the Council's adopted Core Strategy (2010) and Policy DM29 of the Council's adopted Managing Development Document (2013) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

8.257 The London Plan (2013) sets out the Mayor's energy hierarchy which is to:

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

8.258 Policy DM29 of the Council's adopted Managing Development Document (2013) includes the target to achieve a minimum 35% reduction in CO₂ emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. Policy DM29 also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require all residential development to achieve a minimum Code for Sustainable Homes Level 4 rating and non-residential to achieve BREEAM Excellent where feasible.

Energy Efficiency Measures

8.259 The submitted Energy Statement (November 2013) follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean) and incorporate a single energy centre Combined Heat and Power (CHP) system (Be Clean) on the lower ground floor of Times House to serve the site and reduce CO₂ emissions by 47%. The CHP sizing is anticipated to be 895kWth.

8.260 On site renewable energy technologies are proposed through the integration (Be Green) of air source heat pumps to provide cooling to the market sale residential units and reduce CO₂ emissions by ~ 3%.

8.261 The current proposals for CO₂ emission reductions are 50% against Building Regulations 2010 baseline and would result in an annual savings of 1,469 tonnes/CO₂/yr. This is supported by the LBTH Sustainable Development Team and if planning permission is granted it is recommended that a condition be included to require CO₂ emission reductions of 50% in accordance with the approved energy strategy.

Sustainability

- 8.262 In terms of sustainability, the London Borough of Tower Hamlets 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 (2013) and Policy DM29 of the Council's adopted Managing Development Document (2013).
- 8.263 The submitted Sustainability Statement (November 2013) includes a Code pre-assessment which demonstrates how the development is currently designed to achieve a Code 4 rating with a score of 68.43. This is supported and if planning permission is granted, officers recommend that a condition be included to require the development to achieve Code 4, with the final certificate being submitted to the Council within 3 months of occupation.
- 8.264 The submitted Sustainability Statement (November 2013) also contains BREEAM pre-assessments for the new build and refurbished non-residential elements of the scheme. The new build BREEAM is proposed to achieve a 'Very Good' rating. The proposed new non-residential elements are anticipated to be ~500m² units. Due to the size of the units a BREEAM 'Very Good' rating is considered acceptable in this specific instance. If planning permission is granted it is recommended that a condition be included to ensure the achievement of minimum BREEAM 'Very Good' rating for the new build commercial units, with certificates being submitted to the Council within 3 months of occupation
- 8.265 The Grade II listed warehouse conversion is proposed to be split into a number of small units. The submitted Sustainability Statement (page 19) identifies a number of constraints to the refurbishment of the site which limits the BREEAM rating achievable. The BREEAM pre-assessment for the warehouse shows that the mandatory requirements for achieving a BREEAM 'Very Good' rating have been met, although it is noted that the applicant is only targeting a 'Good' rating.
- 8.266 Whilst officers accept that a BREEAM 'Excellent' rating is not achievable on the site, officers would seek to ensure that a BREEAM 'Very Good' rating is achieved as a minimum. As such, if planning permission is granted it is recommended that a condition be included to ensure the achievement of minimum BREEAM 'Very Good' rating for refurbished warehouse, unless otherwise agreed in writing with the Local Planning Authority, with the certificates being submitted to the Council within 3 months of occupation.

Amenity

Policy Context

- 8.267 Policy SP10(4) of the Council's adopted Core Strategy (2010) and Policy DM25 of the Council's adopted Managing Development Document (2013) require development to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. Specifically, development should not result in an unacceptable loss of privacy or outlook, should not result in a material deterioration of the daylighting and sunlighting conditions of surrounding development, should ensure adequate levels of daylight and sunlight for new residential developments, and should not result in unacceptable levels of noise, vibration, artificial light or pollution.

Daylight and Sunlight

- 8.268 The daylighting conditions at neighbouring properties are normally calculated by two main methods, namely the Vertical Sky Component (VSC) and No Sky Line (NSL). Building Research Establishment (BRE) guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should be reduced to no less than 0.8 times its former value, in order to ensure that sufficient light is still reaching windows. These figures should be read in conjunction with other factors, including NSL, which takes into account the distribution of daylight within the room and figures should not exhibit a reduction beyond 20% of their former value.
- 8.269 The daylighting conditions within new homes are normally assessed in terms of the Average Daylight Factor (ADF). British Standard 8206 recommends the following minimum ADF values for new residential dwellings:
- >2% for kitchens;
 - >1.5% for living rooms; and
 - >1% for bedrooms.
- 8.270 Sunlight is assessed through the calculation known as the Annual Probable Sunlight Hours (APSH), which considers the amount of sunlight available during the summer and winter for each window facing within 90 degrees of due south (i.e. windows that receive direct sunlight). The amount of sunlight that a window receives should not be less than 5% of the APSH during the winter months of 21 September to 21 March, so as to ensure that such windows are reasonably sunlit. In addition, any reduction in APSH beyond 20% of its former value would be noticeable to occupants and would constitute a material reduction in sunlight.
- 8.271 The applicant has provided a Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution Assessment at Section 15 of the ES Volume I (May 2013) and Section A15 of the ES Volume I Revised Addendum (November 2013). The Council has appointed GVA Schatunowski Brooks (GVA) to carry out an independent assessment of this section of the ES. The key findings of their assessment are provided below.

Daylight and Sunlight Representations Relating to Quay 430

- 8.272 A resident from Quay 430 has provided the Council with a letter from Delva Patman Redler (DPR) dated 13 September 2013, in which DPR question the accuracy and reliability of the reported result for Quay 430 as the applicant's assessment is based on an assumption of the internal layout and configuration of flats and rooms within Quay 430. In addition, a letter of representation has been received from a resident within Quay 430, in which objection is raised to the originally submitted daylight and sunlight assessment, stating that some windows and rooms within Quay 430 had been omitted from the assessment and that the use of some of the rooms had not been correctly reported.
- 8.273 On 24 September 2013, after the letter from DPR was received, officers undertook a site visit to Quay 430, which was also attended by the applicant's daylight and sunlight consultant (GIA) and Quay 430's appointed daylight and sunlight consultant. Access to a number of flats within Quay 430 was provided and accurate room measurements were taken. The typical layout and configuration of flats and location of windows was also confirmed. Officers noted during the site visit that the typical room sizes and depths that had been assumed by the applicant's consultant in the original daylight and sunlight assessment had been overestimated in a number of cases. As such, the actual impacts on NSL for these rooms would be less than originally modelled.

8.274 The applicant has advised information and measurements taken during the site visit have been used in the preparation of the updated daylight and sunlight assessment in the ES Revised Addendum (November 2013). A detailed assessment of the updated daylight and sunlight assessment is provided below. Officers are satisfied that the issues pertaining to the accuracy of the modelling for properties within Quay 430 have now been adequately addressed.

Impacts on Neighbouring Residential Properties

8.275 The daylight and sunlight effects on all windows within following neighbouring residential buildings would fully meet BRE guidelines for VSC, NSL, APSH and Winter APSH and the effects on these properties are therefore considered to be negligible.

- 17 Dock Street
- Liberty House, 26 Ensign Street
- 50 The Highway
- The Old Rose Public House, 128 The Highways
- 1-8 Wellington Terrace
- 1-10 Waterman Way
- 81-88 Waterman Way
- 79-80 Waterman Way
- 67-78 Waterman Way
- 1-13 Mace Close
- 124-132 Kennet Street and 1-4 Fowey Close
- 94-112 Kennet Street
- 70-92 Kennet Street
- 46-68 Kennet Street
- 22-24 Kennet Street
- 2-20 Kennet Street
- 1-20 Stockholm Way
- 1-96 Thomas More Street
- Cormorant House, Thomas More Street
- Sandpiper Court, Thomas More Street
- Harlequin Court
- Star Place, Thomas More Street

Telford's Yard, 6-8 The Highway

8.276 In terms of daylight, of a total of 303 windows, 111 windows (36.6% of total) exceed the BRE guidelines for VSC, of which 20 windows would be subject to reductions of over 40%, 73 windows would be subject to reductions of between 30-39.9% and 18 windows would be subject to reductions of between 20-29.9%. Of a total of 188 rooms, 17 rooms (9.0% of total) would exceed BRE guidelines for NSL, of which 11 rooms would be subject to reductions of more than 40%, 2 rooms would be subject to reductions of between 30-39.9% and 4 rooms would be subject to reductions of between 20-29.9%. It is noted that 7 rooms would see gains in NSL as a result of the development.

8.277 In terms of sunlight, of the 183 windows facing within 90 degrees of due south, 34 windows (18.6% of total) would exceed BRE guidelines for APSH, of which 17 windows be subject to reductions of over 40%, 9 windows would be subject to

reductions of between 30-39.9% and 8 windows would be subject to reductions of between 20-29.9%. Of these windows, 34 would be subject to reductions in Winter APSH of over 40%.

- 8.278 The Council's appointed daylight and sunlight consultant (GVA) notes that the revisions to the scheme submitted in November 2013, which include a reduction in the height and massing of the proposed tower from 33 to 25 storeys, would result in a marginal improvement to the impacts on Telford's Yard.
- 8.279 The south and west facing flats currently enjoy very good level of daylight and sunlight as they face on to large parts of open land with no buildings on them. GVA therefore consider it reasonable for the south and west facing rooms to experience a higher percentage loss of light than set out in the BRE guidelines. Whilst there will be a significant and noticeable loss of daylight to rooms, given that the majority of the residual VSC values will be in the mid to high teens, and given the urban nature of the site, GVA consider the residual daylight levels would not be unreasonable and officers are satisfied that the residents will continue to enjoy a reasonable level of amenity.

1-36 Breezers Court, 20 The Highway

- 8.280 In terms of daylight, of a total of 127 windows, 34 windows (26.8% of total) would exceed BRE guidelines for VSC, of which 30 windows would be subject to reductions of between 30-39.9% and 4 windows would be subject to reductions of between 20-29.9%. It is noted that 22 windows (17.3% of total) would see gains VSC as a result of the development. Of a total of 85 rooms, 11 rooms (12.9% of total) would exceed BRE guidelines for NSL, of which 2 rooms would be subject to reductions of over 40%, 2 rooms would be subject to reductions of between 30-39.9% and 7 rooms would be subject to reductions of between 20-29.9%. It is noted that 9 rooms (10.6% of total) would see gains in NSL as a result of the development.
- 8.281 In terms of sunlight, of the 122 windows facing within 90 degrees of due south, 49 windows (40.2% of total) would exceed BRE guidelines for APSH, of which 2 windows would be subject to reductions of more than 40%, 10 windows would be subject to reductions of between 30-39.9% and 37 windows would be subject to reductions of between 20-29.9%. Of these, 50 windows would be subject to Winter APSH reductions of over 40%. It is noted that 4 windows (3.3% of total) would see gains in APSH and Winter APSH as a result of the development.
- 8.282 GVA note that a significant number of residents in the building will experience noticeable losses of daylight and sunlight and consider the overall impact to be described as 'moderate adverse'. Breezers Court is located immediately to the north of Plot F, which is submitted in outline. The daylight and sunlight assessment has been carried out using the maximum parameters for the outline blocks and where significant impacts are identified, the ES proposes mitigation through the detailed design and massing of the buildings at reserved matters stage, in order to minimise the impacts on neighbouring properties. On balance, given the urban nature of the site and proposed mitigation, together with the fact that there is a daylight and sunlight gain to some windows/rooms, officers consider that the effects are not so significant so as to warrant refusal of planning permission.

Pennington Court, 40 The Highway

- 8.283 In terms of daylight, all 28 windows would meet BRE guidelines for VSC. Of a total of 28 rooms, 2 rooms (7.1% of total) would exceed BRE guidelines for NSL, both of

which would be subject to minor reductions of between 20-29.9%, although 3 rooms (10.7% of total) would see gains in NSL as a result of the development. As such, on balance, it is considered that the effects on daylight are acceptable.

- 8.284 In terms of sunlight, all 25 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

2-4 Artichoke Hill

- 8.285 In terms of daylight, of a total of 169 windows, 96 windows (56.8% of total) would exceed BRE guideless for VSC, of which 34 windows (20.1% of total) would be subject to reductions of over 40%, 49 windows (29.0% of total) would be subject to reduction of between 30-39.9% and 13 windows (7.7% of total) would be subject to reductions of between 20-29.9%. It is noted that 1 window would see an improvement in VSC as a result of the development. Of a total of 106 rooms, 7 rooms (6.6% of total) would exceed BRE guidelines for NSL, with all 7 rooms being subject to reductions of between 20-29.9%. It is noted that 40 rooms (37.7% of total) would see gains in NSL as a result of the development.
- 8.286 In terms of sunlight, of the 118 windows facing within 90 degrees of due south, 73 windows (61.9% of total) would exceed BRE guidelines for APSH, of which 20 windows would be subject to reductions of more than 40%, 14 windows would be subject to reductions of between 30-39.9% and 39 windows would be subject to reductions of between 20-29.9%. Of these, 72 windows would be subject to Winter APSH reductions of over 40% and 1 window would be subject to reductions of between 30-39.9%.
- 8.287 The south and east facing flats within 2-4 Artichoke hill includes balconies that result in a 'canopy effect', which limits the amount of daylight and sunlight received at the adjacent habitable rooms. BRE guidance advocates testing both with and without balcony scenarios in such instances.
- 8.288 When assessed without balconies, it can be seen that there would be no VSC reductions of over 40%, with 76 windows subject to reductions of between 30-39.9% and 20 windows subject to reductions of between 20-29.9%. In addition, there would be no APSH reductions of more than 40%, although Winter APSH reductions would remain largely unchanged. GVA consider that impacts would be 'major adverse' in real terms, although this is reduced to 'moderate adverse' when taking into account the 'canopy effect'. It is also noted that mitigation would be provided at reserved matters through the detailed design and massing of the outline blocks. On balance, officers do not consider the impacts to be so significant so as to warrant a refusal of planning permission.

67-78 Waterman Way

- 8.289 In terms of daylight, of a total of 45 windows, 2 windows (4.4% of total) would exceed BRE guidelines for VSC, with these 2 windows being subject to reductions of 20-29.9%. All 37 rooms would meet BRE guidelines for NSL, with 14 rooms (37.8% of total) seeing gains in NSL as a result of the development.
- 8.290 In terms of sunlight, the one window facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

8.291 GVA advise that the occupants of these dwellings will not experience any material impact on their amenity. As such, officers consider that the effects on these properties are acceptable.

54-66 Waterman Way

8.292 In terms of daylight, all 57 windows would meet BRE guidelines for VSC. Of a total of 47 rooms, 1 room would exceed BRE guidelines for NSL, which would be subject to reductions of over 40%, whilst 1 room would see gains in NSL as a result of the development. Whilst the NSL reduction to one room would be significant, given the VSC values for all windows are BRE compliant it is considered that residents will continue to enjoy a reasonable level of amenity and the daylighting effects are therefore acceptable.

8.293 In terms of sunlight, all 2 windows would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

1-70 China Court, Asher Way (Quay 430)

8.294 In terms of daylight, of a total of 135 windows, 37 windows (27.4% of total) would exceed BRE guidelines for VSC, of which 1 window would be subject to reductions of over 40%, 8 windows would be subject to reductions of between 30-39.9% and 28 windows would be subject to reductions of between 20-29.9%. Of a total of 97 rooms, 21 rooms (21.6% of total) would exceed BRE guidelines for NSL, of which 8 rooms would be subject to reductions of over 40%, 2 rooms would be subject to reductions of between 30-39.9% and 11 rooms would be subject to reductions of between 20-29.9%. It is noted that 5 rooms (5.2% of total) would see improvements in NSL as a result of the development.

8.295 In terms of sunlight, all 64 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

8.296 GVA note that whilst there are clear breaches of the BRE guidelines, they consider the impacts on China Court are within reasonable margins and no one single dwelling would experience a significant impact on amenity. It is also noted that the proposed development would result in VSC and NSL gains to some windows/rooms within the building. As such, officers consider that the impacts are not so significant so as to warrant a reason for refusal in this instance.

1-76 Leeward Court, Asher Way (Quay 430)

8.297 It should be noted that the name of the block is misspelled as 'Leawood Court' in Sections 15 and A15 of the ES and ES Addendum.

8.298 In terms of daylight, of a total of 118 windows, 20 windows (16.9% of total) would exceed BRE guidelines for VSC, of which 3 windows would be subject to reductions of over 40% and 17 windows would be subject to reductions of between 20-29.9%. Of a total of 94 rooms, 14 rooms (14.9% of total) would exceed BRE guidelines for NSL, of which 4 rooms would be subject to reductions of over 40%, 2 rooms would be subject to reductions of between 30-39.9% and 8 rooms would be subject to reductions of between 20-29.9%.

8.299 In terms of sunlight, all 25 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

8.300 GVA note that the worst affected windows in Leeward Court (i.e. those subject to VSC reductions of over 40%) are located below projections or set back within glazed walkways. This results in a 'canopy effect' that limits the amount of daylight received at these and the impacts on these windows is partly down to the design of Leeward Court itself. Whilst it is acknowledged that there will be a number of windows that fail to meet BRE guidelines, given that the most severe of these impacts are compounded due to the design of Leeward Court and in view of the urban situation, on balance, officers consider that the overall impacts on daylight and sunlight are not unreasonable or unacceptable in this instance.

1-24 Cape Yard (Quay 430)

8.301 In terms of daylight, of a total of 100 windows, 2 windows (2.0% of total) would exceed BRE guidelines, which would be subject to reductions of 20-29.9%. Of a total of 70 rooms, just 1 room would exceed BRE guidelines for NSL with a minor reduction of between 20-29.9%. GVA and officers consider that these losses are within reasonable margins and are on the whole acceptable.

8.302 In terms of sunlight, all 35 windows facing within 90 degrees of due south of meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

1-53 Spice Court, Asher Way (Quay 430)

8.303 In terms of daylight, of a total of 78 windows, 33 windows (42.3% of total) would exceed BRE guidelines, with 4 windows subject to reductions of over 40%, 11 windows subject to reductions of between 30-39.9% and 18 windows subject to reductions of between 20-29.9%.

8.304 Of a total of 59 rooms, 17 rooms (28.8% of total) would exceed BRE guidelines for NSL, with 5 rooms subject to reductions of over 40%, 4 rooms subject to reductions of between 30-39.9% and 8 rooms subject to reductions of between 20-29.9%.

8.305 In terms of sunlight, all 13 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

8.306 GVA note that the worst effected windows within Spice Court are those that face north-west. These windows presently have an outlook over the cleared part of the application site and therefore have a relatively high baseline VSC value and hence the loss of light when expressed as a percentage is greater. GVA advise that the residual VSC values for the vast majority of these windows are in the high teens and low 20's and although these values are below BRE guidelines, the absolute values are reasonable given the nature, location and general scale of this part of the Borough. As such, GVA and officers consider that the impact on Spice Court is within reasonable margins and are thus not unacceptable.

1-24 Tamarind Yard (Quay 430)

8.307 In terms of daylight, of a total of 101 windows, 15 windows (14.9% of total) would exceed BRE guidelines for VSC, of which 3 windows would be subject to reductions

of over 40%, 8 windows would be subject to reductions of between 30-39.9% and 4 windows would be subject to reductions of between 20-29.9%. Of a total of 71 rooms, only 1 room would exceed BRE guidelines for NSL, which would be subject to a minor reduction of between 20-29.9%.

- 8.308 In terms of sunlight, all 33 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.
- 8.309 GVA note that three VSC losses would be classified as 'major adverse' and relate to windows serving three bedrooms at ground floor level. However, given that these bedrooms are each served by two separate windows, although the internal lighting conditions would not be good, taken as a whole, GVA and officers do not consider that the overall impacts on Tamarind Yard are unreasonable or unacceptable in this context and as such, should not warrant a reason for refusal in this instance.

1-39 Tradewinds Court (Quay 430)

- 8.310 In terms of daylight, of a total of 56 windows, 32 windows (57.1% of total) would exceed BRE guidelines, of which 1 window would be subject to reductions of over 40%, 9 windows would be subject to reductions of between 30-39.9% and 22 windows would be subject to reductions of between 20-29.9%. Of a total of 39 rooms, 15 rooms (38.5% of total) would exceed BRE guidelines for NSL, of which 7 rooms would be subject to reductions of over 40%, 3 rooms would be subject to reductions of between 30-39.9% and 4 rooms would be subject to reductions of between 20-29.9%.
- 8.311 In terms of sunlight, all 12 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.
- 8.312 Tradewinds Court lies immediately to the south of the cleared section of the application site. GVA note that a number of windows and rooms will be subject to losses of light in excess of BRE guidelines; however, GVA advise that some of the larger losses are distorted due to the cleared nature of the site (and thus high baseline VSC levels) and that a number of these windows and rooms are located behind glazed walkways and are thus partially set back and enclosed. As the residual VSC values will remain above the mid to high teens, GVA consider that the availability of daylight on an absolute scale will not be unreasonable given the nature and pattern of development in this part of the Borough. As such, officers consider that the impacts on Tradewinds Court are not unreasonable or unacceptable in this instance.

1-20 Bridgeport (Quay 430)

- 8.313 In terms of daylight, of a total of 9 windows, 2 windows (22.2% of total) would exceed BRE guidelines for VSC with minor reductions of between 20-29.9%. All 6 rooms would meet BRE guidelines for NSL. Given that the VSC failures are only marginally above BRE guidelines and that the NSL levels are BRE compliant, it is considered that the effects on daylight are not unreasonable in this instance.
- 8.314 In terms of sunlight, all 6 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

Hermitage Waterside, 45-87 Thomas More Street

- 8.315 In terms of daylight, of a total of 26 windows, 2 windows (7.7% of total) would exceed BRE guidelines for VSC, of which 1 window would be subject to reductions of between 30-39.9% and 1 window would be subject to reductions of between 20-29.9%. All 14 rooms would meet BRE guidelines for NSL, with 1 room also seeing a gain in NSL as a result of the development. Given the limited number and scale of VSC failures and that the NSL levels would comply with BRE Guidelines, it is considered that the effects on daylight are not unreasonable in this instance.
- 8.316 In terms of sunlight, the 1 window facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

Nightingale House, 1-96 Thomas More Street

- 8.317 In terms of daylight, of a total of 76 windows, 3 windows (3.9% of total) would exceed BRE guidelines, of which 2 windows would be subject to reductions of over 40% and 1 window would be subject to reductions of between 20-29.9%. All 72 rooms would meet BRE guidelines for NSL. Whilst it is noted that two windows would be subject to reductions of VSC of over 40%, given the limited number of affected windows and that the NSL levels for all rooms are BRE compliant, it is considered that the effects on daylight are not unacceptable in this instance.
- 8.318 In terms of sunlight, the 8 windows facing within 90 degrees of due south would meet BRE guidelines for APSH and Winter APSH. The effects on sunlight are therefore considered to be acceptable.

Daylighting Conditions within the Development

- 8.319 The submitted ES and ES Revised Addendum provide a daylight assessment for the dwellings and habitable rooms within the proposed development. Overall, 77% of habitable rooms within the detailed element of the scheme would meet or exceed the target minimum ADF values. However, it is noted that the daylighting conditions within a large number of habitable rooms on the lower floors of the buildings, particularly within Block A, Block C and Times House, would be poor.
- 8.320 Within Block A it can be seen that there would be a significant number of habitable rooms from ground to 7th floor level that fail to achieve the target minimum ADF values, with a number of living/kitchen/dining rooms having an ADF of between 0.2% and 0.4%, which is well below the minimum target of between 1.5% (living/dining rooms) and 2% (kitchens).
- 8.321 Within Block B it can be seen that the majority of habitable rooms meet or exceed the minimum ADF criteria and whilst there are a handful of shortfalls, these are not significantly below the minimum criteria. On balance, officers consider that the overall daylighting conditions within Block B are not unreasonable and that future residents would enjoy satisfactory levels of amenity in terms of natural light.
- 8.322 Within Block C it can be seen that there would be a significant number of habitable rooms, particularly within Building C2/C3 at ground to 4th floor level, that would fail the target minimum ADF values. As with Block A, a number of these failures will be well below the minimum criteria, with ADF values for a number of living/kitchen/dining rooms on the ground first floors in Building C2/C3 being below 1.0%.

- 8.323 With regard to Times House, it should be noted that the design of the block has been revised during the course of the application, which has included removing part of the southern extent of the existing building to allow more light in to the central courtyard. Whilst this has resulted in an improvement to the daylighting conditions to habitable rooms within the building, there are still a number of rooms that fall below the minimum ADF criteria between the ground and 4th floor.
- 8.324 The daylight assessment also provides indicative VSC values for the façades of the blocks within the outline element of the Scheme (Plots D to J), based on the maximum parameters. GVA advise that the VSC modelling does not take into account the 'canopy effect' of balconies and projections and if the design and layout of the buildings is to be similar to Blocks A, B and C, then it is probable that the outline blocks would achieve a similar failure rate in terms of daylight.
- 8.325 Overall, GVA advise that the quality of natural daylight for a considerable number of habitable rooms within Block A, Block C and Times House would be below the minimum design standard and this would result in a poor level of amenity in this regard for the future residential occupants within those units. As such, Members would need to be satisfied that the overall quality and regenerative benefits of the scheme outweighs the amenity shortcomings of a number of units on the lower floors in terms of daylight. Your officers believe that daylight and sunlight shortfalls are outweighed by the benefits of the scheme overall. Members are reminded that the BRE Guidelines are advisory and need to be interpreted on a case by case basis and clearly, the degree of harm needs to be assessed in relation to the context within which that judgement is being made. The extent of failures, as found in this situation and in such a challenging urban context, is relatively common place and there are many situations in Tower Hamlets where similar situations prevail.

Overshadowing

- 8.326 The BRE guidelines for transient overshadowing advise that at least half of a garden or amenity area should receive at least two hours of sunlight on 21st March. If as a result of new development an existing garden or amenity space does not meet this criteria and the area which can receive two hours of sun on 21st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. It should be noted that BRE guidelines for overshadowing only applies to the shadow cast over designated amenity areas such as gardens and areas for sitting out, but is not applied to areas of public realm such as the footpath or pavement areas.
- 8.327 Section 15 of the ES and Section A15 of the ES Revised Addendum include a transient overshadowing analysis undertaken for the Spring Equinox and Summer and Winter Solstices. This analysis has been independently assessed by the Council's appointed daylight and sunlight consultant, GVA, who confirm that the analysis demonstrates that the extent of transient overshadowing over neighbouring designated amenity spaces will not result in any significant increase in overshadowing and meets the BRE guidelines.

Light Pollution and Solar Glare

- 8.328 The submitted ES includes a preliminary analysis of light pollution resulting from the proposed development. The analysis has been modelled using a number of assumptions as full details of the lighting within the scheme, including internal light fittings and external security and background lights, have not been finalised. Notwithstanding the preliminary nature of the analysis, on the basis of the

assumptions made, GVA advise that there would not appear to be any adverse impacts in respect of light pollution.

- 8.329 With regard to solar glare, GVA confirm that the assessment within the ES demonstrates that the proposed development would not result in any significant adverse solar glare impacts from the 7 connected viewpoints.

Noise and Vibration

- 8.330 Section 11 of the NPPF (2012) provides guidance for assessing the effect of noise. The document states that planning decisions should avoid noise giving rise to adverse effects on health and quality of life; mitigate and reduce effects arising from noise through conditions; recognise that development will often create some noise, and; protect areas of tranquillity which have remained relatively undisturbed and are prized for their recreational and amenity value for this reason.
- 8.331 Policy 7.15 of the London Plan (2013), Policies SP03(2) and SP10(4) of the Council's adopted Core Strategy (2010) and Policy DM25 of the Council's adopted Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse effects and separate noise sensitive development from major noise sources. In addition, the ES provides details of the noise mitigation measures for the proposed development.
- 8.332 The applicant has provided a Noise and Vibration Assessment at Section 9 of the ES Volume I (May 2013) and Section 9 of the ES Volume I Revised Addendum (November 2013) which provides an assessment of the likely significant effects of the development on neighbouring properties in terms of the predicted noise and vibration levels from demolition and construction works; noise and vibration from the building services plan during operation, and; any increases in noise due to road traffic attributed to the development.
- 8.333 The Council's appointed EIA consultants, Land Use Consultants (LUC), have reviewed the ES and consider that the baseline noise measurements have been appropriately carried out, that the cumulative effects are adequately assessed and that suitable mitigation measures are described for both construction and operational noise.
- 8.334 It is noted that the road traffic noise levels due to demolition, construction and refurbishment has been assessed in the ES and is shown as having a 'negligible' effect in all areas other than on a section of Vaughan Way between Nesham Street and The Highway which is shown as having a 'minor adverse' effect between time-slices 5 and 8 due to construction traffic.
- 8.335 LBTH Environmental Health note that the developments duration is longer than most within the borough, mainly due to its size and scale and extended programme. Consequently, Environmental Health acknowledge that some residential and commercial properties will be adversely affected by noise, vibration and dust over a longer than normal period during demolition and construction phases. The developer has advised that Council policies on construction and development will be followed and the contractor will enter into a S.61 Agreement under the Control of Pollution Act 1974 with the local authority to control any adverse effects.
- 8.336 It is noted that a letter of objection has been received from the Smokehouse recording studios on Pennington Street, which is located on the north side of Pennington Street opposite the proposed construction site entrance. One of the

grounds of objection is that the noise and vibration impacts and general disturbance during the demolition and construction works, including through construction vehicle movements adjacent to the studio would prevent the business from being able to operate. The operators of the Smokehouse Studio consider that the construction access should be moved so that traffic does not have to use Pennington Street and pass the studios, particularly given the cobbled nature of the street. The Smokehouse Studio (at the time of completing this report) has not provided further detailed comments following re-consultation on the Construction/ Demolition Management Strategies. However, they have indicated they may do so. If further comments are received they will be reported to Members by way of an update report.

- 8.337 The Council's own Code of Construction Practice (CoCP) details the measures that are reasonable for a developer to achieve and it follows Government guidance issued through British Standard 5228-1:2009, as the required standard of good practice. The impact on sensitive receptors (including the Smokehouse Studios) has been considered through Environmental Impact Assessment, which has included a suitable technical noise and vibration assessment. The Smokehouse has not made any detailed comments on the findings of this assessment. LBTH Environmental Health acknowledge that measures may have to be adopted which go beyond the required standards detailed in the Council's policies and CoCP, To mitigate impacts on this property, Environmental Health Officers have suggested that this could include controlled delivery times, stacking of lorries outside of the Highway, Pennington Street and Virginia Street with radio control, quiet periods and localised screening.
- 8.338 Comments have also been received from residents of Quay 430 (the blocks to the South of site) about construction/demolition impacts. Concerns have been raised about the routing of construction traffic along the southern boundary and the potential impacts that this will cause in terms of noise and vibration. A concern has also been raised around the potential for subsidence and land slip (there is a change in levels between the sites).
- 8.339 The submitted Construction/Demolition Management Plans give an indication of the likely levels of construction traffic. During the demolition it is estimated there will be 65 vehicle movements per day (7 an hour); during construction (estimate relates to the part of the application submitted in detail) there will be 100 vehicle movements per day (10 an hour). Demolition traffic would be routed from The Highway, down Artichoke Hill and into the site through the existing entrance adjacent to Tobacco Dock. Traffic would be circulated around the space occupied by the existing print works, would exit the site by the same entrance and return to the Highway via Wapping Lane. Construction traffic would also access the site via Artichoke Hill and enter/exit the site via the entrance adjacent to Tobacco Dock, with traffic being routed around the space occupied by the print works building. Slightly different arrangements for Times House would apply.
- 8.340 The submitted Construction/Demolition Method Statements suggest the types of measures that will be employed to reduce the impact of noise. This includes a restriction on the hours of building works (08.00 to 18.00 Monday to Friday, 08.00 – 13.00 Saturday, no working on Sunday or Bank Holidays), the use of suitably maintained and appropriately silenced plant and equipment, the use of enclosures and barriers to screen plant where appropriate and ensuring that stone crushing plant is located centrally in site away from residential properties.
- 8.341 The strategies also state that real time monitoring of dust and noise levels will be carried out, and records of this kept. Monitoring points will be sited around the boundaries of the site.

8.342 Planning Officers consider that a suitably robust Construction Management Strategy/Demolition Management Plan would ensure impacts are mitigated to a level that is acceptable in planning terms. This approach would be proportionate response to the concerns that have been raised.

8.343 In terms of the noise levels within the proposed development, LBTH Environmental Health note that parts of the site are considered to fall within the Significant Observed Adverse Effect Level (SOAEL) of the Noise Policy Statement for England. Based on the information provided, LBTH Environmental Health have no in principle objection to a proposed residential development at this location. However, if the site is to be used for residential purposes, a high degree of noise insulation will be required to meet the “good” standard of BS2333, including a high degree of sound insulation between residential and commercial areas.

8.344 LBTH Environmental Health have subsequently advised that the applicant has demonstrated with several clarifications on the noise matters that these issues will be satisfactorily mitigated and meet the requirements of BS8233 “good” design standard, which is as follows:

- Living Rooms 30dB LAeq
- Bedrooms 30dB LAeq
- Bedrooms 45dB L_{Amax} (for individual noise events at night)

8.345 LBTH Environmental Health confirm that they have no objection to the application as presented. If planning permission is granted it is recommended that conditions be included to require the residential units to meet the BS8233 “good” design standard and to require the submission of full details of the sound insulation measures to be used between the commercial and residential areas. It is also recommended that a condition be included to require noise emitted by all mechanical plant during the operational phase of the development to comply with the Council’s noise standard of LA90 – 10dB.

8.346 It is noted that a number of letters of objection have been received from residents within Quay 430 on the grounds that the proposed plant, including but not limited to the basement car park ventilation system, would result in noise disturbance to neighbouring residents. It is therefore recommended that a condition be included to require all mechanical plant during the operational phase of the development to comply with the Council’s noise standard of LA90 – 10dB. This will require the noise emitted by all plant to be at least 10dB below the lowest background noise level (LA90) when measured at the nearest sensitive receptor (i.e. residential façade or window).

Sense of Enclosure, Outlook and Privacy

8.347 As stated in the supporting text to Policy DM25 of the adopted Managing Development Document (2013), a separation distance of approximately 18 metres between windows of habitable rooms is normally considered adequate to reduce inter-visibility to an acceptable level.

8.348 In terms of the impacts on neighbouring residential properties, it is noted that a number of letters of objection have been received from neighbouring residents on the grounds that the proposed buildings would result in overlooking and a loss of privacy to their homes.

- 8.349 To the north of the site, it is noted that the separation distance between the north elevations Blocks C, F, G, H and J and the south elevation of the buildings on the opposite side of Pennington Street, including the residential blocks at Telford's Yard, 2 Artichoke Hill and Breezers Court would be 40m. As such, the privacy of residents within these buildings would be preserved to a reasonable degree.
- 8.350 It is noted that the proposed 'U' shaped blocks are tallest at their northern end and step down in height towards the south. Whilst the maximum height of these blocks range from 53m to 66m (maximum parameters), given the 40m separation between these buildings and neighbouring properties to the north, together with the design of the blocks, which would incorporate vertical gaps between the taller elements on the north elevation, it is considered that the proposals will not result in an unacceptable sense of enclosure to neighbouring residents to the north.
- 8.351 On the south side of the site, it is noted that the minimum separation distance between the south elevation of Block A and the north-west elevation of Tradewinds Court within Quay 430 would be 19m. The minimum separation distance between the south elevations of Blocks C, F, G and H and north elevations of Tradewinds Court, Spice Court, Leeward Court and China Court within Quay 430 would be 21m. In addition, the minimum separation distance between the south elevations (maximum parameters) of Blocks H and J and houses at 67-78 Waterman Way would be 44m. As such, given the urban location and context of the site and its surroundings, it is considered that the proposed buildings, windows and amenity spaces have been located so as not to result in any significant overlooking or loss of privacy or outlook to neighbouring residents within Quay 430 and on Waterman Way.
- 8.352 In terms of any sense of enclosure, it is noted that the existing News International building is located immediately to the north of Spice Court, Leeward Court and China Court. The existing building provides a continuous southern frontage that is approximately 35m in height. Whilst it is acknowledged that the height of the southern extent of proposed Blocks C2/C3, F and H range between 35-40m, which is taller than the existing building, it is considered that any impacts in terms of increased sense of enclosure would be mitigated by gaps between the proposed buildings and within the 'U' shaped blocks, which would break up the massing of the blocks.
- 8.353 Whilst the proposed 25 storey tower would rise significantly above the height of the existing News International building, given the relatively slender width of the block (22m) which would face side-on to Quay 430, it is considered that the proposed tower would not result in an unacceptable or overbearing sense of enclosure to neighbouring residents.
- 8.354 The separation distance between the east elevation of the school block at Plot E (maximum parameters) and the west elevation of Telford's Yard ranges between 13m and 15m. In terms of any overlooking impacts, the detailed design of the block, including the location of windows, would be brought forward at reserved matters and a key consideration during any subsequent assessment will be ensuring that the privacy of residents of Telford's Yard is protected. Given the limited height of Plot E and the intended use of this part of the site, it is considered that the proposals should not result in an unacceptable degree of enclosure west facing windows in Telford's Yard.
- 8.355 It is noted that a letter of objection has been received on the ground that the proposed additional storey at Times House will result in a loss of privacy to east

facing penthouses in Telford's Yard. However, it should be noted that there are no west facing windows within the additional storey at Times House and that the separation distances between the proposed north and south roof terraces and the east elevation of Telford's Yard is 18m. As such, it is considered that the Times House proposals will preserve the privacy of residents in Telford's Yard to a reasonable degree. In addition, it is considered that the east facing windows in Times House would not significantly impact on the privacy of residents at 2 Artichoke Hill as the windows are set at a 90 degree angle to each other and are not directly facing.

- 8.356 Given the urban location and context of the site and its surroundings, together with the separation distances between the proposed buildings and neighbouring windows and amenity spaces, it is considered that the proposed development would not result in any significant overlooking or loss of privacy or outlook to neighbouring residents, in accordance with Policy SP10(4) of the Council's adopted Core Strategy (2010) and Policy DM25 of the Council's adopted Managing Development Document (2013).

Highways

Transport Modelling

Policy Context

- 8.357 Policy 6.3 of the London Plan (2013) seeks to ensure that development does not adversely affect the safety of the transport network, with development proposals ensuring that impacts on transport capacity and the transport network are fully assessed, including the submission of a Transport Assessment for major proposals.
- 8.358 Policy SP09(3) of the Council's adopted Core Strategy (2010) and Policy DM20 of the Council's adopted Managing Development Document (2013) require development to demonstrate it is properly integrated with the transport network and has no unacceptable impacts on the capacity and safety of the transport network, including the submission of a Transport Assessment for major development proposals.

Transport Modelling for the Proposed Development

- 8.359 Since the submission of the application, detailed discussions on highways and transport issues have been on-going between the applicant, TfL and LBTH. Additional information and further assessment work has been undertaken to encompass the following: VISSIM modelling of the highway corridor adjacent to the development, Stage 1 Safety Audit of the Proposed Pedestrian Crossing and Stage 1 Safety Audit of the Ramp Access Arrangements.
- 8.360 TfL has led on the validation of the modelling of the impacts on the Highway network, which fall largely on a TfL-maintained road and its signalised junctions. The applicant supplied traffic generation figures, although insufficient saturation (queuing) data was collected, which was identified after the model was submitted for scrutiny. TfL subsequently worked together with the applicant to ensure that the model was fit for purpose.
- 8.361 TfL has advised that they consider the modelling to be complete and the flows correct. However, TfL and LBTH Transportation & Highways do not fully accept the applicant's assertion in the Transport Statement Addendum (November 2013) that traffic modelling exercises have concluded there is no material adverse impact due to the development (para 2.3.1) based on the VISSIM modelling assessment. It should

be noted that while VISSIM models show there will be a small increase in journey time on the section of The Highway overall, the TRANSYT modelling assessment at junctions in the vicinity of the site has indicated that those junctions are already operating at/over their capacity.

- 8.362 With additional trips generated by the development, the traffic situation is likely to get worse. Importantly, whilst the overall journey time reliability is not forecast to significantly deteriorate, the fact that TfL's assessment of modelling results indicates a high level of localised congestion in the vicinity reinforces the need to restrain car based trips for this development. The site is adjacent to a highly congested network (with road safety implications for vulnerable road users) and reducing the parking ratio will bring it in line with the Council's broader environmental and road safety aims. This is partly the reason why on site car parking levels were reduced from those initially proposed.
- 8.363 TfL have subsequently advised that traffic mitigation measures will be required to mitigate against identified local congestion on the highway and have requested a sum of £210,000 in order to expand the right hand turn storage capacity at the junction of The Highway and Wapping Lane. This contribution towards increased junction capacity would be captured through the S.106 Agreement. Furthermore, LBTH Transportation & Highways have advised that car parking levels should be reduced further in order to further mitigate against the traffic impacts. However, the applicant has not agreed to reduce on site car parking levels any further siting development viability as a major casualty of further reductions in car parking. This is dealt with in more detail below.

Car Parking

Policy Context

- 8.364 Policy 6.13(D) of the London Plan (2013) requires development to ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles; provide adequate parking for disabled people, and; provide for the needs of businesses for delivery and servicing. Policy 6.13(E) of the London Plan (2013) promotes car-free developments in locations with high public transport accessibility (while still providing for disabled people).
- 8.365 Policy SP09(4) of the Council's adopted Core Strategy (2010) promotes car free developments and developments that minimise on-site and off-site car parking provision, particularly in areas with good access to public transport.
- 8.366 Policy DM22(1) of the Council's adopted Managing Development Document (2013) requires development to comply with the Council's parking standards (as set out in Appendix 2 of the MDD). Policy DM22(2) of the Managing Development Document (2013) requires developments located in areas of good public transport accessibility and/or areas of existing on-street parking stress to be permit-free.

Proposed Car Parking Provision

- 8.367 The proposed development includes provision of on-site car parking for both the residential and non-residential uses at basement level within the main site and includes provision of disabled parking at the rear of Times House. In total, 900 car parking spaces would be provided for residents, at a ratio of 0.5 spaces per unit. It is also proposed that on site car parking would be made available to occupiers of affordable housing tenures. In addition, 90 parking spaces would be provided for the

non-residential uses within the scheme. Both the total residential and non-residential car parking provision includes 10% disabled parking. The proposals also include provision of 8 car club spaces.

- 8.368 The Council's parking standards are set out in Appendix 2(1) of the adopted Managing Development Document (2013). The parking standards for residential use take into account the Public Transport Accessibility Level (PTAL) and the size of the proposed residential units and is provided at Table 6 below:

Table 6: LBTH Adopted Residential Car Parking Standards

Site Location	1 and 2 Bed Unit	3+ Bed Unit
PTAL 1 & 2	0.5	1.0
PTAL 3 & 4	0.3	0.4
PTAL 5 & 6	0.1	0.2

- 8.369 The PTAL varies across the site, ranging from 1b (poor) along the southern boundary of the site, to 4 (good) at the north-western corner of the site. LBTH Transportation & Highways have advised that they consider the maximum residential parking ratio for the proposed development to be 0.39 spaces per unit. This is based on the Council's parking standards and takes into account the fact that the development will contribute towards bus service enhancements and will improve permeability in terms of walk-times and overall accessibility to public transport, although this may not be reflected in broad-brush PTAL calculations which are based on as-the-crow-flies measurements to the nearest public transport facility (including bus-stops). As such, the proposed residential car parking ratio of 0.5 spaces per unit exceeds the Council's considered maximum level for residential car parking in this instance.
- 8.370 With regard to parking for the proposed non-residential uses, the Council's adopted parking standards state that for A1 retail use, there shall be no car parking, unless a Transport Assessment can demonstrate that walking, cycling and home delivery cannot cater for demand. This argument has not been put forward in this case. In addition, there is a zero parking standard for A2/A3/A4/A5.
- 8.371 The Council's car parking standards only permit car parking for the B1 office use, at 1 space per 600-1,000sqm of floorspace for sites located outside of the CAZ. The proposed scheme includes up to 10,408sqm GEA of B1 office floorspace and as such the maximum level car parking is 17 spaces. The proposed provision of 90 spaces for the non-residential uses therefore also exceeds the Council's maximum parking standards.
- 8.372 It should be noted that the application as originally submitted included a residential parking ratio of 0.6 spaces per unit, which was subsequently reduced to 0.5 following concerns raised by officers. Notwithstanding this reduction, LBTH Transportation & Highways do not support the proposal ration of 0.5 spaces per unit. Although this on average approximates to the maximum standard, the highway network is already congested as per the existing situation with parts of the network in the vicinity of the site being close to/at 100% degree saturation.
- 8.373 The applicant has stated that the current proposed parking levels represent the minimum possible level required to make the scheme financially viable and to meet the demand for residential car parking. LBTH Transportation & Highways do not consider that adequate justification has been provided for the level of car parking in this instance, particularly in light of the existing highway capacity issues and modelled transport impacts. Officers have adopted a balanced approach to this issue

and feel that reductions in car parking will have an impact on the capacity of the development to deliver regenerative benefits, especially in the form of affordable housing. It is noted that the scheme includes 8 car club spaces, which is supported.

- 8.374 As such, if planning permission were to be granted, Members will need to be satisfied (as your officers are) that the proposed regenerative benefits of the scheme, which include provision of a new secondary school, the delivery of 30% affordable housing with affordable rented units at social rented and POD levels, provision of 2.2ha of new publically accessible open space and the restoration and refurbishment of the listed Pennington Street Warehouse, outweigh the harm resulting from the excessive provision of on-site car parking.

Car Parking Permits

- 8.375 LBTH Transportation & Highways advise that the development should be secured as 'car and permit free' given the limited levels of on-street parking in the area due to the geometry and type of roads, which the applicant has advised they would accept. This would be secured through the S.106 Agreement. It should be noted that the 'car-and-permit free' obligation would not apply to families moving into family sized affordable housing units who would be permitted to transfer their permit under the Mayor's Permit Transfer Scheme.
- 8.376 LBTH Transportation & Highways also advise that on-site parking for social renting residents will need to be provided so as to ensure that on-street parking in the vicinity of the site is not overwhelmed. The applicant should provide details of how this will be provided and managed through a Car Parking Management Strategy, which should be secured by condition if planning permission is granted. This strategy should aim to provide 'affordable' leased parking to a ratio no less than 10% below the ratio afforded for private tenure units. This will be secured through a car park management plan and through the S.106 Agreement. It is likely that a proportion of residents residing in rented accommodation would prefer a secure off street space within which to park their vehicle.

Cycle Parking

Policy Context

- 8.377 Policy 6.9(B) of the London Plan (2013) seeks for developments to provide secure, integrated and accessible cycle parking facilities in line with the minimum standards; provide on-site changing facilities and showers for cyclists; facilitate the Cycle Super Highways, and; facilitate the central London cycle hire scheme.
- 8.378 Policy DM22(4) of the Council's adopted Managing Development Document (2013) requires development to meet and preferably exceed, the Council's minimum standards for cycle parking (as set out in Appendix 2 of the MDD) and to provide where suitable, land for and/or contributions towards new publically accessible shared cycle hire docking stations.

Proposed Cycle Parking Provision

- 8.379 The proposed development would provide 2,129 cycle parking spaces for residential use, 120 spaces for retail use and 89 spaces for business use. The vast majority of cycle parking spaces would be provided at basement level, with residential cycle store rooms located adjacent to the lift cores at of each of the blocks within the basement. Some cycle parking stands for visitors would be provided at surface level,

with the submitted Landscape Plans indicating that cycle stands would be located along the Quayside and the northern edge of the Gauging Square, although the detailed design/number of cycle stands at surface level has not been provided. Separate cycle parking is provided for residents within Times House, with the cycle store room located at the rear (south) of the building at lower ground floor level.

- 8.380 The Council's cycle parking standards are provided at Appendix 2(1) of the adopted Managing Development Document (2013). The minimum required number of spaces for the residential component of the scheme is provided in Table 7 below.

Table 7: Minimum Cycle Parking Requirements (Residential)

Unit	Detailed Element (Units)	Whole Scheme (Units)	Cycle Spaces per Unit	Required Spaces for Detailed Element	Required Spaces for Whole Scheme
Manhattan	21	210	1	21	210
1 bed	157	573	1	157	573
2 bed	246	702	1	246	702
3 bed	89	261	2	178	522
4 bed	16	54	2	32	108
Total	529	1800		634	2115

- 8.381 Taking into account the above, it can be seen that the proposed residential cycle parking provision exceeds the Council's minimum standards, which is supported in principle. LBTH Transportation & Highways note that limited information on the design/layout of the cycle parking store rooms has been provided and have raised concerns over the possible use of cycle stands that would require bicycles to be lifted (e.g. wall mounted vertical racks), which are not suitable for all users. LBTH Transportation & Highways advise that a minimum of 50% of on-site cycle parking spaces should be at level and accessible without mechanical or lifting means and that all visitor cycle parking should be of a 'Sheffield' hoop type design. In addition, adequate shower and changing room facilities should be provided for the non-residential uses.
- 8.382 Given that the scheme proposes a flexible range of non-residential uses it is not possible to calculate a definitive minimum cycle parking requirement for these uses. However, LBTH Transportation & Highways consider the provision of 120 spaces for retail use and 89 spaces for business use to be acceptable in this instance.
- 8.383 If planning permission is to be granted it is recommended that conditions be included to secure the following:
- Minimum 104 cycle spaces to be provided and retained in Times House.
 - Minimum of 634 cycle spaces to be provided and retained in Phase 1.
 - Minimum of 2,115 cycle spaces to be provided and retained on completion of whole development.
 - Full details of all cycle parking, including detailed layout plans and manufacturer's technical specification for stands, to be submitted for approval.
 - All visitors cycle parking to be provided as 'Sheffield' style stands.
 - Full details of all shower and changing room facilities for commercial units.

- 8.384 There is also a requirement to relocate the existing Vaughan Way Cycle Docking Station and this requirement has been captured with reference to the proposed S.106 Heads of Terms.
- 8.385 Subject to the above conditions, it is considered that the proposed development includes adequate provision of secure cycle parking facilities, in accordance with Policy 6.9 of the London Plan (2013) and Policy DM22(4) of the Council's adopted Managing Development Document (2013).

Refuse and Recyclables Storage

Policy Context

- 8.386 Policy 5.17 of the London Plan (2013) requires all new development to include suitable waste and recycling storage facilities.
- 8.387 Policy SP05(1) of the Council's adopted Core Strategy (2010) and Policy DM14(2) of the Council's adopted Managing Development Document (2013) seek to implement the waste management hierarchy of reduce, reuse and recycle by ensuring that developments appropriately design and plan for waste storage and recycling facilities as a component element.

Proposed Refuse and Recyclables Storage Facilities

- 8.388 The main development site includes a centralised waste and recyclables storage area at basement level below Block B for both the residential and non-residential uses, located adjacent to the bottom of the basement ramp from Virginia Street. The residential blocks include refuse chutes adjacent to the lift cores that lead down to individual refuse store rooms for each block at basement level. An internal Waste Management Team would then transport for waste and recyclables from each block to the central waste storage area on a regular basis for collection.
- 8.389 Separate refuse and recyclables storage is provided in Times House, with a designated refuse store located at lower ground level at the rear (south) of the site, adjacent to the collection point on Pennington Street.
- 8.390 LBTH Waste Policy and Development have assessed the proposed refuse strategy for both the main site and Times House and consider the proposals to be acceptable in principle. However, both LBTH Waste Policy and Development and LBTH Transportation & Highways advise that refuse storage areas should ideally be designed so that the LBTH refuse vehicles can enter and exit the site in forward gear (not having to reverse). In instance where this is not possible, a minimum turning circle of 17.5m should be provided.
- 8.391 If planning permission is granted it is recommended that conditions be included to secure the following:
- Delivery and Servicing Management Plan (incorporating Waste Management Plan)
 - Detailed plan as to how the waste bins are to be transferred from the chute rooms to the central refuse storage and collection area.
 - Details of the total capacity of all refuse storage areas.
 - Swept path analysis showing a turning circle of 17.5m within the servicing yard at basement level for LBTH refuse vehicles.

- 8.392 Subject to these conditions, it is considered that the proposed development includes adequate provisions for the storage and collection of waste refuse and recyclables, in accordance with Policy 5.17 of the London Plan (2013), Policy SP05(1) of the Council's adopted Core Strategy (2010) and Policy DM14(2) of the Council's adopted Managing Development Document (2013).

Servicing and Deliveries

Policy Context

- 8.393 Policy 6.13 of the London Plan (2013) requires developments to provide for the needs of businesses for delivery and servicing. Policy DM21(1) of the Council's adopted Managing Development Document (2013) seeks ensure that developments that generate a significant number of vehicle trips do not adversely impact on transport or amenity and demonstrate how goods vehicles are accommodated on site.

Proposed Servicing and Delivery Strategy

- 8.394 The servicing strategy for the scheme as originally submitted accommodated the principal servicing and delivery requirements at basement level, whilst some small scale servicing was proposed to be carried out on the Quayside route, between the 'U' shaped blocks and the Pennington Street Warehouse.
- 8.395 The servicing strategy was subsequently revised to accommodate all servicing and deliveries at basement level via the vehicular entrance on Virginia Street, with the Quayside now being provided as a pedestrian only route, which is supported. In order to facilitate this, the revised proposals incorporate a new sub-basement level below Blocks C and F, which will accommodate the revised servicing area and is considered to be acceptable by LBTH Transportation & Highways.
- 8.396 LBTH Transportation & Highways note that vehicles servicing Times House would park in order to load/unload on Pennington Street, which is not ideal. However, given the spatial constraints of the site, provided the on-street servicing arrangements for Times House are suitably managed through a Delivery and Servicing Plan (incorporating a Waste Management Plan), which should be secured by condition, it is not considered that it will have significant negative impacts on the operation or safety of Pennington Street.
- 8.397 It is noted that the revised parameters now also allow for either a single shared access ramp to the basement, shared by the school (Plot E in outline) and the rest of the development, or for the provision of two separate ramps. The submitted Safety Audit demonstrated that there were no issues with pursuing either a single or dual ramp option. However, LBTH Transportation & Highways advise that a flat landing area would need to be provided at the top of the ramp / ramps and if the dual ramp option was progressed as inter-visibility would need to be maintained between the two ramps. This 'reservoir space' to allow a vehicle to wait off-street to enter the basement is also Highways' requirement. The detailed design solution will be finalised at Reserved Matters Application stage.
- 8.398 If planning permission is granted it is recommended that a condition be included to secure a detailed Delivery and Servicing Management Plan (incorporating a Waste Management Plan). Subject to this condition, it is considered that the proposals include adequate provisions for servicing and deliveries and would not adversely

impact on surrounding amenity or the capacity and safety of the road network. The proposals therefore accord with Policy 6.13 of the London Plan (2013) and Policy DM21(1) of the Council's adopted Managing Development Document (2013).

Transport Improvements

Pedestrian Crossing on The Highway

- 8.399 A Stage 1 Safety Audit has been undertaken on the provision of an at-grade Pelican Crossing Facility for pedestrians across The Highway, between Virginia Street and the Dock Street/Vaughan Way traffic signal junction. This was requested by LBTH to help address the added need for a safe crossing provided by the additional footfall generated by the development, which particular regard to the proposed school which will take pupils from north and south of The Highway. The desire for a crossing arrangement has been also voiced by the community in previous surveys/discussions by the Council with residents. For the proposed crossing on The Highway, a staggered format would provide TfL the greater flexibility to control the traffic flow (by not requiring traffic in both directions to stop) which is supported by LBTH Transportation & Highways.
- 8.400 The provision of a separate pelican crossing or (as a fall back) an enhanced crossing facilities at the existing Dock Street junction has been secured through the S.106 Agreement (capped at £200,000) has been agreed between the applicant, LBTH and TfL in order to facilitate the provision of the new pedestrian crossing.

Docklands Light Rail

- 8.401 TfL has advised that the London Dock development will result in congestion at Shadwell DLR station, preventing passenger flows from moving safely through the station. TfL are seeking to enhance the accessibility and capacity of the station by implanting a programme of improvement works, to include the installation of new escalators and a new passenger lift. TfL are seeking a contribution of £500,000 towards the Shadwell DLR Station improvement works, which would pay for a new electrical lift to replace the existing hydraulic lift in order to improve accessibility and increase passenger throughput.
- 8.402 Officers have balanced the need for this contribution against the requirements for other mitigation to be provided under the S106 Agreement. The scheme is not sufficiently viable to meet all mitigation requirements and in view of other public transport related obligations (including the requirement to meet the London Mayoral CIL) relating to Crossrail and the need to mitigate impact in other areas, especially the range of local health impacts raised locally throughout the consultation process, your officers have placed a greater priority on the need to direct S.106 monies towards these other priority areas.

Bus Services

- 8.403 TfL has identified that additional capacity will be required on the bus network to accommodate trips generated by the development and is seeking a financial contribution towards increasing the frequency of one of the bus services operating in the vicinity of the site (either the 100 or D3) to mitigate this impact. Specifically, TfL are seeking to introduce one additional bus into the hourly schedule for either the D3 or 100 routes, which over the course of a day will require 3 additional buses at £220,000 per additional bus per annum, resulting in a total cost of £3.3 million over 5

years. TfL have agreed to subsidise the bus route improvements and seek a financial contribution of £890,000.

- 8.404 Whilst officers have included a contribution towards buses within the draft heads of terms, it is understood that TfL has received funding for additional bus infrastructure through the Comprehensive Spending Review (to be directly related to the provision of new state funded schools). With this being the case and to avoid costs being unreasonably transferred to the eventual school provider, the sum has been reduced to £541,000, to take account of the proportion of bus trips directly related to the secondary school.

TfL Cycle Hire

- 8.405 There are two existing TfL cycle hire docking stations in the immediate vicinity of the application site, located on the east side of Vaughan Way, adjacent to the western boundary of the site and located on the south side of Pennington Street, adjacent to the proposed site entrance at the junction with Virginia Street. There is a requirement to relocate the Vaughan Way cycle docking station and it is recommended that this be captured through the S.106 Agreement.

Highway and Traffic Impact Mitigation

- 8.406 Through assessment of the transport modelling, TfL has identified transport capacity issues at various junctions with The Highway and have requested a sum of £210,000 in order to expand the right hand turn storage capacity at the junction of The Highway and Wapping Lane.

Pedestrian Environment Improvements

Pennington Street

- 8.407 Pennington Street bounds most of the northern boundary of the application site and the proposed development seeks to improve permeability by providing new access at the east and west ends of the Pennington Street Warehouse, together with three new access routes through the warehouse itself. Pennington Street also forms a large extent of the immediate setting of the Grade II listed Pennington Street Warehouse when viewed from the public highway.
- 8.408 The street itself is currently in a poor state of repair and suffers from poor layout in terms of footway widths and a lack of traffic calming measures and inclusive access features, such as raised tables and textured paving for those with impaired sight. Both officers and the applicant are seeking to secure public realm improvements to Pennington Street. LBTH Transportation & Highways have estimated that the cost of the necessary highway improvement works would be in the region of £800,000, with the works to be carried out by LBTH as Highway Authority.
- 8.409 Officers would recommend that an element of the £1,739,336 financial contribution towards Streetscene and Built Environment and Public Open Space be used to pay for these improvement works, which are considered necessary in order to improve pedestrian accessibility and permeability, inclusive access, traffic flows and to protect and enhance the setting of the listed warehouse. The "Streetscene" element of the contribution (with reference to the list of S.106 Heads) would not be sufficient to meet the full costs of the Pennington Street refurbishment, but further funds being directed to this project can be justified, as Pennington Street represents an important piece of public realm in itself and represents an important setting to the listed building and

would help in the linkage between open spaces and the enhanced permeability of the site.

Air Quality

Policy Context

- 8.410 Policy 7.14 of the London Plan (2013) seeks to ensure that design solutions are incorporated into new development to minimise exposure to poor air quality and promotes sustainable design and construction to reduce emissions from the demolition and construction of buildings.
- 8.411 Policy SP03(2) of the Council's adopted Core Strategy (2010) seeks to manage and improve air quality along transport corridors and traffic congestion points and seeks to implement a 'Clear Zone' in the borough to improve air quality. Policy DM9 of the Council's adopted Managing Development Document (2013) requires applications for major development to be accompanied by an Air Quality Assessment to demonstrate how it will prevent or reduce associated air pollution during construction or demolition. In addition, development located in the Tower Hamlets Clear Zone will need to demonstrate consideration of the Clear Zone objectives.

Air Quality Assessment

- 8.412 The applicant has provided an Air Quality Assessment at Section 8 of the ES Volume I (May 2013) and Section A8 of the ES Volume I Revised Addendum (November 2013). The ES provides an assessment of the potential effect on local air resulting from construction dust, road traffic during both the construction and operational phases of the development and the emission associated with the heating and power plant for the operational buildings.
- 8.413 The Council's appointed consultants, LUC and Cascade, have reviewed the Air Quality Assessment section of the ES and confirm that the assessment has been undertaken using current good practice methodology and that the criteria for establishing the significance of effects are in line with good practice. It is also considered that the ES sets out a comprehensive set of mitigation measures for construction phase air pollution.
- 8.414 LUC and Cascade note that the proposals do not include mitigation for the operational phase of the development, although the impacts have been identified as being between negligible and minor adverse. However, whilst the proposed development would not be 'air quality neutral', it is noted that it would not contribute to a greater level of exceedances of air quality standards than would be the case under the 'do nothing' scenario and as such these impacts might be considered acceptable.
- 8.415 The applicant has also submitted a Construction and Demolition Method Statement, Environmental Management Plan and Waste Management Plan (November 2013). These documents provide further details of the range of dust mitigation measures that are to be incorporated during the demolition and construction phases, including:
- Using dust-suppressing tools for all operations;
 - Minimising surface areas of stockpiles to reduce areas of surfaces exposed to wind pick-up;
 - Covering scaffolding with polythene sheets to form a barrier between site and the surrounding locality;

- Dampening of exposed soil and material stockpiles, if necessary, using sprinklers and hoses;
- Avoidance of potential dust-generating activities during periods when the wind direction may carry dust into sensitive areas or during periods of high or gusty winds;
- Design controls for construction equipment and vehicles and use of appropriately designed vehicles for materials handling (e.g. enclosed piling rigs and enclosed cement batching facilities);
- Locating stockpiles of soils and materials as far away as possible from sensitive properties, taking account of prevailing (and seasonal) wind directions;
- Positioning wind breaking netting around materials stockpiles and vehicle loading/unloading areas and exposed excavation and material handling operations.

8.416 Officers consider that the information provided in the ES and supporting documentation to the application adequately demonstrate that the demolition and construction works would not have an unacceptable impact on air quality, with localised impacts being suitably mitigated against. If planning permission is granted it is recommended that a condition be included to require the submission for approval of a detailed Construction and Environmental Management Plan to ensure suitable dust mitigation measures are secured by planning control.

8.417 It is noted that a number of letters of objection have been received from residents within Quay 430 on the grounds that the proposed basement car park ventilation system, which discharges close to the southern boundary of the site adjacent to Quay 430, will result in increased air pollution in the locality that would adversely affect the health of neighbouring residents.

8.418 The LBTH Air Quality Officer subsequently requested that car parking emissions modelling be provided as additional information to the ES under Regulation 22. In their letter dated 15 October 2013, the applicant's consultant (URS) responded to the Regulation 22 request. The submitted car parking emissions modelled scenario is based on an 81m long ventilation slot, represented as a line source in the dispersion model, along the southern boundary of the site immediately adjacent to Asher Way.

8.419 The modelling was based on a maximum of 1,170 spaces in total within the car park with 220 vehicles entering and leaving the car parking during the peak hour, as set out in the Transport Assessment. It should however be noted that the proposed level of on-site car parking has since been reduced to 990 spaces. The following conclusion is provided by the applicant's consultant:

8.420 *"The maximum contribution to annual mean concentrations of PM10 and PM2.5 are predicted to be less than 0.1 µg/m³ at all receptors. The maximum contribution to annual mean NO₂ concentration is predicted to occur at receptor P20, at the southern-most corner of Plot C; this is 0.3 µg/m³ at ground level and 0.3 µg/m³ at the first floor. This is an imperceptible impact of negligible significance. The impact at the other modelled receptor points is less and therefore also negligible. The conclusions of the ES therefore remain unchanged."*

8.421 The submitted Air Quality Assessment, including the car park emissions modelling, has been reviewed by the LBTH Air Quality Officer and is considered to be acceptable. Whilst the proposed development would not be 'air quality' neutral, given that it would not contribute to a greater level of exceedances of air quality standards than would be the case under the 'do nothing' scenario, officers consider that the

impacts on air quality are on balance acceptable and that any such impacts would be outweighed by the regenerative benefits of the scheme.

Wind Microclimate

Policy Context

8.422 Policy DM23 of the Council's adopted Managing Development Document (2013) seeks to ensure that development is well connected with the surrounding area and should be easily accessible for all people by ensuring that development and the public realm are comfortable and usable. Policy DM24 of the Managing Development Document (2013) requires development to be designed to the highest possible standard, taking into account impacts on microclimate. Policy DM26 requires proposals for tall buildings not to adversely impact on the microclimate of the surrounding area, including the proposals site and public spaces.

Wind Microclimate Assessment

8.423 The applicant has provided a Wind Microclimate Assessment at Section 14 of the ES Volume I (May 2013) and Section A14 of the ES Volume I Revised Addendum (November 2013). The wind environment around a development is defined as suitable for different types of activity using the Lawson Comfort Criteria, which comprises:

Description	Threshold
• Sitting	1% > B3
• Standing/Entrance	6% > B3
• Leisure Walking	4% > B4
• Business Walking	2% > B5
• Carpark/Roadway	6% > B5

8.424 The ES provides an assessment of the effect of the development on wind microclimate in a number of scenarios, including during the construction phase, completed Phase 1 (detailed element), completed Phase 1-3 with school, completed whole development with existing surrounds and completed whole development with cumulative surrounds. The assessment also models for both the summer season and the windiest season.

8.425 The ES concludes that the effects on the surrounding areas (including Pennington Street, Vaughan Way, Asher Way, Virginia Street, Breezers Hill and Artichoke Hill) during the construction phase, completed Phases 1-3 and completed whole development would be negligible to moderate beneficial. In terms of the microclimate within the development, it is noted that wind microclimate at ground level within the completed development (both with existing and cumulative surrounds) would be suitable across the site for either sitting or standing/entrance during the summer season.

8.426 During the windiest season, it is noted that certain areas of public space within the site, including the middle of the Gauging Square, Market Square, the north and south sides of Block A and along the Quayside, would remain suitable for leisure walking. It is also noted that the impacts of terraces on the upper floors of some of the blocks will be more pronounced, with terraces on outline Blocks G, H and J experiencing business walking wind comfort levels. However, the ES sets out suitable wind

mitigation measures for the development, including the use of balustrades on terraces and landscaping (with tree planting) within the public spaces.

- 8.427 It should be noted that the detailed design, including the location, design, layout and balustrading for terraces in Blocks G, H, and J will be provided and assessed at Reserved Matters. It is recommended that details of landscaping, including tree planting, is secured by condition. LUC and Cascade have reviewed the Wind Microclimate Assessment and raise no objections to the assessment.
- 8.428 Taking into account the above, it is considered that the proposed development would not adversely impact on the microclimate of the surrounding area, including the proposals site and public spaces. The proposals therefore accord with Policies DM23, DM24 and DM26 of the Council's adopted Managing Development Document (2013).

Contaminated Land

Policy Context

- 8.429 The policy context is set by the National Planning Policy Framework (2012) and Policy DM30 of the Council's adopted Managing Development Document (2013). Specifically, Policy DM30 requires suitable site investigation and remediation schemes to be secured and agreed for development proposals on contaminated land or potentially contaminated land.

Land Contamination and Remediation

- 8.430 Both the Environment Agency and the LBTH Environmental Health (Contaminated Land) Officer has reviewed the application submission and note the site and surrounding area have been subjected to former industrial uses, which have the potential to contaminate the area. Furthermore, as the proposed development includes ground works and soft landscaping, a potential pathway for contaminants may exist and will need further characterisation in order to determine associated risks.
- 8.431 If planning permission is granted both the Environment Agency and LBTH Environmental Health recommend that a condition be included to require the submission a scheme to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed, to be approved prior to the commencement of development. The recommended condition should also ensure that the development is not occupied until a verification report demonstrating completion of works set out in the approved remediation strategy has been submitted and approved in writing by the local planning authority. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then additional contamination should be fully assessed in accordance and an adequate remediation scheme is to be submitted for approval.

Flood Risk

Policy Context

- 8.432 The National Planning Policy Framework (2012), Policy 5.12 of the London Plan (2013) and Policy SP04 of the Council's adopted Core Strategy (2010) make clear that there is a need to consider flood risk at all stages in the planning process.

Flood Risk Assessment

- 8.433 Approximately 0.7% of the site lies within Flood Zone 3, which is classed as the zone of highest flood risk with a 1% chance of occurring in any year from fluvial sources and 0.5% from tidal sources. Approximately 6.3% of the development site lies within Flood Zone 2, which corresponds with the extreme flood outline with an annual probability of 0.1% of occurring. Those areas of the site within Flood Risk Zones 2 and 3 are the southern edge along its length and the south east corner.
- 8.434 The application is accompanied by a Flood Risk Assessment (FRA), which is provided at Section 11 of the ES Volume I (May 2013) and Section A11 of the ES Volume I Addendum (November 2013). In addition, further supporting information has been provided in a letters from JSA Consulting Engineers dated 20 August 2013 and 8 October 2013, which provides further details of surface water management, including tanked storage and a pumped drainage system.
- 8.435 The Environment Agency were consulted on the proposals, who raise no objections to the FRA subject to any planning permission being subject to conditions being included to control surface water drainage infiltration into the ground and the use of piling and other foundation designs using penetrative methods so as to ensure that there is no resultant unacceptable risk to groundwater. Thames Water has also responded and has raised no objections on surface water drainage grounds.
- 8.436 Subject to these conditions, it is considered that the proposal is acceptable in flood risk terms, in accordance with the National Planning Policy Framework (2012), Policy 5.12 of the London Plan (2013) and Policy SP04 of the Council's adopted Core Strategy (2010)

Biodiversity

Policy Context

- 8.437 Policy 5.11 of the London Plan (2013) seeks to ensure that major development are designed to include roof, wall and site planting, especially green roofs and walls where feasible, so as to provide an enhancement of biodiversity.
- 8.438 Policy SP04(2) of the Council's adopted Core Strategy (2010) promotes and supports new development that provides green roofs, green terraces and other measures to green the built environment. Policy SP04(3) of the Core Strategy (2010) seeks to ensure that development protects and enhances biodiversity value through the design of open spaces and buildings and through the protection and enhancement of existing areas of biodiversity value, in order to achieve a net gain in biodiversity.
- 8.439 Policy DM11 of the Council's adopted Managing Development Document (2013) requires development to provide elements of a 'living building' and seeks to ensure that development protects and replaces existing elements of biodiversity and includes additional habitat provision made to increase biodiversity value.

Proposed Biodiversity Measures

- 8.440 The applicant has provided an Ecology Assessment at Section 13 of the submitted ES Volume I (May 2013) and Section A13 of the ES Volume I Addendum (November 2013), which includes the results of a desk study, arboricultural survey, bat activity surveys and black redstart and peregrine falcon nesting survey. The ES also sets out

the ecology strategy for the site, which includes the use of green and brown roofs on blocks across the site, to include black redstart boxes, bird boxes, bat boxes, peregrine ledges, bee nesting sites and deadwood/log piles. At ground level the biodiversity enhancements would be provided through new trees and planting and the use of water features. Details of the proposed ecology strategy are also provided at Section 2.8 of the Design & Access Statement Detailed Design (May 2013) and Section 7.9 of the Design & Access Statement Outline Masterplan (May 2013).

- 8.441 The submitted documentation has been assessed by the LBTH Biodiversity Officer, who notes that the site contains no habitats of significant biodiversity value. It is also noted that the bat roost potential survey and the bat activity surveys indicates that no bats are roosting on the site. Whilst black redstarts might nest on the site, it is considered that the proposed living roofs and nest boxes will ensure that habitat for black redstarts is improved by the development.
- 8.442 If the ecology strategy is implemented in accordance with the measures detailed at paragraphs 13.94 to 13.98 of the ES Volume 1 (May 2013), officers consider that there will be an overall enhancement of biodiversity, which is supported in line with the Council's adopted policy position. In order to ensure that these biodiversity enhancements are realised, if planning permission is granted it is recommended that a condition be included to ensure that 4,694 square metres of living roofs, ten deadwood/log piles and four rocks and sand mounds scattered across the living roofs, seven bat roost boxes, six bird boxes, six black redstart nesting boxes, seven bee nesting sites, and seven peregrine falcon ledges are incorporated within the development, with phasing as indicated in paragraph 13.98 of the ES Volume I. The measures for each phase should be completed before the buildings in that phase are occupied
- 8.443 In addition, the LBTH Biodiversity Officer recommends the inclusion of a condition to require demolition of the existing buildings to take place outside the black redstart nesting season (March to August inclusive) if possible. If demolition takes place during the nesting season, black redstart surveys, using the methodology recommended on the blackredstarts.org website, should be undertaken immediately before demolition to ensure no black redstarts are nesting on the site.
- 8.444 Taking into account the above and subject to condition, it is considered that the proposed development would protect and enhance biodiversity value at the site through the design of open spaces and buildings, including the use of green and brown roofs, in accordance with Policy SP04 of the Council's adopted Core Strategy (2010) and Policy DM11 of the Council's adopted Managing Development Document (2013).

Environmental Impact Assessment

- 8.445 The proposed development falls within the category of developments specified at Section 10(b), Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- 8.446 As the proposed development is likely to have significant effects on the environment, it is required to be subject to an Environmental Impact Assessment (EIA) before planning permission is granted. Regulation 3 of the EIA Regulations 2011 prohibits the grant of planning permission unless prior to doing so, the Council has taken the 'environmental information' into account. The environmental information comprises the applicant's original Environmental Statement (ES), ES Addendum (submitted in November 2013) any further information submitted following request under

Regulation 22 of the EIA Regulations 2011, any other substantive information relating to the ES provided by the applicant and any representations received from consultation bodies or duly made by any person about the environmental effects of the development.

- 8.447 The Council has appointed independent consultants Land Use Consultants to review the content, methodology, and quality of the applicant's ES and to confirm whether it satisfies the requirements of the EIA Regulations 2011. As part of that exercise, the consultants identified that further information (under Regulation 22) and points of clarification were required.
- 8.448 The applicant subsequently provided further documentation, including revisions and addendums to the ES, in order to address these points. This additional information was subject to 21 day public consultation period, which was advertised by way of a press notice published in East End Life on 25 November 2013, together with letters sent to neighbouring residents and site notices displayed in the vicinity of the site. All statutory consultees were also formally consulted on 25 November 2013 and were allowed 21 days to provide comments.
- 8.449 As part of the application is in outline, for the purposes of the Environmental Impact Assessment and to comply with the requirements of the EIA Regulations 2011 and associated European Directive, the applicant has submitted parameter plans and other information to prescribe key aspects of the development. These include, for example, the quantum of floorspace and heights, widths and lengths of buildings to create 'building envelopes'. Should planning permission be granted, these parameters will be fixed in order to keep the development within those assessed in the ES and ensure that the scheme does not give rise to significant environmental impacts which have not been assessed through the EIA process. Should the applicant then bring forwards proposals which alter the range of impacts identified and assessed in the ES, they may need to be reassessed and/or a new planning application be submitted.
- 8.450 The ES, ES Addendum and further information address the likely significant effects of the development, the nature and form of the impacts and the proposed mitigation measures. The ES has been formally reviewed by officers and the various environmental impacts are dealt with in the relevant sections of this report with conclusions being provided, together with proposals for mitigation of impacts by way of conditions and/or planning obligations as appropriate.
- 8.451 Having regard to the ES and other environmental information in relation to the development, officers are satisfied that the environmental effects are acceptable in the context of the overall scheme, subject to appropriate mitigation measures being secured by conditions/obligations.

Planning Contributions and Community Infrastructure Levy

- 8.452 Regulation 122 of CIL Regulations 2010 brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they meet the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Are fairly and reasonably related in scale and kind to the development.

- 8.453 This is further supported by Policy SP13 of the Council's adopted Core Strategy (2010) which seeks to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development.
- 8.454 The Council's Planning Obligations Supplementary Planning Document 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 (2010).
- 8.455 The document also set out the Borough's key priorities being:
- Affordable Housing
 - Employment, skills, training and enterprise
 - Community facilities
 - Education
- 8.456 The Borough's other priorities include:
- Health
 - Sustainable Transport
 - Environmental Sustainability
 - Public Realm
- 8.457 The general purpose of S106 contributions is to ensure that development is appropriately mitigated in terms of impacts on existing social infrastructure such as health, community facilities and open space and that appropriate infrastructure to facilitate the development i.e. public realm improvements, are secured.
- 8.458 The application is in part in detail and part in outline, including 529 residential units and 15,451sqm GEA of flexible non-residential floorspace in the detailed element. Up to 1,271 residential units and up to a further 5,365sqm GEA of flexible non-residential floorspace within the outline element, not including the secondary school. Given the uncertainty over the total number and mix of residential units, together with the flexible nature of the proposed residential floorspace within the scheme, the S.106 has been calculated by officers using a number of assumptions, which have subsequently been agreed with the applicant.
- 8.459 These assumptions include basing the residential yield on the maximum number of homes across the whole scheme, using the indicative schedule of accommodation at Table 6-20 in Section 6 of the Revised ES Addendum (November 2013). In addition, the proposed employment yield of the development has been calculated using the maximum level of non-residential floorspace, with an assumed 50:50 split between A1 retail and B1 office in terms of employment generation.
- 8.460 However, it has been assumed that the overall employment yield of the development would be nil, given that the proposed scheme would generate a lesser level of employment than the former News International print works and offices when they were in operation. This approach ensures that the level of financial mitigation is proportion to the scale of development and accords with the CIL Regulations.
- 8.461 With the exception of the total sought capital contribution towards health, the applicant has been able to provide the full amount of all other financial contributions in line with the SPD (or the equivalent in kind works). It should be noted that the Council's appointed viability consultants (Deloitte) confirm that the current scheme would fail to achieve the requisite level of developer profit based on today's costs and

values and thus must assume growth in the model in order to achieve adequate profitability.

- 8.462 Notwithstanding the viability of the scheme, it should be noted that the applicant has proposed to include provisions within the S106 to enable the delivery of an on-site health facility (shell and core) at a peppercorn rent for three year, which would be in lieu of the full health contribution. If an on-site health facility is not brought forward, a 'sunset clause' is included that requires the payment of a reduced contribution towards health of £1,298,536 (which has been increased through the re-allocation of the Shadwell DLR contribution).
- 8.463 It is proposed that the provision land for a new secondary school on the site would be provided in lieu of the £4,190,016 education contribution, with the S106 to include a 'sunset clause' to require payment of the full contribution in the event that a school is not delivered on the site (index-linked). In addition, a contribution of £760,610 towards Leisure Facilities would be secured along with a further obligation to provide Leisure Facilities on-site through community access to the Sports Hall within the School (or a further payment of £877,700 if the school provider is not willing to sign up to a suitably worded community use agreement. The applicant has also agreed to provide £100,000 towards off site community facilities in the neighbouring areas.
- 8.464 It should be noted that the western part of the site lies within the Crossrail Charging Zone for Central London, which includes Blocks A and C and outline Plots D and E. Given the flexible nature of the proposed non-residential uses and the parameters for the outline blocks, it has been estimated that a Crossrail contribution of between £285,570 and £444,220 would be required if all non-residential floorspace within these blocks were to be used exclusively as retail or offices respectively.
- 8.465 However, the likely Mayoral CIL contribution for the scheme would be approximately £3 million for the detailed element and £7.2 million for the whole scheme, which exceeds the estimated Crossrail contribution. In such instances, the only the higher contribution is sought and a separate Crossrail contribution is therefore not required in this instance. The required Mayoral CIL should be confirmed by the applicant and Tower Hamlets Council once the components of the development have been finalised and the development has been commenced.
- 8.466 As previously advised, given the viability constraints of the scheme and in light of the significant contribution that would be paid towards Crossrail through the Mayoral CIL, the Planning Contributions Overview Panel considered that the sought funds for the Shadwell DLR station enhancements should be redirected towards health in order to more fully mitigate the local impacts of the scheme.
- 8.467 Finally, the monitoring fee has been agreed at 2% in this instance in line with the S106 SPD.
- 8.468 To mitigate for the impacts of this development on local and strategic infrastructure and community facilities the following contributions accord with the Regulations and have been agreed. The total financial contribution would be between £4,817,665 and £11,183,917 (depending on level of on-site, in kind provision – not including monitoring at 2%)
- 8.469 The proposed heads of terms are:

Affordable Housing

- 30% affordable housing by habitable room (70:30 split) with the family rented units at social target rents and the non-family at affordable rents (at POD rents) with intermediate housing delivered through use of a “First Time Buyer” product

Education

- Provision of land (at nil consideration) to facilitate the provision of a secondary school (or a payment of **£4,190,016** in lieu of educational provision if the option to take a lease of the school site is not triggered within a specified period)

Employment and Enterprise

- A contribution of **£665,052** towards Employment, Skills, Training & Enterprise
- Access to employment (20% Local Procurement; 20% Local Labour in Construction; 20% end phase local jobs)
- Apprenticeships during construction and end user phase

Idea Stores, Libraries, Community and Leisure Facilities

- A contribution of **£439,362** towards Idea Stores, Libraries and Archives
- A contribution of **£100,000** towards Off Site Community Facilities
- A contribution of **£760,610** towards Leisure Facilities along with a further obligation to provide Leisure Facilities through community access to the Sports Hall within the School (or a further payment of **£877,700** if this does not come forward).

Health Facilities

- On site provision of a primary health facility (shell and core with 3 year peppercorn) or a contribution of **£1,298,536** in lieu of on-site provision if the option or on site delivery is not taken up.

Sustainable Transport, Public Transport and Highway Infrastructure

- A contribution of **£52,305** towards Sustainable Transport
- Provision of a pedestrian crossing across The Highway or pedestrian crossing improvements as part of a future Dock Street junction improvement – with contributions capped at **£200,000**.
- A contribution of **£541,000** towards Bus Service Enhancements
- A contribution of **£110,000** towards Provision of Cycle Hire Docking Facilities
- A contribution of **£210,000** towards Highway & Traffic Impact Mitigation (junction improvements).
- Car Free Agreement
- Allowing the public to pass and repass within the site with controlled/timed public access allowed through/within Pennington Street Warehouse
- Public access to the site to and from the canal towpath
- St Georges and their Contractors to enter into LBTH Code of Construction Practice and Considerate Contractors Scheme

Public Realm and Public Open Space

- A contribution of **£1,310,786** towards Public Open Space
- A contribution of **£428,550** towards Streetscene and Built Environment
- Provision and Retention of Child Play Space

Other Related Heads of Terms

- Programme of phased restoration of listed warehouse and meanwhile uses
- TV and radio reception and rectification

- A contribution of **2%** of the total financial contributions would be secured towards monitoring (calculated on the basis that all in lieu payments are triggered) **£233,678**
- Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

8.470 The above contributions have been secured and negotiated in line with the Council's adopted Planning Obligations SPD (2012) and officers consider that for the reasons identified above the package of contributions being secured is appropriate, relevant to the development being considered and in accordance with the relevant statutory tests.

Local Finance Considerations

8.471 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides:

8.472 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.

8.473 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.

8.474 In this context "grants" might include the Government's "New Homes Bonus" - a grant paid by Central Government to local councils for increasing the number of homes and their use.

8.475 These issues are material planning considerations when determining planning applications or planning appeals.

8.476 Officers are satisfied that the current report to Committee has had regard to the provision of the development plan. The proposed S.106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

8.477 As regards Community Infrastructure Levy considerations, following the publication of the Inspector's Report into the Examination in Public in respect of the London Mayor's Community Infrastructure Levy, Members are reminded that that the London Mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. The likely CIL payment associated with this development would be in the region £2,859,535 and £4,513,810.

Human Rights

8.478 Planning decisions can have Human Rights Act 1998 implications and in terms of relevant provisions of the Human Rights Act 1998, the following are particularly highlighted to Members:-

8.479 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:-

- 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;
- 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
- 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".

8.480 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.

8.481 Members need to satisfy themselves that potential interference with Article 8 rights is legitimate and justified.

8.482 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.

8.483 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

8.484 This duty applies to the consideration of the impacts of application as a whole. However, Members are asked to specifically consider the representations made by Smokehouse Studios. The operators of the studios consider that the development could have very serious adverse effects on this business. In particular the operator considers that noise and vibration associated with construction activities will prevent recording taking place in the studios. The operators also suggest that having a construction site opposite the studio will make the studios less attractive to customers. The operator suggests the impact of these two factors could result in the closure of the business, which would deprive the operator of his sole source of income. This impact could therefore interfere with Section 6 Human Rights. The operator has suggested that the Construction Access Strategy be amended so that construction traffic does not make use of Pennington Street (which takes it pass the studio) but instead, accesses the site directly from the Highway.

8.485 Officers have carefully considered this representation and do not consider it necessary to require an amendment to the Construction Access Route. The mitigation secured (in the form of the Construction/Demolition Management Strategies) is considered to be a proportionate response that will reduce the impacts of construction activities. The remaining risk to the continued operation of the

business must be balanced against the regenerative benefits of the scheme as a whole.

8.486 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.

8.487 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 obligations to be entered into.

Equalities

8.488 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

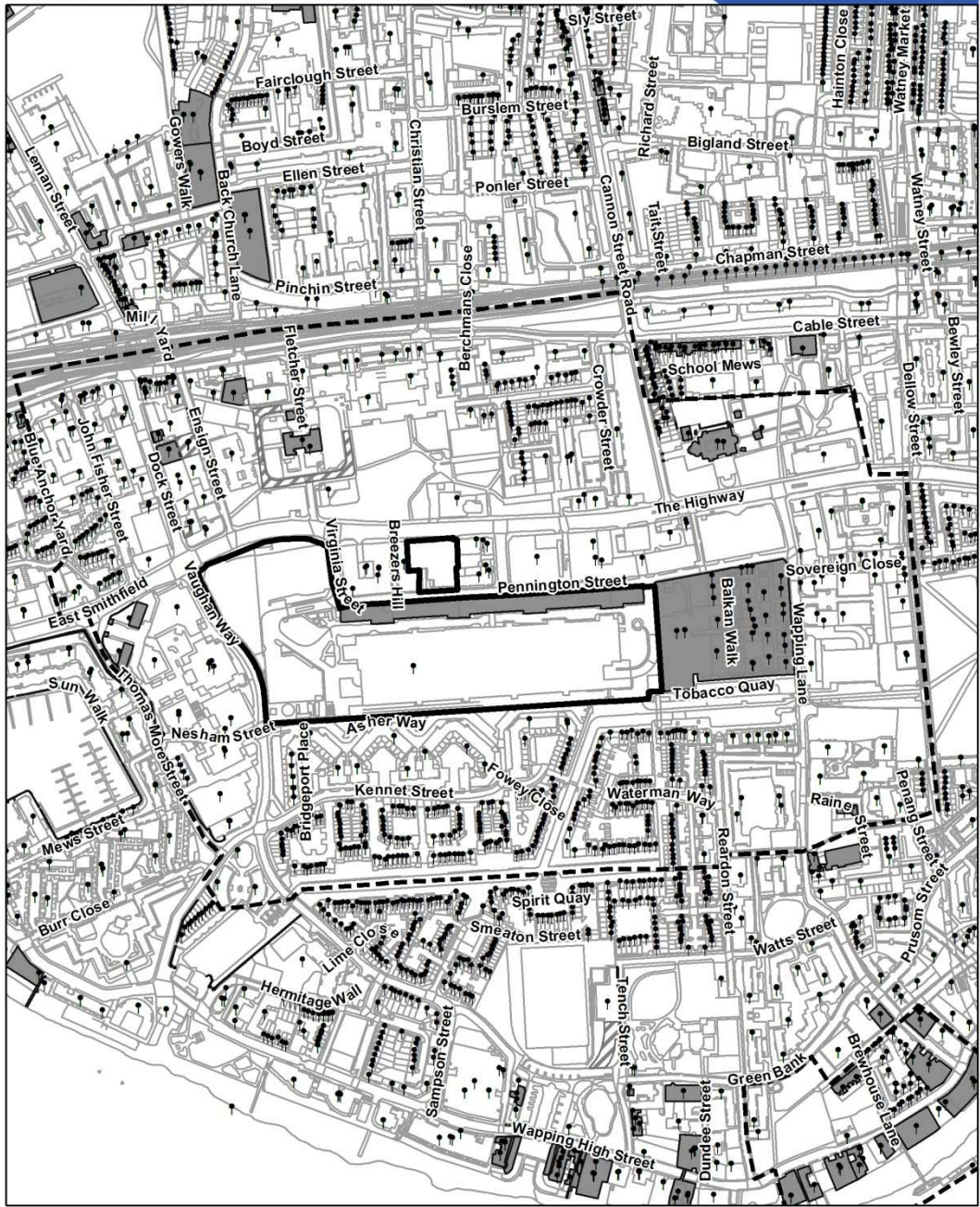
8.489 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.






8.490 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation there are no identified equality considerations.

9. CONCLUSION

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


Planning Application Site Map
PA/13/01276



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

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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