

Committee: Strategic Development	Date: 10 th May 2007	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Terry Natt		Ref No: PA/06/02068	
		Ward(s): Blackwall and Cubitt Town	

1. APPLICATION DETAILS

Location: The London Arena, Limeharbour, London E14
Existing Use: N/A
Proposal: Redevelopment by the erection of 8 buildings 7 to 43 storeys to provide 149,381 sq m of floor space over a podium for use as 1057 residential units, 25,838 sq m of Class B1 (offices), a 149 room hotel; a 10,238 sq m. apart-hotel; a Class D1/D2 community facility of 1,329 sq m, 2,892 sq m for use within Classes A1, A2, A3, A4 and A5, a Class D2 health club of 1,080 sq m, associated car parking, landscaping including new public open spaces and a dockside walkway. (Revised scheme following grant of planning permission PA/04/904 dated 10th March 2006).

The application includes the submission of an Environmental Statement under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

Drawing Nos: DPA-010-01, DPA-011-02, DPA-100-03, DPA-100A-00, DPA-100B-00, DPA-101-07, DPA-102-08, DPA-102A-04, DPA-103-08, DPA-104-07, DPA-105-08, DPA-105A-07, DPA-105B-06, DPA-106-08, DPA-106A-08, DPA-107-08, DPA-107A-07, DPA-108-08, DPA-108A-07, DPA-109-08, DPA-109A-08, DPA-110-08, DPA-110A-07, DPA-111-06, DPA-112-06, DPA-113-05, DPA-200-07, DPA-201-07, DPA-202-07, DPA-203-05, DPA-204-06, DPA-205-05, DPA-206-06, DPA-207-07

Applicant: Shendle Ltd, part of the Ballymore Group
Owner: Newlon Housing Trust
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- a) In principle, the erection of 8 buildings 7 to 43 storeys to provide 149,381 sq m of floor space over a podium for use as 1057 residential units, 25,838 sq m of Class B1 (offices), a 149 room hotel; a 10,238 sq m. apart-hotel; a Class D1/D2 community

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Eileen McGrath 020 7364 5321

- facility of 1,329 sq m, 2,892 sq m for use within Classes A1, A2, A3, A4 and A5, a Class D2 health club of 1,080 sq m, associated car parking, landscaping including new public open spaces and a dockside walkway. (Revised scheme following grant of planning permission PA/04/904 dated 10th March 2006) is acceptable, subject to appropriate planning obligations agreement and conditions to mitigate against the impact of the development;
- b) It is considered that the proposed use would not have an adverse impact on the residential amenity of the surrounding properties. A number of conditions are recommended to secure the submission of details of materials, landscaping, external lighting, plant, and to control noise and hours of construction;
 - c) The submitted Environmental Impact Assessment is satisfactory, including the cumulative impact of the development, with mitigation measures to be implemented through conditions and a recommended legal agreement;
 - d) There is an increase in the number of approved housing units to 1057 as compared to the extant permission approved on 10th March 2006 for 972 residential units. The proposal includes 35% affordable housing as calculated by floorspace the same ratio as that previously approved.

3. RECOMMENDATION

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

- A. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:
 - a) A proportion of 35% on a gross floor space basis of the proposed units to be provided as affordable housing with the socially rented mix as specified in the table attached in Section 8.15.
 - b) Provide **£150,000** towards the installation of Docklands Arrival Information System (DAISY) within the London Arena development.
 - c) Provide a minimum of **£400,000** towards the D5 bus service or new bus service (TFL proposal) and potential new bus stops on East Ferry Road.
 - d) Implement measures to offset signal interruption to mitigate the adverse effects on DLR radio communications.
 - e) Provide **£125,000** towards general improvements to pedestrian and cycle routes in the area including crossings and new paving surfaces.
 - f) Provide **£75,000** towards the signalisation of the junction of Marsh Wall/ Limeharbour with a green man phase.
 - g) Provide **£108,848** towards open space improvements to cater for the demand that will arise from the new housing on existing open space and recreational facilities.
 - h) Set of measures for the public realm including provision of the public piazza and access to the Dockside Walkway.
 - i) Provide **£524,877** towards education to mitigate the demand of the additional population on education facilities.
 - j) Provide **£2,856,640** towards medical facilities to mitigate the demand of the additional population on medical facilities.
 - k) Provide **£125,000** towards the Local Labour in Construction (LliC) programme.
 - l) Provide **£75,000** towards Skillsmatch to maximise the employment of local residents.
 - m) Preparation of a Workplace Travel Plan (including welcome pack for residents).
 - n) Preparation of a Service and Delivery Plan.
 - o) Obligations in relation to construction works (noise levels, hours of work, transport arrangements, air quality, method statements) to be secured through a Code of Construction Practice.
 - p) TV Reception monitoring and mitigation
 - q) Preparation and implementation of a public art strategy including involvement of

local artists.

- r) Completion of a car free agreement to restrict occupants applying for residential parking permits.
- s) Preparation of an Environmental Management Plan – post construction.
- t) Provision of a health club incorporating a football pitch and associated facilities for community use.

3.2 That the Head of Development Decisions be delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) Time limit for Full Planning Permission
- 2) Details of the following are required:
 - Elevational treatment including samples of materials for external fascia of building
 - Ground floor public realm (detailed landscape plan for amenity courtyards and ground floor public realm improvements)
 - Interface of retail areas with public space
 - Cycle parking design and location
 - The design of the lower floor elevations of commercial units including shopfronts and indoor football pitch
 - External lighting and security measures
- 3) Landscape Management Plan required
- 4) 278 agreement to be entered into for Highway works surrounding the site
- 5) Parking maximum cars and minimum cycle and motorcycle spaces
- 6) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)
- 7) Details of insulation of the ventilation system and any associated plant required
- 8) Hours of operation limits – hammer driven piling (10am – 4pm)
- 9) Details required for on site drainage works
- 10) Full particulars of the refuse/ recycling storage required
- 11) Code of Construction Practice, including a Construction Traffic Management Assessment required
- 12) Details of finished floor levels required
- 13) Details of surface water source control measures required
- 14) Renewable energy measures to be implemented
- 15) Black redstart habitat provision required
- 16) Green roofs
- 17) Land contamination study required to be undertaken
- 18) Signage for basement parking
- 19) Foundation design and ground works
- 20) Construction operations and impact on dock walls
- 21) Horizontal access strip from dock wall
- 22) Materials, openings and maintenance regime for boundary with DLR
- 23) Use of barges for construction traffic
- 24) Access by construction vehicles limited to Limeharbour
- 25) Limit A1 retail floorspace
- 26) Health club management plan required (to secure access for local people etc)
- 27) Recycling plan
- 28) Access and circulation
- 29) Any other condition(s) considered necessary by the Head of Development Decisions

Informatives

- 1) Environment Agency advice
- 2) Site notice specifying the details of the contractor required
- 3) Standard of fitness for human habitation, means of fire escape and relevant Building

Regulations

- 4) Landscape management plan
- 5) Thames Water
- 6) English heritage – London region
- 7) Code of Practice for Works affecting British Waterways
- 8) Entertainment licensing
- 9) Control of Pollution Act

3.3 That, if by 10th August 2007 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions be delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 Redevelopment by the erection of 8 buildings of 7 to 43 storeys to provide 149,381 sq m of floor space over a podium for use as 1057 residential units, 25,838 sq m of Class B1 (offices), a 149 room hotel; a 10,238 sq m. apart-hotel; a Class D1/D2 community facility of 1,329 sq m, 2,892 sq m for use within Classes A1, A2, A3, A4 and A5, a Class D2 health club of 1,080 sq m, associated car parking, landscaping including new public open spaces and a dockside walkway.

4.2 A previous scheme on this site was approved at the Council's Development Committee meeting on 10th March 2006. The following table describes the amount of floorspace proposed and changes from the previously approved scheme.

	Area	Change from previously approved scheme
Residential accommodation	108,004 1057 Units	+15,273 +85 Units
Office (B1)	25,838	-662
Apartment-Hotel (Sui-Generis)	10,238 149 Rooms	-5,478 -76 Rooms
Retail (A1, A2, A3, A4, A5)	2,892	-2,038
Health and Fitness Centre (D2)	1,080	-5
Community (D1/D2)	1,329	+172
Total	149,381	+7,262

The changes also include:

1. An increase in the number of residential units on site from 972 to 1057 (maintaining 35% affordable housing as calculated by floorspace);
2. Design changes to the approved scheme including elevational changes and internal reconfiguration (The tower element of the scheme remains at the same height as that already approved. The siting and alignment of the blocks is also generally the same);
3. Changes to the landscaping, in particular, removal of vehicular access to the central courtyard area and improvements to vehicular access and parking circulation in the basement area; and

4. Redesign of a previously approved community facility in the southern courtyard and replacement with an indoor health club facility, including a football pitch, for community use.

Site and Surroundings

4.3 Site

The site lies on the Isle of Dogs and is bounded by the elevated Docklands Light Railway Line, beyond which lies Limeharbour to the east; Harbour Exchange development to the north; Millwall Inner Dock is directly to the west of the site; and Pepper Street is located to the south. The site has a total area of 27,400sqm and was previously utilised as a leisure and entertainment centre, known as the London Arena. The Arena was constructed in the 1980s and has since been demolished. Vehicular access to the site is from Limeharbour via a ramp under the DLR line.

4.4 Surrounding Area

A mix of predominantly commercial and residential uses surround the site. To the west, the site fronts Millwall Inner Dock. A floating Chinese restaurant is located on the Dock along this boundary. On the opposite side of the Dock are emerging redevelopment schemes within the Millennium Quarter. The guidance provided in the Millennium Quarter Master Plan proposes that the height of the buildings step down diagonally from the portion of the quarter with frontage to Marsh Wall towards the south east corner of the quarter at West India and Millwall Docks. A mixed use development, diagonally opposite the site across Millwall Inner Dock at 1 Millharbour, was approved in February 2005, and included two residential towers (40 and 48 storeys high). Further south at 31 – 39 Millharbour, approval in June 2005, was issued for a mixed use development, including a residential building up to 22 storeys in height. Approval (May 2002) was also issued for a mixed use development, including a residential building up to 15 storeys high at 41 – 43 Millharbour.

- 4.5 To the north of the site is the Harbour Exchange office complex with buildings up to 45m in height (ranging from 5 – 16 storeys). The DLR runs along the eastern side of the site within the site boundary, with Crossharbour DLR Station located approximately halfway along this boundary
- 4.6 On the opposite side of Limeharbour are commercial uses to the north east of varying size including, 3 Limeharbour, approved in December 2003 (PA/02/01917) for a 17 storey mixed use residential and commercial development. To the south east is a medium to low density residential precinct with local shops opposite the Crossharbour DLR Station and the designated district centre comprising an Asda supermarket. Council has an agreed Supplementary Planning Guidance for the redevelopment of this site for a mixed use scheme.
- 4.7 Running along the southern side of Pepper Street is a development known as Lanark Square, which is approximately 7 storeys high and incorporates a colonnade of retail uses along the ground floor with offices above. Adjacent is Balmoral House, a 4 storey residential building and Aegean House, which is setback from Pepper Street and is an 8-storey commercial structure
- 4.8 The site is well served by public transport links being located at Crossharbour DLR Station and with direct access to local bus services.

Planning History

- 4.9 The following planning decision is relevant to this application:

PA/04/00904 The demolition of London Arena and redevelopment by erection of 8 buildings ranging from 43 to 7 storeys in height with a total of 142,180 sqm of floor

space over a podium. The proposal comprises 972 residential units; 26,500 sqm of office space; a 15,560 sqm hotel; a community facility of 1,157 sqm; a range of retail uses including A1, A2, A3, A4 and A5 comprising 4,810 sqm; new health and fitness club 1,085 sqm; associated landscaping including new public open spaces and a dockside walkway; a new internal road; and parking for 527 cars. **Approved 10th March 2006**

5. POLICY FRAMEWORK

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

Unitary Development Plan

Proposals:	Central Area Zone
	Flood Protection Area
Policies:	Promoting economic growth and employment opportunities
EMP1	Mixed use development
EMP2	Proposals for Office Development
EMP4	New Build Residential/Employment Mixed-use proposals
EMP8	Ancillary Uses
EMP9	Eating, Drinking and Night Time Economy
TC6	Hotel and Conference Centre Development
CC4	New Housing Developments
HSG2	Affordable Housing Target
HSG4	Affordable Housing Ratio and Mix
HSG5	Dwelling Type and Mix
HSG8	Housing Density
HSG9	Lifetime Homes and Wheelchair/Mobility Housing
HSG10	Amenity Space
HSG12	Social Facilities
SF1	Transport and Development
TRN1	Public Transport Schemes
TRN2	The Road Network
TRN5	Parking and servicing
TRN6	Transport Assessments
TRN7	Travel Plans
TRN8	Linkages
TRN9	Pedestrian permeability
TRN10	Bicycle Facilities
TRN11	Materials Handling
TRN12	Scale and density
UD1	Architectural Quality
UD2	Ease of movement and Access Through Inclusive Design
UD3	Design Statements and Access Statements
UD4	Safety and security
UD5	Tall Buildings and Large Development proposals
UD7	Important views
UD8	Public Art
UD9	Landscaping
UD11	Urban Design, the Blue Ribbon Network and the Thames Policy Area
UD12	Amenity
ENV1	Noise and Vibration Pollution
ENV3	Disturbance from Plant
ENV4	Disturbance from Demolition and Construction
ENV5	Sustainable Construction Materials
ENV6	

ENV8	Energy Efficiency
ENV9	Contamination
ENV11	Waste Disposal and Recycling Facilities
ENV12	Recycling of Construction Waste
ENV16	Enhancement of Biodiversity
ENV19	Protection of the water environment
ENV20	Flood Protection
ENV21	Water Conservation
ENV22	Waterside Walkways
ENV27	New Open Space Provision
ENV28	Access to Open Space
IM1	Planning Agreements

Emerging Local Development Framework

Proposals:	ID11	London Arena Flood Risk Area
Core Strategies:	CP9	Employment space for small businesses
	CP11	Sites in employment use
	CP20	Sustainable residential density
	CP21	Dwelling Mix and Type
	CP22	Affordable Housing
	CP41	Integrating development with transport
Policies:	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessibility and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV6	Energy efficiency
	DEV12	Management of demolition and construction
	DEV17	Transport assessments
	EE2	Redevelopment/change of use of employment sites
	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessibility and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV12	Management of Demolition and Construction

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

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

6. CONSULTATION RESPONSE

- 6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

LBTH Highways

- 6.2 The application's highway revision primarily relates to the removal of the pickup/drop off facility within the site, all other issues as approved in the original (PA/04/00904) and subsequent application remain the same. Therefore, because of the earlier agreed (and signed) position on highway matters, there are no objections. Notwithstanding this, there is

an opportunity as part of this planning application to renegotiate with the developer/applicant to reduce significantly the provision of on-site parking particularly because of the high standard of public transport accessibility in the area.

- 6.3 There are concerns about the extent of parking (529 residential spaces out of 560 total) on site which in view of the current high standard of public transport accessibility both existing and to be implemented in the area is unacceptable. (105 residential dwellings) This exceeds LBTH emerging parking standards which apply as a maximum not a requirement to be met.

LBTH Access officer

- 6.4 The applicant should provide sufficient details with regard to step free access around the site and vehicle drop off points i.e. the hotel reception appears to be positioned in a no vehicle access zone. The community facility appears to have no on street parking, parking bay or taxi drop off, if this is the case this could restrict access for all. The internal access corridors appear narrow – should be 1800 at key points to allow ease of circulation.

The car park access appears to have ramps to all exit doors – with no gradient indicated this is unacceptable in a new build many people with ambulant disabilities find ramps difficult to negotiate.

Many of the lobbies exiting the car park appear to have less than 1570mm clear of door swings this is not acceptable.

(OFFICER COMMENT: a condition is recommended requiring the submission of additional details to be submitted that should satisfy the concerns of the access officer.)

LBTH Environmental Health

- 6.5 The Environmental Impact Assessment was considered to be satisfactory. The following observations are made and conditions are required to ensure that the environmental health impacts of the proposal are minimised:
- Food premises are to be registered with Environmental Health;
 - Site contamination mitigation measures are required including redemption strategy;
 - Need for a Section 61 consent for noise abatement although it is recognised that works have already begun on site in response to the previous approval;
 - Restriction on hours of work;
 - Ventilation provision for kitchen/bathroom areas;
 - Hours of delivery to be restricted;
 - A code of construction practice detailing how the applicant intends to mitigate for dust and emissions from the construction site. Due regard must be given to the London Best Practice Guide; and
 - A fleet management plan must be submitted detailing vehicle emissions standards and fleet maintenance programmes.

Greater London Authority (Statutory Consultee)

- 6.6 No comments received

TfL (Statutory Consultee)

- 6.7 London Underground

TfL is concerned that the TA has not provided information on the likely impact of additional movements on Canary Wharf station. Given that the station is within a walking distance of the development site, TfL would expect to see an analysis of the distribution of the additional station users during different periods of the day as well as a review of the existing escalators and gate-lines to ascertain the amount of spare capacity currently available and therefore

their ability to cater for the additional flows generated by this development.

6.8 Docklands Light Railway (DLR)

It is understood that as part of the legal agreement signed between DLR and the applicant, the applicant has agreed to provide a parcel of land to DLR to facilitate the DLR 3-car capacity enhancement project on the Lewisham extension. In addition, DLR would require a contribution of £150,000 towards the installation of a number of Docklands Arrival Information System (DAISY) display units at sensible locations within the development to encourage the use of public transport to and from the site. Measures to mitigate any potential adverse effects of the development on DLR radio communications should also be included.

6.9 London Buses

TfL is concerned that a number of figures and assumptions that have been used in assessing the impact on bus networks are incorrect or inappropriate. The correct peak hour capacities for bus route D3, D6, D7 and D8 in Table 11.1 should be 300, 440, 675 and 250 respectively. Assumptions on the capacity enhancements to bus services (Para 11.2.2, Para 11.3.2 and Table 11.2) should not be made.

The applicant has previously agreed to provide for a minimum contribution of £400,000 towards improved bus services and infrastructure. TfL considers this an appropriate level of contribution for this revised scheme. Nevertheless, it is worth noting that more recent work on future Isle of Dogs bus network enhancements have identified that the existing standing facility at the Crossharbour ASDA nearby will struggle to cope with future growth in the bus network. TfL would therefore request that consideration be given to the provision of bus standing facilities within or adjacent to this development. This could be in conjunction with a negotiated reduction in the agreed contribution of £400,000.

6.10 Car Parking

A total of 560 car parking spaces including disabled parking are proposed. That consists of 529 spaces for the residential element of the development (i.e. 0.5 space per unit), 23 for the office component, 4 for the apart-hotel and 4 for servicing. TfL is broadly satisfied with this proposed level of car parking.

6.11 Cycle Parking

A total of 569 cycle parking spaces are proposed. TfL considered this level of provision inadequate and would require it to be increased to 674 spaces to meet TfL's Cycle Parking Standards. Provision of public access cycle parking for visitors and other users at ground level should also be considered as part of the proposal.

It is understood that for the consented development on the same site, a compromised level of provision for the residential element of the development has been agreed such that 0.5 spaces per unit, instead of 1 per unit as required by TfL's Cycle Parking Standard, is adopted as the standard of provision. This implies a provision of 529 spaces for the 1057 residential units proposed. It is noted that the applicant has agreed that should there be resident demand for a greater level of cycle parking in future, Josta stacking bike racks will be used to provide a greater capacity of cycle parking. For the B1 office use, 104 spaces should be provided based the standard of 1 space/250 sqm. For all other uses including apart-hotel, community, retail and health club uses, a total of 41 spaces should be provided.

All the spaces should be secure and sheltered, with lockers and changing room facilities provided for cyclists. CCTV is recommended for additional security. Access to cycle parking should be appropriately segregated from vehicular access for safety consideration.

6.12 Travel Plan

The TA outlines a range of measures/initiatives that can contribute towards Travel Plan. TfL supports the adoption of a Travel Plan as such to promote and encourage sustainable travel amongst employees, residents and visitors.

6.13 Cycling and Walking

It is noted that this redevelopment will improve permeability and connectivity of the site, and create enhanced north-south and east-west movements across the site. This together with other proposals including improved lighting, signage, surveillance etc. is supported by TfL. In reflecting the previously secured contributions which included £125,000 towards general improvements towards pedestrian and cycle routes in the area as well as £75,000 towards the signalisation of the junction of Marsh Wall/Limeharbour. It is recommended that a similar level of contribution towards pedestrian and cycle routes improvements and related highway works should be provided as part of this redevelopment.

6.14 Servicing

It is proposed that servicing and refuse collection for the residential, office and apart-hotel will mostly be undertaken from the basement whilst that for other uses will be undertaken using the road level routes. TfL would request the option of basement servicing to be explored and adopted for all types of uses proposed on site. Furthermore, in order to reduce the total number of service and refuse collection trips generated hence minimizing their impact on the surrounding road network, TfL requires submission of a Servicing Management Plan with the aim to rationalise servicing of the site.

6.15 Construction Traffic

TfL requires consultations on the routing and hours of construction vehicles accessing the site. Submission of a swept path analysis is also required to demonstrate that these construction vehicles will be able to manoeuvre around the junctions of the surrounding road network, in particular TLRN. Formal notifications and approval for both the permanent and temporary highway schemes during the construction phase are required under the Traffic Management Act 2004 (TMA).

6.16 (OFFICER COMMENT: The above requirements will be secured through the section 106 agreement and conditions)

Environment Agency (Statutory Consultee)

6.17 No objection to the proposal in principle subject to the application of conditions securing the following:

- Landscape management plan required
- Locally native plant species
- Submission of an ecological statement
- No storage of material within 10 metres of dock
- Submission of drainage details
- Provision of adequate sewerage infrastructure
- Approval of site foundations
- Construction of appropriate drainage system
- No soakaways on contaminated ground

English Heritage (Statutory Consultee)

6.18 No objections raised.

English Heritage (Archaeology) (Statutory Consultee)

6.19 No objections, subject to conditions securing the implementation of a programme of archaeological work in accordance with a written scheme for investigation.

London City Airport (Statutory Consultee)

6.20 No safeguarding objection

NATS (Statutory Consultee)

6.21 No safeguarding objection

Greenwich Council (Statutory Consultee)

6.22 No objections raised

CABE

6.23 Consulted about more schemes than they have the resources to deal with and will not be able to comment on this scheme

British Waterways (Statutory Consultee)

6.24 No objections subject to securing a condition requiring the use of waterborne freight for transport of waste and materials during construction and occupation where feasible and an informative relating to the discharge of surface water.

Natural England (Statutory Consultee)

6.25 No objection subject to securing conditions relating to the provision of green and brown roofs.

Metropolitan Police

6.26 Generally supportive of the design – the more active frontages at ground floor the better. However, the submission of details relating to landscaping should include defensible space shown in front of ground floor residential windows and doors. Regulation of car parking will be required in the management plan.

7. LOCAL REPRESENTATION

7.1 A total of 467 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No. of individual responses: 8 Against: 6 In Support: 2

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:

Against:

- Existing services will be over-subscribed;
- Offices already over provided on the Isle of Dogs;
- Height of building out of keeping with surrounding area;
- Details of landscaping need to be provided;
- Building finishes cannot be determined;
- DLR cannot cope with increase in demand;
- Negative impacts on amount of sunlight received;
- Creation of wind tunnels;
- Tower will cast shadows;
- Increase traffic congestion;

- Construction period will cause noise and traffic;
- Height and density is too high;
- Negative impact on TV reception;
- The development does not address the cumulative impact with other proposals;
- Lack of car parking for residents and shoppers;
- The river should be used for removal of waste during construction and the supply of materials to stop congestion on the roads;
- The Marsh Wall/ Limeharbour junction has congestion and safety problems;
- View of Canary Wharf will be impeded;
- Pepper St is blocked and paved and is not designed for heavy traffic. Use of Pepper Street will increase noise and pollution;
- The redevelopment should include public toilets for the benefit and use of many visitors to this part of the IOD;
- Vehicular and pedestrian access should remain open at all times during construction and thereafter.

Support:

- Strong support for the redevelopment of the London Arena site as it will create a better social environment, bring more leisure, recreational and social facilities and activities to the area

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Changes to the mix of uses on site, particularly the reduction in the amount of office, retail, apart-hotel and community facility;
2. An increase in the number of housing units on site and provision of affordable housing units;
3. Mix of housing units provided;
4. Design changes resulting from the amended scheme;
5. Amenity impacts on surrounding properties as a result of changes to the scheme; and
6. The number of car parking spaces.

Land Use

8.2 In response to the previous approval, the site is currently under redevelopment with the London Arena building itself having been demolished. The surrounding area predominantly comprises a mix of commercial and residential uses.

8.3 The site is identified on the emerging LDF Proposals Map as site ID11. The emerging Isle of Dogs AAP states that this site should be developed in line with the following preferred uses: Residential (C3), Employment (B1), Public Open Space and Retail and Leisure (A2, A3, and A4).

8.4 The proposal will provide 1057 residential units, being consistent with the requirements of UDP Policy HSG2 and LDF Policy HSG1 and Council's aims to meet the housing targets of 41,280 homes between 2006 and 2016. Additional uses proposed include 2892sqm of shops, financial and professional services, food and drink; 25,838sqm of office space; 1,329 of community facility; and a health and fitness club of 1080sqm. This is consistent with UDP Policies CAZ3, DEV3 and Draft UDP Policy EMP2, which promote mixed-use developments.

8.5 The current scheme includes a mix of uses consistent with the emerging Isle of Dogs AAP. Whilst it is noted that the total floorspace has increased overall (largely to accommodate the increase in residential units) and the amount of office, apart-hotel and retail floorspace has decreased, the proposed scheme is still in line with the requirements of the LDF and can be

supported.

Community facility/Health club

- 8.6 The scheme includes a health and fitness facility of 1,080sqm. This is similar to that provided as part of the previously permitted scheme. In addition, the proposal includes community facilities of 1,329sqm which include a 5–side football pitch and other community floorspace. The football pitch has come out of consultation exercises undertaken between the developer, Ballymore, and local community groups. A management plan will be required to ensure proper community access is secured for the local community for these facilities, but otherwise they are supported by emerging policy SCF1 in the LDF which seeks to secure appropriate community facilities.

Housing

8.7 Affordable Housing

UDP Policy HSG3 seeks an affordable housing provision on sites capable of providing 15 or more units in accordance with the strategic target of 25%. Policy 3A.8 of the London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing taking into account the Mayor’s strategic target of 50% of all new housing in London should be affordable.

- 8.8 The Local Development Framework – Core Strategy and Development Control Submission Document Policy CP22 seeks 50% affordable housing provision from all sources across the Borough with a minimum of 35% affordable housing provision on site’s capable of providing 10 or more dwellings. A total of 253 affordable housing units out of the total 1057 units is proposed. The scheme provides 35% affordable housing as calculated by floorspace.

- 8.9 Of the affordable housing provision of 67.5% would comprise social rented accommodation and 32.5% intermediate calculated by area. This generally accords with the London Plan’s objective that 70% of the affordable housing should be social rented and 30% intermediate but does not meet the requirements of Policy HSG5 of the Local Development Framework – Core Strategy and Development Control Submission Document that requires a social rented to intermediate ratio of 80:20 for grant free affordable housing. The applicant has been involved with extensive discussions with the Council’s housing department who have agreed this tenure split on this site and have also noted that the current proposal represents an improvement on the previous scheme in which an 84:16 social housing/intermediate split was approved.

8.10 Housing Mix

On appropriate sites, UDP Policy HSG7 requires new housing schemes to provide a mix of unit sizes including a “substantial proportion” of family dwellings of between 3 and 6 bedrooms.

- 8.11 Local Development Framework – Core Strategy and Development Control Submission Document HSG2 specifies the appropriate mix of units to reflect local need and provide balanced and sustainable communities. Family accommodation is again identified as a priority reflecting the findings of the Borough’s Housing Needs Survey as well as the draft East London SRDF. In terms of family accommodation, the Policy requires 45% of social rented housing and 25% of market and intermediate housing to comprise family housing (units with 3 or more bedrooms respectively).

- 8.12 The proposal would provide for 1057 residential units. For comparison, this is set alongside the approved scheme and comprises the following mix:

	Total No of Units (Approved)	Total No of Units (Proposed)	% of total Units (Proposed)
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	Scheme)	Scheme)	Scheme)
Studio	108	221	21%
1 bed	342	298	28%
2 bed	378	403	38%
3 bed	99	97	9%
4+ bed	45	39	4%
TOTAL	972	1057	100%

8.13 The affordable housing for rent would comprise the following dwelling mix:

	No of Units (Proposed)	No of habitable rooms	% of total habitable rooms	LBTH Housing Needs Survey Unit basis
1 bed	6	12	2%	20%
2 bed	27	81	14%	35%
3 bed	68	272	48%	30%
4 bed	40	200	36%	10%
TOTAL	141	565	100%	100%

8.14 The scheme provides 14% family units (3 and 4 bedroom units) across all tenures. More importantly, the scheme provides 108 out of a total of 141 (77%) socially rented housing units within the socially rented affordable housing component. The intermediate and market component of family housing is 4% as compared to the LDF requirement of 25% for family housing across these two tenures. The market and intermediate component do not comply with the emerging requirements for family housing across all tenures.

8.15 To this end, the applicant has submitted a toolkit analysis that demonstrates that the scheme is on the borderline of viability. This can be read alongside social rented component that incorporates 77% family units, which is well in excess of the LDF requirement of 45% family housing. In addition, the family housing provision within the affordable housing tenure is an improvement on the previously approved scheme and has been endorsed by the Council's Housing Department.

8.16 Across all tenures, there is a prima facie shortage of family housing. However, in comparison with the previously approved scheme, it maintains the same amount of affordable housing and the provision of a high number (77%) of family units within the socially rented component of the scheme. On this basis the scheme can be supported.

Design, Density and Scale

8.17 The changes to the scheme will result in a density of approximately 700 habitable rooms per hectare (hrh) as compared to the previously approved 657 hrh. The density is still acceptable in light of Table 4B.1 of the London Plan which indicates that densities of 450-700 hrh are appropriate in urban sites with good transport links.

8.18 Policy UD1 of the LDF Core Strategy Submission document specifies that the bulk, height, and density of development must consider the surrounding building plots, scale of the street, building lines, roof lines, street patterns and the streetscape. The development must also respond in a sustainable manner to the availability of public transport, community facilities and environmental quality.

8.19 Influencing the assessment of this scheme is a mixed use development approved in March 2006. The overall massing, building alignment and layout have not changed significantly with the amended scheme retaining more or less the same layout as the previously approved scheme. In respect of design, landscaping, height and scale the features and differences between the two schemes are as follows:

- Elevational changes to the residential buildings with the exception of the tower. This has generally resulted in improved articulation of elevations to the residential components, improved locations of balconies and improved visual interest;
- Internal reconfiguration has improved to remove lengthy corridors and introduce centralised cores;
- The tower element of the scheme remains at the same height as that already approved;
- Changes to the landscaping on both the north and south courtyard areas; the removal of vehicular access to the central courtyard area and improvements to vehicular access and parking circulation in the basement area;
- Redesign of a previously approved community facility in the southern courtyard and replacement with an indoor health club facility, including a football pitch, for community use.

8.20 As with the approved scheme, the mass of the development decreases from north to south. East to west, the building masses are orientated lower, minimising overshadowing to the squares and neighbouring properties. The ground floor uses of the scheme, such as public open space, are located at prominent corners of the scheme along Pepper Street where they relate to the low rise red brick buildings located along the south and east sides of the site.

8.21 The office building, located on the north edge of the proposed north square, relates to the height of the adjacent Harbour Exchange office development. The hotel is located on the eastern edge of the north square and mediates between the height of the office and residential buildings that define the south and west side of the north square. The number of hotel rooms has reduced from 225 to 159, but the bulk and scale of the hotel component has not changed due to the relocation of some of the affordable housing to this block. The tower, on the north west corner of the site is separated from the adjoining buildings to provide a landmark feature. The tower is articulated and steps down in height from north to south. The residential buildings respond in height to the surrounding development, apart from the residential block on the dock edge, which is taller than the adjacent blocks. In order to reduce the perceived mass of the block on the dock edge, the upper two storeys are setback.

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

- The architectural quality of the building is considered to be of a high design quality;
- The scheme contributes to an interesting skyline, and contributes to the general graduation of maximum building heights from west to east
- The scheme meets the standards of sustainable construction and resource management;
- The scheme meets the Council’s requirements in terms of micro-climate;
- The scheme enhances the movement of people, particularly along the new pedestrian boulevard in the central courtyard. This is connected via an arch to the dockside walkway
- Appropriate planning obligations are included to mitigate the impact of the development on the existing social facilities in the area;
- The proposal satisfies the Council’s requirements in terms of impact on privacy, amenity and overshadowing;
- The BBC have considered the proposal in terms of the impact on the telecommunications and radio transmission networks and concluded any impacts of the development can be mitigated via an appropriate clause in the S106 agreement;
- The transport capacity of the area now and in the future was considered as part of the Environmental Impact Assessment process. The Council’s Highways Authority has concluded that the transport assessments submitted satisfy the Council’s requirements (including the cumulative impact);
- A total of 1300 sqm of amenity space is provided at ground floor, which includes three

- redesigned internal courtyards and a number of green roofs across the site;
- The proposal also includes an appropriate S106 contribution to improve existing open spaces. The amenity space arrangements are considered to satisfy the Council's requirements;
- As discussed above, the mix of uses proposed are considered appropriate. The Council's urban design officer has recommended that the detailed design of the ground floor be conditioned to ensure that the development contributes to its surroundings at street level;
- The overall sustainability of the project is considered satisfactory.

8.23 The overall design is acceptable in policy terms and will make a positive contribution to the site and immediate area. The amended scheme is not significantly different from the scheme approved in March 2006. The overall design, height, massing and footprint of the building are almost identical to the previously approved scheme and responds positively to the typology of the area. Amendments made improve the scheme through the provision of better designed elevations and landscaping. In summary, changes made to the approved scheme can be supported.

Open space/ Amenity space

8.24 The proposal will provide a total of 5,325 sqm of landscaped, publicly accessible open space at the centre of the proposed development. This open space has been changed from the previous approval through the removal of the east-west vehicular access road within the centre of the site and vehicular circulation route within the northern square. This has enabled the creation of additional open space including a central landscaped, pedestrian-only boulevard.

8.25 Policy HSG16 of the UDP requires that all new housing development include adequate provision of amenity space. The Council's SPG for residential space sets out a total amenity space requirement for the current scheme of 8,410sqm, plus 1,014sqm required as children's playspace.

8.26 The current proposal will provide a total of 9,046sqm of amenity space and 1,017sqm of children's playspace. This level of amenity and play space exceeds the requirements of the Council's adopted SPG noted above and is supported.

Amenity

8.27 With regard to the amenity impacts of the scheme, the resulting scheme includes. Further, the proposal has been redesigned and set back to overcome some of the amenity issues originally identified relating to outlook, privacy, daylighting and sunlighting of adjoining dwellings. The resulting scheme is considered appropriate in terms of mass, scale and design to the application site.

Parking

8.28 A summary of parking spaces for all uses is identified in the following table:

Use	Number of Parking Spaces
Residential	529 car parking spaces 32 motorcycle parking spaces 529 cycle parking spaces
Offices	23 car parking spaces 81 motorcycle parking spaces 32 cycle parking spaces
Apart-Hotel	4 car parking spaces 4 cycle parking spaces

Retail, Health Club and Community Uses	4 car parking spaces 9 motor cycle parking spaces 4 cycle parking spaces
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The number in the number of car parking spaces is supportable in light of Planning Standard 3 contained in the Core Strategy and the London Plan that specifies a *maximum* car parking provision of 0.5:1 for residential units and 1: 1250 sq.m (B1). Both TfL and the Council's highways department have expressed support for the level of parking spaces provided.

Sustainable Development/ Renewable Energy

- 8.29 Policy SEN3 of the Draft Core Strategy Document requires that all new development should incorporate energy efficiency measures. The proposal is generally consistent with the London Plan energy policies and an appropriate condition will be included to ensure the implementation of the proposed renewable energy measures.

Access

- 8.30 The scheme will yield much needed accommodation including affordable homes and accommodation for key workers. The access statement submitted highlighted the developer's commitment to provide all accommodation to lifetime home standards to be adaptable for mobility housing. Most of the units have relative ease of access to disabled parking bays. The statement confirms that 10% of the resulting accommodation will be accessible by wheelchair. The applicant has also amended the scheme to address concerns raised by the access officer.

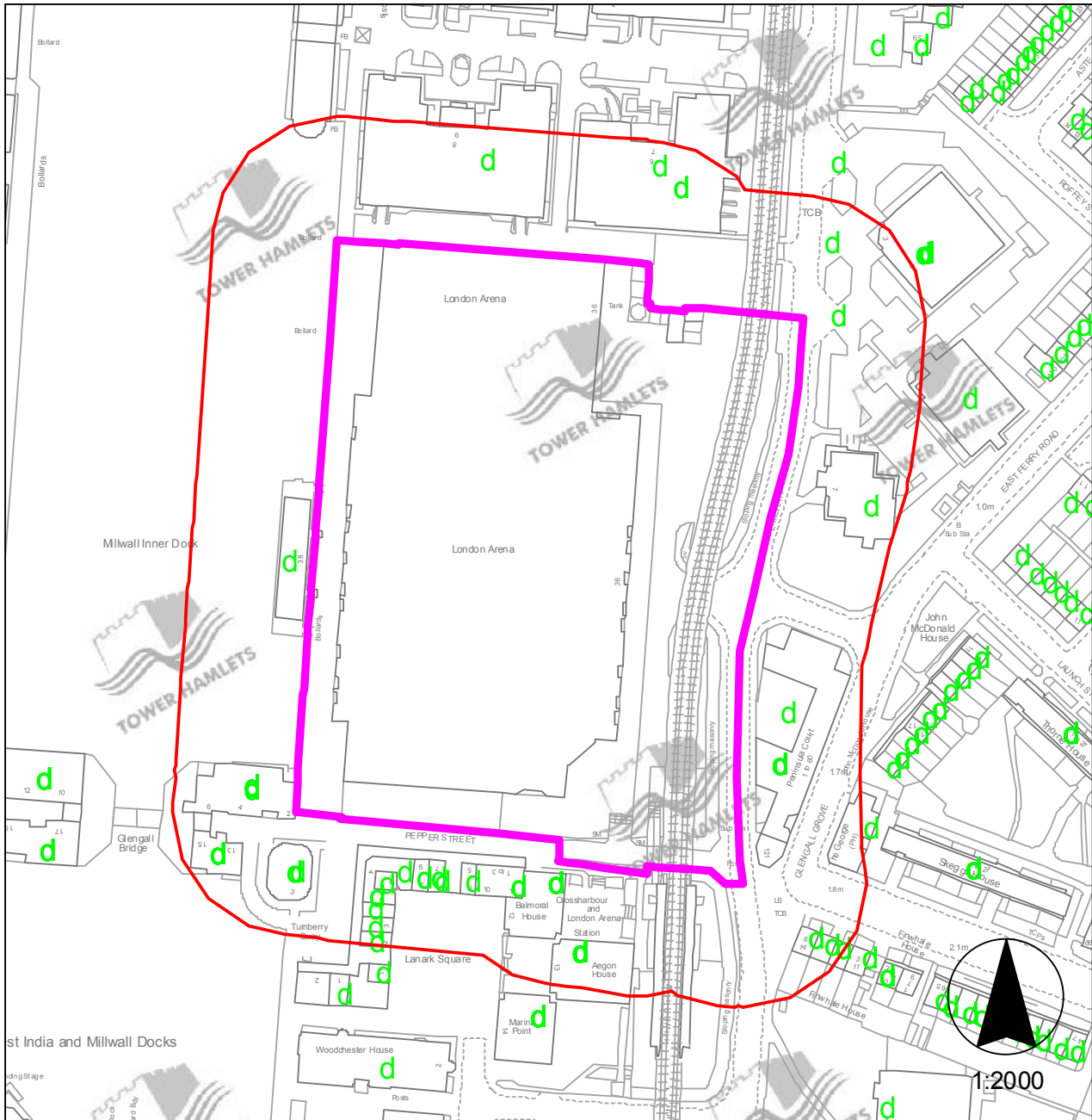
EIA

- 8.31 The applicant has submitted an updated EIA with the application. The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Bureau Veritas. Mitigation measures required are to be implemented through conditions and/ or Section 106 obligations.

Conclusions

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

Site Map



Legend

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

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