

STRATEGIC DEVELOPMENT COMMITTEE

10 May 2007 at 7.30 pm

UPDATE REPORT OF HEAD OF DEVELOPMENT DECISIONS

INDEX

| Agenda item no | Reference no | Location | Proposal |
|----------------|--------------|---|--|
| 7.1 | PA/06/101759 | John Bell House, 10 King David Lane, London | Redevelopment to provide a 10 storey plus ground floor building comprising 132 bedroom student accommodation and landscaping. |
| 7.2 | PA/06/02068 | The London Arena, Limeharbour, London E14 | 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. |

7.3

PA/07/00347

Arrowhead Quay
(East Of 163 Marsh
Wall), Marsh Wall,
London

Redevelopment of site to provide a 16 storey and 26 storey plus plant (119m AOD to top of plant) office building including retail (Class A1) / restaurant (Class A3) uses on part of the ground floor and basement car park (79,244 sq. m gross), dockside walkway and landscaped plaza. The application is supported by an Environmental Impact Assessment.

LONDON BOROUGH OF TOWER HAMLETS

| | |
|----------------------------|--|
| Agenda Item number: | 7.1 |
| Reference number: | PA/06/01759 |
| Location: | John Bell House, 10 King David Lane, London |
| Proposal: | Redevelopment to provide a 10 storey plus ground floor building comprising 132 bedroom student accommodation and landscaping |

1. ADDITIONAL SUBMISSIONS RECEIVED

- 1.1 Amended plans were received and were advertised in accordance with Council policy on 11 April 2007. In response, an additional 26 objections and one letter of support were received.
- 1.2 Most of the objections reiterated concerns noted already in the main report. However, the following issues were raised in addition to those noted in the main report. In summary, the following concerns were raised in objection:
 - Impact on TV reception
 - Impact on the Grade II listed church and spire
- 1.4 With respect to the impact on TV reception, additional clauses can be added to the 106 placing an obligation on the developer to measure impacts on TV reception to neighbouring properties and ameliorate those impacts where necessary. It is recommended that this become another Head of Term on the 106 agreement.
- 1.5 With respect to the impact on the Grade II listed church on the Highway, the Council's conservation and design officers have examined the amendments to this scheme and have considered that the current design and height of the building can be supported and that it does not detrimentally affect the setting of the Grade II listed building.
- 1.3 London Metropolitan University have lodged a letter of support for the upgrade of student housing on this site. In summary, this letter identifies that there is demand for additional high-quality student housing at this location.

3. RECOMMENDATION

- 3.1 My recommendation is unchanged.

LONDON BOROUGH OF TOWER HAMLETS

| | |
|----------------------------|--|
| Agenda Item number: | 7.2 |
| Reference number: | PA/06/02068 |
| Location: | The London Arena, Limeharbour, London E14 |
| Proposal: | <p>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).</p> <p>The application includes the submission of an Environmental Statement under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.</p> |

1. GLA RESPONSE

1.1 On 9 May 2007 the Mayor considered a report on this proposal. Tower Hamlets received a copy of the Stage 1 report on the morning of the 10th May 2007.

1.2 In summary the Mayor noted that:

“The application has the potential to be a high quality mixed-use development that will deliver many of the policies of the London Plan. The 35% of gross floor area for affordable housing has been justified by the submission of documentary evidence. Whilst the principle of the development is broadly supported in strategic planning terms, the development application will need to satisfy the design requirements ... and the largely Section 106 requirements of both TfL ...and the LDA ... to receive full strategic support. The applicant is also encouraged to thoroughly investigate the possibility of linking the combined cooling and heating plant system with other developments in the area. .”

1.3 The Mayor raised the following issues relating to the development:

Affordable Housing

1.4 With respect to the level and mix of affordable housing provided, the Mayor noted the following:

“Given the built form, the economics of the scheme and on the basis of the appraisal including grant assumption, this is the optimum housing output possible from the development”

Design

1.5 The Mayor considered the design of the proposed scheme and noted that:

“...The buildings have been orientated to maximise daylight levels and minimise overshadowing to the new public squares and the neighbouring properties. This has resulted in form and massing that decreases from north to south. The materials to be used will be of a high quality and compliment the existing palette of materials in the neighbourhood. Many buildings to the north and west use glass and metal cladding; while to the south and east the built form is smaller in scale and more residential, red brick is more prevalent.

In terms of dwelling lay-out, there is concern that a majority of the dwellings are single aspect facing either due south (with difficulties to cool down when the sun shines) or due north (with virtually no direct sunlight and therefore a necessity to have artificial lights on). The previous planning application had more double aspect units. The proposal has fewer and none of the affordable dwellings are double aspect. Moreover, a number of the affordable units have been moved to face the DLR tracks to the east. It would be better for the quality of life in these dwellings that they change place with the hotel rooms, which are now facing west into the courtyard.

Block 8, which in the previous plans had double aspect flats, now has a very long corridor, which creates an undesirable internal environment. The architecture of block 6 (100% affordable housing) is uninspiring and can be beneficially improved.

Blocks 8, 4, 5 and 6 step down in height from north to south (blocks 4 and 5 are ten storeys tall) but blocks 7 and 9 are seventeen storeys tall across their length and this creates a massive presence to the east and, internally, to the west. The architecture is not considered to relieve this mass and the proposal should be revised to create a less dominating townscape, especially as they stand on a higher level than the areas to the east (about four metres)..”

- 1.6 The Council acknowledges that the north facing units and units adjacent to the DLR tracks is not ideal. However, this has been assessed in light of the existing approval which establishes the overall form and massing of the scheme and in light of the improvements in terms of overall design and layout. It is noted that contrary to the abovementioned comments, very few of the proposed and approved dwellings are double aspect units- this applies to the private as well as the affordable components of the development.
- 1.7 It is considered that, subject to approval of materials, that the overall design is an improvement compared to the previous scheme with much better treatment of balconies and a reduction in the length of internal corridors across all blocks.
- 1.8 It is acknowledged that the affordable housing in block 9 could be swapped with the courtyard-facing hotel. However, this would have additional effects on the viability of the scheme. In its current form, also taking into account that affordable housing is deemed acceptable in a similar location in block 7, both with the previous and current schemes, the location of the affordable housing is not enough to sustain a refusal.
- 1.9 In summary, it is recognised that there are issues with layout and design. However these should be balanced against the improvements the schemes brings in terms of the number of family socially rented units, improved elevational treatment, better landscaping, community facilities and pedestrian access. On balance, refusal of this application on design grounds would be extremely difficult.

Sustainable Development

1.10 The Mayor noted that:

“The applicant has submitted a thorough energy assessment following the GLA’s toolkit approach. Energy efficient design and technology measures provide a 20% saving against a baseline scheme. An additional 4% is saved from a site-wide combined heat and power system, which ensures that the development is future-proofed for potential future renewable energy technologies such as fuel cells. A further 10% reduction in carbon savings will be achieved, with heat pumps using water sourced from the dock for cooling purposes.

The applicant is encouraged to thoroughly investigate the possibility of linking the system with other developments in the area.”

1.11 An informative relating to the investigation of linking the system to other developments in the area will be added to any planning permission.

Transport and Parking

1.12 TfL responded through the Mayor’s report and noted:

- TfL is broadly satisfied with this proposed level of car parking but would expect the number of disabled parking to be increased further in compliance with the provisions of the Disability Discrimination Act.
- TfL considers the provision of 569 cycle parking spaces to be inadequate and this should be increased to a total of 1,203 spaces in accordance with TfL’s Cycle Parking Standards. A standard of 1 space per unit will apply for the C1 use requiring provision for 1058 spaces. Provision for 104 spaces will be required for the B1 office accommodation calculated on the basis of 1 space per 250 square metres. For all other uses including the apart-hotel, community, retail and health club uses, a total of forty-one spaces will be provided. Provision of public access cycle parking for visitors and other users at ground level should also be considered as part of the proposal. Lockers and changing room facilities should be provided for cyclists and closed circuit television cameras are recommended for additional security in the basement area
- TfL finds the proposed development acceptable in principle provided that the above-raised issues are addressed satisfactorily.

1.13 In response to the above comments, conditions will be added to any planning permission securing disabled parking and appropriate cycle parking. Figures have been provided with respect to the amount of s106 funding that will secure sufficient contributions to TfL and included as part of the s106 package.

2. CLARIFICATIONS/CORRECTIONS

2.1 The correct owner of the site is Ballymore (London Arena) Ltd, not Newlon Housing Trust as noted.

2.3 Paragraph 3.1: Should read:

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

*A Any direction by **The Mayor**; and*

*B The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following.. (list of 106 contributions as per report”*

2.4.1 Section 5.1 Policy Framework should also refer to the following relevant policies and documents:

London Plan: Table 4b.1,
GLA Housing SPG
draft East London SRDF
PPS3

2.5 The overall housing mix outlined in Paragraph 8.12 should read as follows:

| | | |
|--------------|-------------------|------------|
| Studio | 221 | 21% |
| 1 Bed | 295 | 28% |
| 2 Bed | 394 | 37% |
| 3 Bed | 107 | 10% |
| 4 Bed | 40 | 4% |
| Total | 1057 Units | 100 |

3 SUBMISSIONS

3.1 As a result of an error in the description of development, the application was re-advertised to local residents, public notices erected and a notice placed in the local press on the 20 April 2007.

3.2 No additional submissions were received.

3.3 Further to earlier objections received, it is noted that concerns were raised relating to the provision of public toilets within the development. To this end, toilets provided in the proposed community centre in the northern courtyard are able to be secured for public usage through the community centre management plan. This is required by way of condition and must be approved prior to the commencement of works on site.

4. RECOMMENDATION

- 4.1 My recommendation is unchanged. However, in respect of the GLA report, the following condition will be added to any permission:
- Amended plan indicating the location and number of disabled and cycle parking places.
- 4.2 In addition, an informative requesting that the developer link the Combined Heat and Power System with other nearby developments will be added to any permission granted.
- 4.3 Further, additional negotiation regarding the s106 will be required to provide the following in response to the LDA's requests:
- a portion of the business space to be provided as managed affordable workspace
 - firming up and further developing initiatives to create training and employment opportunities for local people and businesses both during construction and within the completed development through the production of an employment and training strategy

LONDON BOROUGH OF TOWER HAMLETS

| | |
|----------------------------|--|
| Agenda Item number: | 7.3 |
| Reference number: | PA/07/00347 |
| Location: | Arrowhead Quay (East Of 163 Marsh Wall), Marsh Wall, London |
| Proposal: | Redevelopment of site to provide a 16 storey and 26 storey plus plant (119m AOD to top of plant) office building including retail (Class A1) / restaurant (Class A3) uses on part of the ground floor and basement car park (79,244 sq. m gross), dockside walkway and landscaped plaza. The application is supported by an Environmental Impact Assessment. |

1. ADDENDUM TO ITEM 7.3

Amendment 1

- 1.1 Part of paragraph 8.84 is to be amended to account for an inaccuracy. The paragraph states that a supplementary contribution towards health will be sought. The PCT however has advised that they will not be seeking a contribution towards health and as such the Committee is requested to disregard this statement.
- 1.2 Paragraph 8.84 should therefore be read as follows:

“A contribution towards the provision of public art/ craft on site of £50,000 is also sought”.

Amendment 2

- 1.3 The number of motorcycle spaces set out in the planning drawings is in fact 90, as opposed to the 146 referred to in error in the various supporting reports, and within the committee report. Currently, the Council has not adopted a standard for motorcycle parking. The amendment has been accepted by the Council's highways department. Accordingly, condition 7 has been amended appropriately.

Amendment 3

- 1.4 The Environment Agency requested that a condition be imposed on the planning application for a strip of land 6 metres wide adjacent to the top of the banks of the dock to be kept clear of all new buildings and structures (including gates, walls and fences), to preserve access to the watercourse for maintenance and improvement.
- 1.5 In accordance with planning application PA/06/2107, the Council accepted revised plans as non-material changes to the previously approved planning application, PA/00/423. The changes to the building footprint brought the building closer to West India Dock South and provided a dockside walkway of approximately 4 metres. The Environment Agency was consulted and raised no objection to the revised footprint. Given that the proposed scheme generally complies with the revised setback, the 6 metre setback is inconsistent with previous advice from the Environment Agency and is therefore considered to be unreasonable in light of the existing approval.

- 1.6 Notwithstanding, to ensure that the setback area is kept clear for maintenance and improvement, the following condition has been recommended:
- 1.7 "Details of the access strip to preserve access to the watercourse for maintenance and improvement shall be submitted and approved in writing by the Local Planning Authority prior to commencement of development. The development shall not be carried out otherwise than in accordance with the details so approved".

Amendment 4

- 1.8 British Waterways has requested that a condition be imposed upon the development to install appropriate mooring points and access along the dock to promote leisure moorings. Planning consent, however, is required for the mooring of a vessel. Condition 28 has therefore been removed from the committee report.

2. RECOMMENDATION

- 2.1 My recommendation is unchanged.