

<b>Committee:</b> Strategic Development	<b>Date:</b> 31 <sup>st</sup> January 2008	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.2
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Joe Salim		<b>Ref No:</b> PA/06/02101	
		<b>Ward(s):</b> Blackwall and Cubbitt Town	

## 1. APPLICATION DETAILS

- Location:** Building C, New Providence Wharf, Blackwall Way, London
- Existing Use:** Part of former oil depot used as a construction site (Use Class B2).
- Proposal:** Erection of a part 12, part 44 storey building to provide 486 flats, a 323 sq m retail unit (Use Class A1) and concierge, a 948 sq m Health and Fitness club (Use Class D2) together with associated landscaping, car parking, servicing and plant.
- Drawing Nos:**
- DPA-001/01, DPA-002/01, DPA-101/01, DPA-102/01, DPA-103/02, DPA-104/02, DPA-105/02, DPA-105/02-27% Option, DPA-106/02, DPA-106/02-27% Option, DPA-107/02, DPA-108/01, DPA-109/02, DPA-109A, DPA-110/012, DPA-201/01, DPA-202/01, DPA-251/01, DPA-252/01, DPA-253/01, DPA-254/01, DPA-501/01, DPA-503/01, LSK002;
  - Design and Access Statement, dated November 2006;
  - Addendum to Design and Access Statement, dated July 2007;
  - Response to CABE Review, dated February 2007
  - Planning Statement, dated November 2006;
  - GLA Toolkit and Renewable Energy Report, dated November 2006;
  - Energy Strategy Response and Revised Proposals – July 2007-Issue2 9/7/07, received on 13 July 2007;
  - GLA Toolkit and Renewable Energy Report July – Proposal Executive Summary-Issue2, received on 17 July 2007;
  - Transport Assessment, dated November 2006;
  - Transport Assessment addendum (Tfl comments - ref: 11140186), received on 13 July 2007;
  - GLA Affordable Housing Toolkit Submission, dated 13 April 2007;
  - GLA Affordable Housing Toolkit 2007/2008 Submission, dated 16 November 2007;
  - Archaeological Excavation and Watching Brief, dated November 2007;
  - Letter on consultation response, dated 15 May 2007;
  - Environmental Statement Volume I, dated November 2006;
  - Environmental Statement Volume II, dated November 2006;
  - Environmental Statement Volume I:Technical Appendices,

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**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		Xxxx Xxxx 020 7364 xxxx

- dated November 2006;
- Non-Technical Summary, dated November 2006;
- Statement of Community Involvement, dated November 2006;
- Regulation Response, dated 16 April 2007;
- ES Response letter (44407420), dated 5 July 2007;
- ES Reg19 Response letter (44407420), dated 19 November 2007;
- ES Reg19 Response letter (44407420), dated 13 December 2007;
- ES Non-Technical Summary, December 2007;
- Geo-Environmental Investigation New Providence Wharf – Building C (12040265/006), November 2007

**Applicant:** Landor (Dundee Wharf), Landor Residential Limited and Ballymore Ontario Limited

**Owner:** Landor (Dundee Wharf), Landor Residential Limited and Ballymore Ontario Limited

**Historic Building:** Adjoining Grade 2 listed vent shaft

**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, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayors and Council's policy, as well as government guidance, which seeks to maximise the development potential of sites. As such, the development complies with policy 4B.3 of the London Plan and HSG1 of the Council's Interim Planning Guidance (October 2007) which seeks to ensure this.
- The change of use from General Industrial use (Class B2), to a residential mixed use scheme (Use Classes A1, D2 and C3) is acceptable as the site is located in a designated housing area and is unsuitable for continued industrial use due to its location, accessibility, size and condition. As such, the proposal is in line with employment policies 3B.1 and 3B.4 of the London Plan, policies CP1, CP11, CP14, CP15, EE2, HSG1 and RT4 of the Council's Interim Planning Guidance (October 2007) and policy IOD23 of the Council's Interim Planning Guidance (October 2007) for the purpose of Isle of Dogs Area Action Plan, which consider appropriate locations for future development and redevelopment of employment sites.
- The retail (Class A1) and leisure uses (Class D2) are acceptable in principle as they will provide for the needs of the development and also present employment opportunities in a suitable location. As such, it is in line with policies ST34, ST49 and DEV3 of the Council's Unitary Development Plan 1998 and policies DEV1, SCF1, and RT4 of the Council's Interim Planning Guidance (October 2007), which seek to ensure services are provided that meet the needs of the local community.
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.4, 3A.7 and 3A.8 of the London Plan, policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (October 2007), which seek to ensure that new developments offer a range of housing choices.
- The density of the scheme would not result in the overdevelopment of the site or any of the problems that are typically associated with overdevelopment. As such,

the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, DEV1 and DEV2 of Council's Interim Planning Guidance (October 2007), which seek to provide an acceptable standard of accommodation.

- The quantity and quality of housing amenity space and the public realm strategy is considered to be acceptable and in line with PPS3, policy 3A.15 of the London Plan, policy HSG16 of the Council's Unitary Development Plan 1998 and policy HSG7 of the Council's Interim Planning Guidance (October 2007), which seek to improve amenity and liveability for the future residents.
- The building height, scale, bulk and design is acceptable and in line with regional and local criteria for tall buildings. As such, the scheme is in line with Planning Policy Guidance 15, policies 4B.1, 4B.5, 4B.8 and 4B.9 of the London Plan, policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies CP48, DEV1, DEV2, DEV3, DEV27, CON1 and CON5 of the Council's Interim Planning Guidance (October 2007), which seek to ensure buildings are of a high quality design and suitably located.
- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policy 3C.22, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007), which seek to ensure developments minimise parking and promote sustainable transport option.
- Sustainability matters, including energy, are acceptable and in line with policies 4A.7 to 4A.10 and 4B.6 of the London Plan and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007), which seek to promote sustainable development practices.
- Contributions have been secured towards the provision of affordable housing; health care and education facilities; highways improvements; transport; open space; and access to employment for local people in line with Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (October 2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.
- The submitted Environmental Statement is satisfactory, including the cumulative impact of the development. Mitigation measures will be ensured through conditions and a s106 agreement.

### 3. RECOMMENDATION

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

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

3.3 B. The prior completion of a **legal agreement**, to the satisfaction of the Assistant Chief Executive (Legal Services), to secure the following:

1. Affordable housing provision of 27% (of the total proposed habitable rooms) with a 75/25 split between rented/ shared ownership to be provided on site;
2. A contribution of £4,000,000 towards the proposed Preston's Road Roundabout Project, to mitigate the impacts of the additional population on the surrounding highways (surplus to be provided towards local infrastructure improvements);
3. Establish and prepare the legal framework for a Working Group (consisting of the Council, developers, statutory stakeholders and other parties) to deliver
  - short term improvements to enhance north-south connections at grade level between the application site and local amenities north of Aspen Way; and
  - long term public realm improvements within the existing Preston's Road Roundabout and surrounding linkages.

4. A contribution of £1,952,000 to mitigate the demand of the additional population on health care facilities;
5. A contribution of £548,000 to mitigate the demand of the additional population on education facilities;
6. Provision of public open space to the north of the application site (on TfL land), including landscape and management plan, to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area;
7. A contribution of £250,000 towards public open space (TfL land if secured or then other space), to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area;
8. Completion of a car free agreement to restrict occupants applying for residential parking permits;
9. Preparation, implementation, and review of a Green Travel Plan;
10. Preparation, implementation and review of a Environmental Management Plan;
11. Commitment towards utilising employment initiatives in order to maximise the employment of local residents in and post construction phase;
12. TV reception monitoring and mitigation;
13. DLR Radio Communication investigation, mitigation and monitoring; and
14. Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

3.4 That the Head of Development Decisions be delegated authority to impose conditions on the planning permission to secure the following:

#### **Conditions**

- 1) 3 year time limit for reserved matters
- 2) Particular details of the development
  - External materials;
  - Balcony details;
  - External plant equipment;
  - Hard landscaping;
  - External lighting and security measures; and
  - Communal telecommunication reception facilities
- 3) Refuse details required
- 4) Demolition and Construction Management Plan needs to be provided
- 5) Environmental Noise Assessment needs to be provided
- 6) Contamination Assessment required
- 7) Parking Management plan required
- 8) Landscape Plan required
- 9) Biodiversity Plan required
- 10) Flood Risk Management and Emergency Evacuation Plan required
- 11) Air Quality Assessment required
- 12) Radio impact survey on DLR signals required
- 13) Archaeological evidence details required
- 14) Drainage system details required
- 15) Section 278 highway works associated with the development required
- 16) Maximum and minimum parking standards for car, motorcycle and cycle.
- 17) Full details of the proposed CHP system required
- 18) Full particulars of energy efficiency technologies required
- 19) Site foundation details required
- 20) Lifetime Homes standards required
- 21) Protection of public sewers
- 22) Noise control limits
- 23) Hours of operation (only between the hours of 0800 to 1800 Mondays to Fridays and between the hours of 0800 to 1300 Saturdays)
- 24) Control of development works (restricting hours of use for hammer driven piling or

- impact breaking)
- 25) Maximum limits for vibration on site
  - 26) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

### **Informatives**

1. Section 106 agreement required
  2. Section 278 (Highways) agreement required
  3. Contact Environment Agency
  4. Contact Environmental Health Department Advice
  5. Metropolitan Police Advice.
  6. Contact Thames Water
  7. Contact LBTH Landscape Department
  8. Contact London City Airport on cranes
  9. Contact the GLA regarding the energy proposals.
- 3.5 That, if within 3-months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated authority to refuse planning permission.

### **4. PROPOSAL AND LOCATION DETAILS**

- 4.1 The application is for the redevelopment of Site C, New Providence Wharf, with the erection of a part-12, part-44 storey (54,778 sq m) building, to provide 486 flats, 323 sq m of retail floor space (Use Class A1), concierge and a 948 sq m Health and Fitness club (Use Class D2), together with associated landscaping, car parking, servicing and plant.
- 4.2 The proposed development is the fourth and final part of the redevelopment of the former Charrington's Wharf site, now know as New Providence Wharf Estate. Sites A, B and D have already been completed.
- 4.3 The proposed building would comprise a curved 12 storey element, joined to a 44-storey tower that's 142.2 metres high. The health and fitness club would be located along the east end, at lower ground and basement levels. A small retail unit and Concierge would be located along the west, near Blackwall Way. The residential element would have entrances on the north and south side of the building, which then link with the 202 car, 19 motorcycle and 286 cycle parking spaces at basement level. Access would be via the existing roadway running off Blackwall Way into New Providence Wharf, which would be narrowed to allow increased landscaping around proposed building C. The proposed development would be provided with landscaping surrounding the building. This includes a children's play area in the north west corner of the site.
- 4.4 The Mayor reviewed the scheme and concluded in his Stage 1 report that the principle of the redevelopment of this underused site for a residential-led, mixed use, high-density scheme is consistent with London Plan policies. There were however the following planning matters affordable housing, energy, internal design, and open space that needed to be resolved. Subsequently, the scheme was amended to what is now proposed and the following table provides a summary of the alterations:

	<b>Current scheme</b>	<b>Change from originally submitted scheme</b>
Total Floorspace	<b>54,778 sq m</b>	<b>+1971 sq m (Results from increase in the width of the tower by 1.2m and decrease in length by 250mm)</b>
Residential floor area	<b>45, 981 sq m</b>	<b>+1848 sq m</b>
Total Residential Units	<b>486</b>	<b>-13</b>
Market Units	<b>389</b>	<b>-7</b>
Affordable Units	<b>97</b>	<b>-6</b>
Family Accommodation Units	<b>73</b>	<b>+3</b>
Car parking spaces	<b>202</b>	<b>No change</b>
Disabled parking spaces	<b>1 at entrance of affordable units, and 2 informal spaces.</b>	<b>+1</b>
Cycle parking spaces	<b>486</b>	<b>+236</b>
Retail (A1) and Concierge	<b>323 sq m</b>	<b>No Change</b>
Health and Fitness Club	<b>948 sq m</b>	<b>No Change</b>
Communal Open Space	<b>2,599 sq m</b>	<b>+314 sq m</b>
Private amenity space (garden and balconies)	<b>3,261 sq m</b>	<b>+145 sq m</b>
Children's Play Space	<b>450 sq m</b>	<b>No Change</b>

**Table 1**

4.5 To summarise, the changes include:

1. A decrease in the number of residential units on site from 499 to 486;
2. A change in the mix of units proposed on site, with an increase of 3 family size units;
3. 4% increase in building area with associated internal reconfiguration to improve layout of units, including provision of amenities for staff (There is no increase in the height of any component of the scheme);
4. Design changes to the solid and glazed areas of the exterior walls, including additional balconies;
5. Increase of communal open space, owing to the reduction in the width of the entry boulevard off Blackwall Way; and
6. Improved Energy Strategy.

4.6 In addition to the above changes to the scheme, the applicant also committed towards providing £4,000,000 towards the Council's Preston's Road Roundabout Project. This project would form part of the Council's Section 106 support for social and physical infrastructure improvements for the local area, that is now experiencing regeneration and an increase in population. Furthermore, the applicant is committed towards the provision of open space to the north of the site through further negotiations with landowner TfL (who, in principle, is in support for this area being used as meaningful useable open space).

4.7 Additionally, it should also be noted that the applicant, is prepared to increase the affordable housing provision from 27% to 30% in lieu of the £2.5m financial contribution towards health care and education facilities.

### **Site and Surroundings**

4.8 The application site forms the 0.89 ha northern part of the 3.1 hectare former Charrington's

Wharf, now New Providence Wharf Estate. Charrington's Wharf was previously used as an oil depot and is being redeveloped in four phases, principally for residential and hotel purposes.

- 4.9 To the south, the application site is surrounded by the recently completed three phases. These separate the site from the Thames, with Building D, a 31 storey 111.95 m high residential tower and 8 storey hotel, Building A a 19 storey residential block completed in 2004, and Building B, a 11 storey residential block was completed in 2006 and forms the southwest boundary to the site. Blackwall Way bounds the site to the north and west.
- 4.10 North of Blackwall Way lies Aspen Way and the elevated Docklands Light Railway. To the west along Blackwall Way is the former Brunswick Arms PH, Alberta House and a hotel fronting Preston's Road. A pedestrian subway links the northern and south parts of Preston's Road that is bisected by a roundabout lying beneath Aspen Way and the DLR. To the east lies the Reuters Technical Centre. The Blackwall Tunnel runs beneath the site with a Grade 2 listed vent shaft, adjoining the site on vacant land to the north.
- 4.11 In terms of built heritage, the site adjoins the Grade 2 listed vent shaft to the north east. The closest conservation areas are Coldharbour Conservation Area some 200 metres to the south west and the Naval Row Conservation Area approximately 250 metres to the north beyond Aspen Way. The site occupies an outer edge in a bend in the Thames and is prominent in views from Aspen Way, Greenwich and the Millennium Dome opposite.
- 4.12 The surrounding area is experiencing the redevelopment of disused sites and comprises a mix of uses, primarily residential, commercial and retailing. The site has good access to public transport. On either side of Aspen Way lie Blackwall DLR station (150m via pedestrian subway link) and East India DLR Station (300m via Blackwall Way). Canary Wharf is approximately 850 metres to the west of the site and London City Airport lies some 2 kilometres to the east.

### **Planning History**

The following planning decisions are relevant to the application:

- 4.13 On 22<sup>nd</sup> June 2001, planning permission (PA/00/00267) was granted for the redevelopment of Charringtons Wharf by erection of four buildings to provide 735 residential units, a 29,500 sq. m hotel (400 bedrooms) in a building 85.85 metres high, 42,600 sq. m of office accommodation (Building C), retail accommodation, a restaurant, health club, car parking, a riverside walk, landscaping and public open space. (PA/00/267). It was proposed that Building C would comprise a curvilinear building up to 16 storeys.
- 4.14 A legal agreement was executed between the developer and the Council. It secured the following obligations:
- A community contribution of £1,140,000.
  - Public art contribution of £150,000.
  - A public transport contribution of £50,000 for improvements to the pedestrian access between the site and East India DLR Station.
  - A riverside walk and public access through the site.
  - Affordable housing totalling 185 flats.
  - 'Car free' arrangements.
  - A public viewing gallery within the hotel.
  - The funding of associated highway works.
- 4.15 The developer paid 25% of the community contribution on commencement of the development and a further 25% on the start of the residential component. Payment of the public transport and public art contributions has also been made. The balance was due pro-

rata upon the commencement of the office and hotel elements. The riverside walk has been constructed across the whole of the site.

- 4.16 On 1<sup>st</sup> February 2002, planning permission was granted for amendments to the scheme that overall added 6 residential units (PA/01/1736). The number of flats in Building A increased by 56 to 556 and decreased in Building B by 50 to 185 resulting in a total of 741 units. A deed of variation to the Section 106 Agreement was executed.
- 4.17 On 27<sup>th</sup> February 2003, planning permission was granted for an amended version of Building B to create 47 additional residential units together with the retail and community uses previously approved (PA/02/1049). The scheme resulting in 232 flats in Building B and 788 units overall in New Providence Wharf. A Supplemental Agreement and further Deed of Variation to the Section 106 Agreement were executed. Inter-alia, these secured an additional £50,000 contribution to the community fund and 514 habitable rooms within Building B to be affordable housing.
- 4.18 On 6<sup>th</sup> October 2004 (PA/03/1387) and again on 20<sup>th</sup> October 2005 (PA/04/1858), permissions were granted for amended versions of Building D (the hotel). The final scheme, as currently being built, involved the erection of a 36,552 sq. m tower and podium building 111.95 m high AOD, to provide 260 flats (158 studios, 75 one-bedroom, 23 two-bedroom and 4 three-bedroom), a 14,106 sq. m 169 bedroom hotel, a 605 sq. m health club, a 36 sq. m A1/A2/A3/B1 unit and 45 car parking spaces.
- 4.19 The final planning permission for Building D involved a fresh composite agreement with the Council that secured, in addition to relevant outstanding matters from the earlier agreements, a minimum of 25% of the residential accommodation within the New Providence Wharf development to be affordable in terms of habitable rooms, car free arrangements and a pro-rata adjustment to the community contribution.

#### **Planning history of surrounding area:**

##### Reuters/Blackwall Yard (Development site ID16 in the IOD IPG October 2007 AAP)

- 4.20 On 15 July 2005, planning permission (PA/03/01515) was granted for the redevelopment of the site to provide six buildings of 11 to 29 storeys comprising 708 residential units (C3) and leisure (D2), non-residential institution (D1), business (B1a) and retail (A1,A2,A3) uses, new open space, access arrangements and car parking. Involves works to listed dock structure.

##### Alberta House, Gaselee Street, R Boyle Motor Engineering Ltd Site, Blackwall Way, And Brunswick Arms Public House, 78 Blackwall Way, London, E14

- 4.21 On 20 September 2007, planning permission (PA/07/00241) was granted for the demolition of the existing buildings and the redevelopment of the site to provide 133 residential units in buildings up to 25 storeys plus roof plant, 47sq.m of retail (A1/A3) use and 26sq.m of community (D1) use at ground floor level, with associated car parking, servicing & landscaping.

## **5. POLICY FRAMEWORK**

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

### **Unitary Development Plan (as saved September 2007)**

- 5.2 Proposals: Opportunity Site (Mixed uses, including predominately residential).



Areas of archaeological importance or potential  
 East West Crossrail  
 Flood Protection Area

5.3	Policies	DEV1	Design Requirements
		DEV2	Environmental Requirements
		DEV3	Mixed Use development
		DEV4	Planning Obligations
		DEV8	Protection of local views
		DEV12	Provision of Landscaping in Development
		DEV17	Siting and Design of Street Furniture
		DEV44	Protection of Archaeological remains
		DEV50	Noise
		DEV51	Contaminated Land
		DEV55	Development and Waste Disposal
		DEV57	Development affecting nature conservation areas
		DEV69	Water Resources
		EMP1	Encouraging New Employment Uses
		HSG7	Dwelling Mix
		HSG15	Preservation of residential character
		HSG16	Amenity Space
		T10	Priorities for Strategic Management
		T16	Impact of Traffic
		T18	Pedestrian Safety and Convenience
		T21	Existing Pedestrians Routes
		OS9	Child Play Space
		U2	Consultation Within Areas at Risk of Flooding
		U3	Flood Defences

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

5.4	Proposals		Areas of archaeological importance or potential East West Crossrail Flood Protection Area
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5.5	Core Strategies:	IMP1	Planning Obligations
		CP1	Creating Sustainable Communities
		CP2	Equal Opportunity
		CP3	Sustainable Environment
		CP4	Good Design
		CP5	Supporting Infrastructure
		CP7	Job Creation and Growth
		CP11	Sites in Employment Use
		CP15	Range of Shops
		CP19	New Housing Provision
		CP20	Sustainable Residential Density
		CP21	Dwelling Mix
		CP22	Affordable Housing
		CP25	Housing Amenity Space
		CP27	Community Facilities
		CP28	Healthy Living
		CP29	Improving Education and Skills
		CP30	Improving the Quality and Quantity of Open Space
		CP31	Biodiversity
		CP37	Flood Alleviation
		CP38	Energy Efficiency and Production of Renewable Energy

	CP39	Sustainable Waste Management	
	CP40	A sustainable transport network	
	CP41	Integrating Development with Transport	
	CP42	Streets for People	
	CP43	Better Public Transport	
	CP46	Accessible and Inclusive Environments	
	CP47	Community Safety	
	CP48	Tall Buildings	
	CP49	Historic Environment	
	CP50	Important Views	
5.6	Policies:	DEV1	Amenity
		DEV2	Character & Design
		DEV3	Accessibility & Inclusive Design
		DEV4	Safety & Security
		DEV5	Sustainable Design
		DEV6	Energy Efficiency & Renewable Energy
		DEV7	Sustainable Drainage
		DEV10	Disturbance from Noise Pollution
		DEV11	Air Pollution and Air Quality
		DEV12	Management of Demolition and Construction
		DEV13	Landscaping
		DEV14	Public Art
		DEV15	Waste and Recyclables Storage
		DEV16	Walking and Cycling Routes and Facilities
		DEV17	Transport Assessments
		DEV18	Travel Plans
		DEV19	Parking for Motor Vehicles
		DEV20	Capacity of Utility Infrastructure
		DEV21	Flood Risk Management
		DEV22	Contaminated Land
		DEV24	Accessible Amenities and Services
		DEV25	Social Impact Assessment
		DEV27	Tall Buildings
		EE2	Redevelopment /Change of Use of Employment Sites
		RT4	Retail Development and Sequential Approach
		HSG1	Determining Residential Density
		HSG2	Housing Mix
		HSG3	Affordable Housing
		HSG4	Social and Intermediate Housing ratio
		HSG7	Housing Amenity Space
		HSG9	Accessible and Adaptable Homes
		HSG10	Calculating Provision of Affordable Housing
		SCF1	Social and Community Facilities
		OSN2	Open Space
		CON1	Listed Buildings
		CON4	Archaeology and Ancient Monuments
		CON5	Protection and Management of Important Views

**Interim Planning Guidance for the purposes of Isle of Dogs Area Action Plan (IOD AAP October 2007)**

5.7	Policies	IOD1	Spatial Strategy
		IOD2	Transport and movement
		IOD3	Health Provision
		IOD4	Education Provision
		IOD5	Open Space Provision
		IOD7	Flooding

IOD8	Infrastructure capacity
IOD9	Waste
IOD	
IOD23	East India South sub-area

## 5.8 **Supplementary Planning Guidance/Documents**

Designing Out Crime  
Residential Space  
Landscape Requirements  
Archaeology and Development

## 5.9 **Spatial Development Strategy for Greater London (London Plan)**

2A.1	Sustainability Criteria
2A.4	Areas of Regeneration
3A.1	Housing Supply
3A.2	Borough Housing Targets
3A.4	Housing Choice
3A.5	Large residential development
3A.7	Affordable Housing Target
3A.8	Negotiating Affordable Housing
3A.15	Social Infrastructure and Community Facilities
3A.17	Health Objectives
3A.24	Floor Targets
3A.25	Social and Economic Impact Assessments
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.18	Local Area Transport Treatments
3C.22	Parking
3D.10	Open space provision in UDPs
4A.7	Energy Efficiency and Renewable Energy
4A.8	Energy Assessment
4A.9	Providing for Renewable Energy
4A.10	Supporting the provision of renewable energy
4A.14	Reducing Noise
4B.1	Design Principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Maximising the potential of sites
4B.4	Enhancing the Quality of the Public realm
4B.5	Creating an inclusive environment
4B.6	Sustainable Design and construction
4B.7	Respect Local context and communities
4B.8	Tall Buildings
4B.9	Large scale buildings, design and impact
4B.10	London's built heritage
4B.14	Archaeology
4C.6	Flood plains
4C.7	Flood defences
5C.1	The Strategic Priorities for East London
5C.2	Opportunity Areas in East London

## 5.10 **Government Planning Policy Guidance/Statements**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

PPS22	Renewable Energy
PPG24	Planning & Noise
PPS25	Development and Flood Risk

- 5.11 **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

The following were consulted regarding the application. The views of officers within the Directorate of Development and Renewal and officer comments on the external consultees are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

### **LBTH Cleansing**

- 6.1 No comments received.

### **LBTH Education**

- 6.2 A contribution towards the provision of 53 additional primary school places @ £12,342 = £654,126.

### **LBTH Energy Efficiency Unit**

- 6.3 LBTH Energy Services are in support of the proposed development and the energy strategy submitted. The energy strategy however, needs to be developed further to be acceptable. They are satisfied that this matter can be addressed by a planning condition.

### **LBTH Environmental Health**

#### Contaminated land

- 6.4 The proposal is acceptable subject to condition requiring further contamination investigation and mitigation works.

#### Air Quality

- 6.5 Concerns raised with regard to 'significance criteria' used in the assessment and the assessment not considering the impact of the car park emissions. It is recommended that a revised and updated assessment be submitted together with a separate Environmental Management Plan that considers the proximity of sensitive receptors to the site, provide air quality mitigation and dust monitoring during the demolition/construction phase.

#### Noise

- 6.6 Overall the noise report is satisfactory. However, it appears that the impact of the DLR and vent shaft on the residential units have not been fully assessed and further glazing specification and the proposed means of ventilation need to be agreed prior to commencement of the development.

#### Sunlight

6.7 No comment received.

### **LBTH Highways**

It is considered that the development would be deemed acceptable providing:

- 6.8
- That section 106 agreement is entered into;
  - the Preston's Road Roundabout proposal, with £4m financial contribution is considered acceptable;
  - the entire development is covered by a car free agreement;
  - cycle parking provision is improved to meet 1:1 standard;
  - car parking be kept at no more than 202 spaces;
  - disabled car parking spaces be conveniently located;
  - a construction management plan is agreed;
  - a Green Travel Plan is agreed; and
  - a section 278 highway agreement is entered into.

### **Crossrail (Statutory)**

6.9 No objection, subject to condition requiring full details of all structures below ground.

### **Environment Agency (Statutory)**

6.10 No objection, subject to appropriate conditioning securing a flood warning system and an evacuation plan to upper levels, details of the green roofs, and native species for planting, details of surface and foul water drainage, foundation details, decontamination and no soakaways in contaminated land.

### **Government Officer for London (Statutory)**

6.11 No comment received.

### **Greater London Authority (Statutory)**

6.12 The Stage 1 report, dated 5 June 2007 (which includes TfL comments) concluded that a residential-led redevelopment of this site, as the last phase of the former Carrington Wharf, is in principle supported. Further negotiations with GLA and TfL concluded that, in principle, the regeneration of the Preston's Road Roundabout and provision of public open space to the north of the application site is acceptable, and that these should be given priority. Notwithstanding the support in principle, the following issues were identified as not being consistent with strategic planning policy:

- 27% affordable housing provision, and required further review of the financial appraisal to ensure that the affordable housing offer represents the maximum reasonable amount of affordable housing.
- Internal design (layout) and housing mix of the units requires improvement;
- The children's play space falls 1330m<sup>2</sup> short of that required, within an area that lacks good quality usable open space and outdoor facilities for children and young people;
- Energy strategy should consider district heating network and increased use of combined heat and power (tri-generation);
- Renewable energy technologies require further detailed work to ensure feasibility and provision;
- With the further network improvements, the scheme would not impact adversely on the road network or rail network; and
- A number of transport-related issues were raised, with the majority to be conditioned or secured under the S106 agreement.

Officer comment: In response to the concerns raised by the GLA, considerable amendments and commitments have been made to the scheme, to address these issues. This has been addressed in detail latter in this report.

**Natural England (Formally English Nature and Countryside Agency) (Statutory)**

- 6.13 Overall, they are happy that the ecological issues are being handled effectively. Furthermore, they are supportive of the proposal for increased public access and connectivity and recommend the use of suitable planning conditions or legal agreements secure 'brown roofs' to provide a habitat for Black Redstarts.

**National Air Traffic Air Traffic Services (Statutory Consultee)**

- 6.14 No safeguarding objection.

**London City Airport (Statutory Consultee)**

- 6.15 No safeguarding objection but requests a condition requiring the approval of details of the height and location of cranes and plant to be used during construction.

**Docklands Light Railway**

- 6.16 No objection in principle but seeks a condition regarding DLR radio communications. Advises excessive noise from the railway may affect the upper floors.

**BBC**

- 6.17 No comments received.

**CABE**

- 6.18 Generally supports the proposal but considers:
- The opportunity for improved permeability across Aspen Way should be pursued or improvements secured to the existing Preston's Road subway;
  - Notwithstanding the fact that the facing materials is considered to be of high quality to give the development a unique appearance, the relationship between the tower and the 'curved bar building' (the 12 storey element) is considered awkward and it is recommended that the buildings be separated; and
  - The position of the children's play space is too close to the noisy and sterile environments of Blackwall Way and Aspen Way.

**Association of Island Communities**

- 6.19 No comments received.

**English Heritage**

- 6.20 No objection.

**English Heritage - Archaeology**

- 6.21 The revised Archaeological Written Scheme of Investigation submitted in December 2007 is considered acceptable and it is recommended that further archaeological fieldwork in the area of the 17<sup>th</sup> century Mansion House be completed. On completion of all fieldwork a post-excavation assessment report should be submitted which will summarise the results of the excavation and will outline a programme of analysis and publication required to complete the

archaeological work.

### **London Borough of Greenwich**

6.22 No comments received.

### **Metropolitan Police**

6.23 No objection in principle. The development should be to Secured by Design Standards.

### **Splash Tenancy Association**

6.24 No comments received.

### **Thames Water Utilities**

6.25 No objections received. Details should be submitted for surface water drainage, and requires that development should impact on public sewers.

### **Tower Hamlets PCT**

6.26 Initial communication with the PCT indicated that the application site will be asked to contribute £2,234,368 towards primary care needs of residents.

## **7. LOCAL REPRESENTATION**

7.1 A total of 1031 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:	4	Objecting: 2	Supporting: 1	No objection: 1
No of petitions received:	0			

7.2 The following local groups/societies made representations:

- Blackwall Way Residents Association

7.3 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:

- Increased pressure on existing deficient public open space (including play space) in the area;
- Loss of view with associated overshadowing and sense of enclosure; and
- Increased disruption from construction, including noise and vibration.

7.4 The following issues were raised in representations, but they are not considered to be material to the determination of the application:

- Lack of consultation of Ontario Tower by developer prior to submission. Officer Comment: Although the Local Planning Authority encourages robust consultation prior to submission, the applicant is not required/obligated to do so. The matter was raised to the applicant who confirmed that a public consultation exercise (including notification of forthcoming residents of Ontario Tower) was conducted on 8 November 2006.

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

- Land Use
- Housing
- Design, mass and scale
- Transport and Highway
- Impact on surrounding amenity
- Energy and renewable technology
- Section 106 Planning Contributions
- Other

### **Land Use**

8.2 The application site is located within the East India South sub-area of the Interim Planning Guidance Isle of Dogs Area Action Plan (IPG IOD AAP Oct 2007). It identifies the site, larger New Providence Estate, and local area for potential residential use. This designation follows the mixed use designation as set out in the adopted UDP. The site is also located within the boundary of the Lower Lea Valley Opportunity Area Planning Framework, which identifies the area for 'potential new housing'.

8.3 The application site forms part of the New Providence Wharf Estate (former Carrington Wharf), and the redevelopment of estate has been phased over the past six years. Originally, the application site was allocated for office use in the 2001 consent. Since approval, the emerging policy framework for the Isle of Dogs has focused the location of office more towards the Canary Wharf area.

8.4 With the designation for residential use and good linkages to the wider area, it is considered that there is no planning objection to the redevelopment of the site as part of a residential-led mixed use scheme. The proposal will provide 486 residential units, being consistent with the requirements of policy HSG2 of the UDP and policy HSG1 of the IPG October 2007 and Council's aims to meet the housing targets of 41,280 homes between 2006 and 2016.

8.5 Additional uses include 56sqm of retail, 267sqm of concierge (property caretaker) space and 948 sqm of Health and Fitness Club. It is considered that no planning objection could be sustained concerning the inclusion of this small commercial unit for retail, or the proposed health club, both of which would be appropriate within a residential complex and proportionately sized to meet the needs of the future residents.

8.6 As such, it is considered that the proposal is in accordance with policies 2A.4, 3A.1 and 3A.2 of the London Plan, policies CP1, HSG1 and RT4 of the IPG October 2007 and policy IOD23 of the IPG IOD AAP October 2007, which seek to ensure that the East India Sub Region will continue to be promoted as a residential area capable of accommodating significant new residential development.

### **Housing**

#### Density

8.7 Policies 3A.2 and 4B.3 of the London Plan encourage Boroughs to exceed the housing targets and to address the suitability of housing development in terms of location, type and impact on the locality. Policies CP20 and HSG1 of the IPG October 2007 seek to maximise residential densities on individual sites taking into consideration the local context



and character, residential amenity, site accessibility, housing mix and type, achieving high quality, well designed homes, maximising resource efficiency, minimising adverse environmental impacts, the capacity of social and physical infrastructure and open spaces, and to ensure the most efficient use of land within the Borough.

- 8.8 Table PS8: Tower Hamlets Density Matrix of the IPG October 2007 locates the site within the northern part of Isle of Dogs. The site has a PTAL level 4 (in a range of 1-6, where 6b is the highest). The scheme is proposing 486 units and the proposed residential accommodation would result in a density of approximately 1429 habitable rooms per hectare (1272hr/0.89ha).
- 8.9 It is considered that the proposal is highly compatible with the local context and applies good design principles to the highest possible form (as fixed in the build cost of the viability assessment). Furthermore, the site is located close to Canary Wharf and benefits from good linkages to public transport, which would further be improved by the major improvement created by the site's contribution towards the Preston's Road Roundabout Project.
- 8.10 Other factors, such as standard of accommodation for prospective occupiers, impact on microclimate, energy strategies, sense of enclosure to neighbours, loss of privacy and overlooking to neighbours, sufficient on-site amenity space; and provision of public open space, were considered by GLA at Stage I. The Mayor recommended an increase in affordable housing, alterations to the internal design of the building, provision of open space and improved sustainability. As mentioned above, the applicant has addressed these issues and these were considered to be acceptable by the Council. These issues are all considered in detail in relevant sections of the report.
- 8.11 On review of the above issues, a high density residential-led mixed use development can be supported in this location as the proposal is considered to satisfy the relevant policy criteria as follows:
- Integrates effectively within the local context and character;
  - protect and enhance residential amenity;
  - incorporate good design principles;
  - provide range of housing choices;
  - benefits from good accessibility;
  - provide adequate open space;
  - mitigate likely cumulative impact on local services and infrastructure; and
  - maximising resource efficiency.
- 8.12 As such, although the density level is above the normal density range (1100hr/ha) expected for such a location, the density of the proposed development is considered to be in accordance with policies 3A.2 and 4B.3 of the London Plan and policies CP20 and HSG1 of the IPG October 2007, subject to the delivery of a high quality development and provision services and social infrastructure to mitigate impact associated with the development.

#### Affordable Housing

- 8.13 Policy 3A.7 of the London Plan sets out a strategic target that 50% of the new housing provision should be affordable, with 70% social rent and 30% intermediate rent. Policies CP22 and HSG3 of the IPG October 2007 states that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought. Policy HSG4 of the IPG October 2007 require the ratio of social rented to intermediate housing at 80:20.

- 8.14 A total of 97 affordable housing units out of the total 486 units are proposed, representing 27% as calculated by habitable rooms (358 out of a total of 1251). Of the affordable housing provision, 75% would comprise social rented accommodation and 25% intermediate, calculated by habitable rooms. The provision does not meet the targets of the London Plan or IPG October 2007. Whilst the Stage 1 Report accepted the reasoned justification and figures as set out in the applicant's viability assessment, the Mayor required further review of the affordable housing officer and the viability appraisal.
- 8.15 The applicant revisited the housing provision and the Council required a revised and updated viability appraisal, using the 2007/2008 GLA Three Dragon Toolkit. The applicant reconsidered and revised the proposal to improve the housing mix but confirmed that, in light of the scheme's economic viability, the scheme cannot increase the affordable housing offer. After extensive review by Council Officers, it is considered that the reasoned justification and the figures appear to be reasonable, and that the 27% affordable housing provision is the maximum that can be provided.
- 8.16 Policy 3A.8 of the London Plan states that:
- 'Boroughs should seek maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to their affordable housing targets adopted in line with policy 3.7, the need to encourage rather than restrain residential development and the individual circumstances of the site. Targets should be applied flexibly, taking into account of individual site costs, the viability of public subsidy and other scheme requirements'.*
- 8.17 In accordance with GLA requirement, the Council have sought the maximum amount of affordable housing whilst taking into account the factors set out in the policy 3A.8 of the London Plan. These include the most effective use of private and public investment, which includes use of financial contributions. In this case, the most relevant planning contributions (financial contribution or public investment) offered by this scheme (as worked into the viability assessment) includes:
- A contribution of £4,000,000 towards the proposed Preston's Road Roundabout Project to mitigate the impacts of the additional population on the surrounding highways;
  - A contribution of £1,952,000 to mitigate the demand of the additional population on health care facilities;
  - A contribution of £548,000 to mitigate the demand of the additional population on education facilities;
  - Provision of public open space to the north of the application site (on TfL land), to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area;
  - A contribution of £250,000 towards public open space (TfL land if secured, or other), to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area; and
  - establish and prepare the legal framework for a Working Group.
- 8.18 As such, in the light of the viability assessment produced for the proposed development, the affordable housing provision and additional regeneration benefits arising from the proposal, the failure to provide a minimum of 35% affordable housing is considered acceptable. The proposed development is therefore in accordance with policy 3A.7 and 3A.8 of the London Plan and policies CP22, HSG3 and HSG4 of the IPG October 2007.
- 8.19 As mentioned above, the applicant is also prepared to increase the affordable housing provision from 27% to 30% in lieu of the £2.5m financial contribution towards health care and education facilities. This would result in a tenure split of 69% social rented accommodation and 31% intermediate. There would no variation to the housing mix overall.

## Housing Mix

8.20 PPS3 and policy 3A.4 of the London Plan state that new developments should offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups. The GLA housing requirements study identified within the Mayor's Housing SPG provides a breakdown of housing need based on unit mix. However, according to the Mayors SPG, it is inappropriate to apply the identified proportions crudely at local authority level or site level as a housing mix requirement. Rather, they should be considered in preparing more detailed local housing requirement studies.

8.21 Policy HSG7 of the UDP states that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. The UDP does not provide and prescribed targets.

8.22 The following table below summarises the proposed housing mix against policy HSG2 of the IPG October 2007, which seeks to reflect the Boroughs current housing needs:

8.23

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total units in scheme	units	%	IPG %	units	%	IPG %	units	%	IPG %
Studio	58	0	0	0	0	0	0	58	15%	25
1 bed	185	5	8%	20	19	59%	37.5	161	41%	25
2 bed	170	21	32%	35	13	41%	37.5	136	35%	25
3 bed	58	25	38%	30	0			33		
4 bed	12	11	17%	10	0			1		
5 Bed	3	3	5%	5	0	0	25	0	8%	25
<b>TOTAL</b>	<b>486</b>	<b>65</b>	<b>100</b>	<b>100</b>	<b>32</b>	<b>100</b>	<b>100</b>	<b>389</b>	<b>100</b>	<b>100</b>

8.24 Whilst taking into account the viability of the scheme, the applicant has made alterations to the proposed mix following the reviewed by GLA in their Stage 1 report. The proposed mix maintains 60% family accommodation within the social rent. Although the overall percentage for the private sale remains at 85, the applicant has increased the number of family size private units from 30 to 34.

8.25 Policy HSG2 of the IPG identifies that family housing is needed mostly within social rented housing. The following table demonstrates family housing achieved across the borough based on the most recently published LBTH Annual Monitoring Report 2006-2007.

8.26

Tenure	Borough-Wide %	Proposal %
Social-rented	17.5	60%
Intermediate	2.5	0%
Market	4.1	8%
<b>Total</b>	<b>7.1</b>	<b>15%</b>

8.27 The proposed development therefore far exceeds policy guidance for social family housing and also exceeds the amount of family housing otherwise achieved across the borough.

- 8.30 On balance, the scheme provides a suitable range of housing choices and meets the needs of family housing in the social rented component, and is therefore considered to comply with national guidance, the London Plan and the IPG October 2007 in creating a mixed and balanced community.

Amenity Space and Open Space

*Private and Communal Amenity Space*

- 8.31 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council's Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided, and the following provides a summary of the sq. m required by the proposed development.

Unit Type	Proposed	SPG Requirement	Total (m <sup>2</sup> )
Family Units	73	50sqm of private space per family unit	3650
Non-family units	413	50sqm plus an additional 5sqm per 5 non-family units;	463
Child Bed spaces (according to the GLA calculations)	178	3sq.m per child bed space	534
<b>Total</b>			<b>4,647</b>

- 8.33 Following is an assessment against the residential amenity space requirements under policy HSG7 of the IPG October 2007.

Units	Total	IPG October 2007 Minimum Standard (sq.m)	Required Provision (sq.m)
<b>Upper Floor Units</b>			
Studio	58	6	348
1 Bed	181	6	1086
2 Bed	167	10	1670
3 Bed	53	10	530
4 Bed	11	10	110
5 Bed	0	10	0
<b>Total</b>	<b>470</b>		<b>3,744 sq. m</b>
<b>Ground Floor Units</b>			
Studio	0	25	0
1 Bed	4	25	100
2 Bed	3	25	75
3 Bed	5	50	250
4 Bed	1	50	50
5 Bed	3	50	150
<b>Total</b>	<b>16</b>		<b>625 sq. m</b>
<b>GRAND TOTAL</b>	<b>486</b>		<b>4,369 sq. m</b>
<b>Communal amenity</b>		50sqm for the first 10 units, plus a further 5sqm for every additional 5 units	<b>526 sq. m</b> (50sq.m plus 476sqm).
<b>Child Play Space</b>		3 sq m for every child bed	<b>534 sq. m</b> (178*3) (GLA child

	space	calculation = 178)
<b>Total Housing Amenity Space Requirement</b>		<b>5,429 sq. m</b>

- 8.35 The total housing amenity space provided by this development is 5860 sq m, a figure above policy requirement.
- 8.36 The private amenity space provision for the proposed development, consisting of both private gardens at ground floor (192 sq m) and private balconies (3069 sq m) accumulates to 3,261 sq m. All two bedroom and family size units would benefit from private garden / balconies space.
- 8.37 The proposed communal/public ground floor amenity space accumulates to 2,599 sq m. The development provides an additional 450 sq m for formal children play space to the north of the building, which is surrounded by communal open space. The landscape design continues from that already established within the recently completed New Providence Wharf Estate. The proposed open space is to integrate with the various landscape spaces on the estate and would reinforce existing pedestrian links with new links to surrounding developments and the Thames.
- 8.38 Whilst providing good legibility and permeability within the communal space (publicly accessible and disabled friendly), the landscaping design (using the site's level changes and an ornamental canal/reflective pool) secure the privacy for future inhabitants and security of the site. This is reinforced by passive and natural surveillance from the proposed units and provision of adequate lighting. Notwithstanding the detailed design, it is recommended that further details be requested to ensure the design of these areas in accordance with the landscape objectives.

#### *Open Space*

- 8.39 Policy HSG16 of the adopted UDP states that all new housing developments should include an adequate provision of amenity space. Core Strategy CP25 of the IPG Oct 2007 continues this objective and states that all new housing developments should provide high quality, useable amenity space, which includes private and communal amenity space for all. This is further reinforced by CP25 which seek to ensure innovative opportunities to protect, improve and increase access to all types of open spaces to a standard of 1.2 hectares per 1000 population.
- 8.40 With an expected population of approximately 1251, the proposed development should provide a minimum of 1.5ha. The applicant has agreed to securing (to reasonable endeavours) the use of the Tfl land (approximately 0.4 ha) to the north of the application site as public open space. Within the viability assessment the applicant included the provision of a S106 financial contribution (£250,000) for landscaping the latter space, which adjoins the application site. Failure to secure the use of the Tfl land as open space, the contribution would be directed to improving other surrounding public open space.
- 8.41 Whilst not all of the units are provided with private amenity space (only small number of non-family units), the total on-site amenity space (5,860 sq m) provision exceeds the minimum requires of the Council's housing SPG and the Interim Planning Guidance. Although marginally below the required standards, the proposed child play space is considered to meet the reasonable needs of the future occupiers. The development would secure a significant public open space area north of the site and would enable good access to off-site recreational area for not only the development but also for the wider area.
- 8.42 On balance, the amenity space and open space provision is considered acceptable subject to a detailed landscape design condition and s106 contribution towards open space and

public realm improvements to mitigate and adverse impact upon the surrounding open space areas.

#### Standard of accommodation

- 8.43 Policy 3A.4 of the London Plan states that developments should cater for a range of housing sizes and types and should be built to lifetime homes standards and provide 10% wheelchair accessible units. Policy HSG9 of the IPG October 2007 continues this objective and seek to ensure that new developments consider existing and changing needs of all residents. Furthermore, policy HSG13 of the UDP and HSG9 of the IPG Oct 2007 require that all new developments have adequate provision of internal residential space in order to function effectively and should take into account the Council's supplementary guidance on residential space.
- 8.44 The new housing units are to be built to lifetime homes standards and a minimum of 10% of these are wheelchair accessible. The revised floor plates improves the internal design and layouts and also increase the floor areas of the unit, to meet and exceed minimum standards as set out in the Supplementary Planning Guidance Note 'Residential Space'. Further to this, the applicant has amended the scheme to provide a greater proportion of dual aspect units to address concerns raised by the GLA. The proposal provides sufficient refuse storage, subject to further information by way of condition. Overall, the standard of accommodation is considered acceptable and in accordance with the above mentioned policies and guidance.

#### **Mass, bulk and design**

- 8.45 Policy 4B.8 of the London Plan states that tall buildings will be promoted where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. Policy 4B.9 of the London Plan provides detailed guidance on the design and impact of such large scale buildings, and requires that these be of the highest quality of design.
- 8.46 Policy DEV6 of the UDP specifies that high buildings may be acceptable subject to considerations of design, siting, the character of the locality and their effect on views. Considerations include, overshadowing in terms of adjoining properties, creation of areas subject to wind turbulence, and effect on television and radio interference.
- 8.47 Policies CP1, CP48 and DEV27 of the IPG October 2007 state that the Council will, in principle, support the development of tall buildings, subject to the proposed development satisfying wide range of criteria.
- 8.48 Good design is central to all the objectives of the London Plan. Chapter 4B of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at high quality design, which incorporate the principles of good design. These principles are also reflected in policies DEV1 and 2 of the UDP and the IPG.
- 8.49 Policies DEV1 and DEV2 of the UDP and policy CP4 of the IPG October 2007 state that the Council will ensure development create buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.50 In terms of form, height and massing, the proposed development responds to the existing Estate buildings. The scheme continues the predominant curvilinear form of the estate and proposes a low rise 12 storey (43.24m) base which then extends into a 44 storey (142.2m) tower. This form creates a gateway entrance to the estate between the proposed curved building and the Michigan building. The tower element would form the pinnacle to the

estate whilst it gathers together the low rise buildings through its relation with Ontario Tower.

- 8.51 The curved building uses a 'A-B' floor plate system and alternate solid and vision glass panels from floor to floor. The design shifts the balconies within a woven pattern between the solid masonry panels. The curved building is stitched together with the base of the tower by using balconies on alternative floors. The tower comprises a 'pinecone' plan allowing 5 balconies on each side (east and west), which look out directly south towards the Thames. The tower uses two different floor plan types throughout which provide a unique woven fabric appearance. The top of the tower steps down towards the north to mirror Ontario Tower, and in acknowledgment of the height and massing of the surrounding area. This design comprises good architectural and urban design quality, with high quality external materials.
- 8.52 Although the site is not within an identified tall building cluster, there are number of other tall residential buildings recently completed, consented or at pre-application stage. The scheme seeks to complete the emerging group of tall buildings, with the tower at the most northern tip of the estate adjacent to Aspen Way. Comments from the GLA Stage 1 report advises that the site is able to take up increased massing and height, and that the massing studies demonstrate that the scale and massing in relation to the surrounding buildings is appropriate, subject to high quality architecture and use of materials.
- 8.53 As mentioned, policy DEV27 of the IPG October 2007 provides a suite of criteria that applications for tall buildings must satisfy. Considering the form, massing, height and overall design against the above mentioned policy requirements, the proposal is considered to satisfy the relevant policy criteria as follows:
- The context of the site requires high architectural and design quality to complete the recent completed phases of the New Providence Wharf Estate. This design not only meets this standard but also achieve good architectural composition with surrounding buildings and relationship to open space provision (design alternatives other than tall buildings were considered inappropriate);
  - the development creates an acceptable landmark building within the centre of the newly defined housing area, which creates a focus point for the emerging group of tall buildings;
  - it contributes to an interesting skyline, from all angles and at night time;
  - the site is not within a strategic view corridor;
  - the site is not within a local view corridor and would not impact adversely on local landmarks;
  - the scheme provides adequate, high quality and usable amenity space;
  - the proposal also includes an appropriate S106 to secure land for public open space and secure a contribution towards the proposed open spaces;
  - the scheme present a human scaled development at street level and enhances the movement of people, including disabled users, through the communal/public open space whilst securing high standard of safety and security for future residents of the development;
  - the proposal satisfies the Council's requirements in terms of impact on privacy, sunlight & daylight, amenity and overshadowing;
  - the scheme meets the Council's requirements in terms of micro-climate;
  - demonstrates consideration of sustainability throughout the lifetime of the development, including the achievement of high standards of energy efficiency, sustainable design, construction and resource management;
  - the impact on biodiversity will not be detrimental;
  - the mix of uses proposed are considered appropriate and will contribute positively to the social and economic vitality of the surrounding area;
  - the site is located in an area with good public transport accessibility;
  - takes into account the transport capacity of the area and includes an appropriate S106

contribution towards transport infrastructure, to ensure the proposal will not have an adverse impact on transport infrastructure and transport services;

- the scheme complies with density requirements set out in policy HSG1 of the IPG October 2007;
- conform with Civil Aviation requirements; and
- not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.

8.54 In light of supporting comments raised by the Council's Design Department and the GLA, the form, height, massing of the development is considered to be acceptable. The minor revisions to the design of the scheme, which includes additional balconies, addresses the concerns raised by GLA and CABE. It is recommended that the scheme be conditioned appropriately, to ensure that a high quality detailing of the development is achieved. Overall, it is considered that the proposed development is acceptable in design terms and in accordance with the above mentioned policy and guidance set out in the London Plan and IPG October 2007.

### Built Heritage

- 8.55 PPG15 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a listed building to have special regard to the preservation of the setting of the listed building as the setting is often an important part of the building's character.
- 8.56 Policy 4B.10 of the London Plan seeks to protect and enhance London's historic environment. Furthermore, Policy 4B.11 states that Boroughs should ensure the protection and enhancement of historic assets based on an understanding of their special character.
- 8.57 Policy CON1 of the IPG October 2007 states that planning permission will not be granted for development which would have an adverse impact upon the setting of the listed building.
- 8.58 As mentioned earlier in this report, the site is not located in a conservation area. There is only the listed vent shaft within the vicinity of the site.
- 8.59 English Heritage, the Council's Design Department and GLA have raised no objection to the proposal and its impact upon the setting of the listed building. As such, the proposal is considered to be appropriate in accordance with PPG15, the London Plan and the IPG October 2007.

### **Transport and Highways**

- 8.60 Policy T16 of the UDP and policies DEV17, DEV18 and DEV19 of the IPG October 2007 require new development to take into account the operational requirements of the proposed use and the impact (Transport Assessment) of the traffic that is likely to be generated. In addition, policy objectives seek to ensure that the design minimizes possible impacts on existing road networks, reduces car usage and, where necessary, provides detailed mitigation measures, to enable the development to be acceptable in planning terms.

### Access

- 8.61 The site is in a location of good public transport accessibility (PTAL 4), with Blackwall DLR station (150m via pedestrian subway link) and East India DLR Station (300m via Blackwall Way) on either side of Aspen Way, and local bus services. The site is in close proximity to a range of local facilities (Poplar High Street) and Canary Wharf is approximately 850 metres to the west of the site. There are also good cycle routes in the area, and with the



estate and future developments complete, the area would benefit from good local pedestrian/cycle links.

- 8.62 Given the high amount of accommodation provided, the Council and GLA have determined that contributions for transport infrastructure and public realm improvements are required via the S106 agreement to ensure that the development can be accommodated within the transport network, particularly the pedestrian north-south subway links of the Preston's Road roundabout, lying beneath Aspen Way and the DLR.
- 8.63 The applicant has agreed to a contribution of £4,000,000 (including the new at-grade crossings and the decking of the roundabout) towards the proposed Preston's Road Roundabout Project.
- 8.64 Subsequent to the above review and comments, the Council's Planning Contribution Overview Panel (PCOP) agreed that contributions from future developments in the surrounding area should be pooled together to provide transport, social, community, public open space and other supporting infrastructure, which are required to sustain and encourage the current regeneration of this area. The panel agreed that contributions towards transport infrastructure and public realm improvements are priority at this stage, thereby improving the deficient transport infrastructure, to accommodate the future population of the area.
- 8.65 The application site and other future development sites in close proximity to the roundabout would contribute via S106 planning contributions to the Preston's Road Roundabout project and other necessary services. The roundabout project comprises of two stages, stage 1 securing at grade north-south crossings with appropriate treatment of the underpass and surrounding area, and the stage 2 actively addressing the underpass redevelopment and wider north-south linkages. A working group, consisting of the Council, developers, landowners, statutory stakeholders and other relevant parties, is to be set up to prepare and present detailed briefs to be submitted to the Council for approval prior to works commencing.
- 8.66 To mitigate the impacts of the proposed development on the surrounding transport infrastructure, the Council requires this development to provide contributions towards the development works in the two stages of the project. It is recommended that any surplus from the proposed £4m contribution be directed towards local social or public realm infrastructure improvements.
- 8.67 The applicant also agreed to establish and prepare the legal framework for the working group to deliver:
- short term improvements to enhance north-south connections at grade level between the application site and local amenities north of Aspen Way; and
  - long term public realm improvements within the existing Preston's Road Roundabout and surrounding linkages.
- If successful, this group may oversee further detailed briefs for the other community, public open space and other supporting infrastructure that are required to sustain and encourage the current regeneration of this area.

#### Car Parking

- 8.68 According to policy 3C.22 of the London Plan, on-site car parking provision for new developments should be the minimum necessary to ensure there is no overprovision that could undermine the use of more sustainable non-car modes. This in part, is to be controlled by the parking standard in Annex 4 of the London Plan.
- 8.69 Policy DEV19 of the IPG October 2007 requires development to comply with maximum parking levels set out in Planning Standard 3, unless otherwise justified. Table PS7 of the

IPG October 2007 sets out standards for motor car and motor cycle parking, which include:

- 1 car parking space per residential unit (no visitor spaces required), of which 10% must meet disabled space standards;
- 1 car parking space per 1,250sqm of office floorspace (GEA);
- No car parking provision for retail / restaurant floorspace; and
- Motorcycle parking is welcomed as a substitute for car parking. Motorcycle parking may be provided within the space allowed by the maximum standards, at a guideline rate of 5 motorcycle spaces in place of each permitted car parking space.

8.70 In order to maximise the areas of open space for pedestrians and to minimise the impact of car parking at ground level, 202 car and 19 motorcycle basement parking spaces will be provided. Access into the car park will be from the boulevard and will be controlled by a physical barrier system located at point of entry. One designated disabled parking bay would be provided at the entrance of the affordable housing entrance, at ground level. The development uses a stacking system and cars will be parked by a valet service. The informal area of drop off for the service is located to minimise distance between the principal entrances of the development whilst providing full disabled access. No spaces are proposed for the commercial elements of the development.

8.71 The only minimum standard mentioned for disabled parking bays is two. The revised scheme provides one designated disabled bay and given the stacking system and valet parking arrangement (drop-off spaces are disabled sized), it is considered that there is no need to provide additional disabled bays. A condition requiring the submission of a service management plan to be approved by the Council is required to ensure the said valet car parking service is provided for and maintained in perpetuity.

8.72 It is recommended that a S106 agreement be put in place to ensure that the development is 'car free', so that no controlled parking permits are issued to the new residents of the development. As such, there will be no overspill parking from the development. Most of the residents will therefore be committed to using public transport services and alternative modes for all journeys. Also, a S106 agreement for the preparation, implementation and maintenance of a green travel plan will be secured. The applicant has agreed to such planning contributions.

8.73 As such, the number of parking spaces is therefore supportable in light of planning standards set out the above mentioned policy documents, and TfL has expressed support for the level of parking spaces provided. Whilst the Council's Highways department have indicated that the number of spaces should be reduced, there is insufficient policy justification to sustain a refusal on these grounds.

#### Cycle parking

8.74 TfL advised that the 250 cycle parking spaces were inadequate and more should be provided, in accordance with their cycle parking standard of 1 space per dwelling unit. The current amended scheme has increased the cycle parking provision to 1:1 residential spaces and provides cycle stands for visitors and the retail unit within the landscaping plan. It is proposed that all residential cycle parking will be provided within secure locations in the basement and lower ground floor, in dedicated accessible locations close to each of the building cores. The revised scheme complies with planning standards set out by TfL and the Council's IPG October 2007.

#### Servicing and Refuse Provisions

8.75 Refuse for both affordable and private would be provided close the entrances and the landscaping/road network is laid out to allow refuse collection within 9 metre of the refuse vehicle. It is recommended that a condition be included to ensure the adequate provision

of storage of refuse and recycling facilities is provided. Small deliveries can also be made directly to the estate concierge by using the taxi drop-off area. Move-in and out of both curved building and tower is facilitated by the estate's management team.

### **Amenity**

- 8.76 Policy DEV2 of the UDP and policy DEV1 of the IPG October 2007 state that development is required 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. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms. According to the UDP, habitable rooms include living rooms, bedrooms and kitchens (only where the kitchen exceeds 13sqm).

#### Daylight /Sunlight provision and impact

- 8.77 Daylight is normally calculated by two methods - the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the rooms use
- 8.78 Sunlight is assessed through the calculation of what is known as the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for each window within 90 degrees of due south or, in other words, windows that receive sunlight.
- 8.79 The applicant submitted a Daylight and Sunlight report within the ES, prepared by URS, which looks at the impact upon the daylight, sunlight, overshadowing, solar glare and light pollution implications of the development upon itself and on neighbouring residential properties.
- 8.80 The assessments have concluded that:
- with the proposed building in place, all operational rooms tested at existing properties would meet the minimum standards for daylight;
  - the habitable rooms within the proposed development would received daylight in excess of the minimum criteria;
  - there will be no impact on sunlight reaching the existing properties; and
  - there is good potential for sunlight availability to the proposed development.
- 8.81 With regard to solar glare, overshadowing and light pollution, it is considered that the development would have a negligible impact on the existing environment.

#### Sense of Enclosure/ Outlook

- 8.82 This impact cannot be readily assessed in terms of a percentage and there are no measurable standards. Whilst it is acknowledged that the development result in an increased mass and height towards the north of the estate, the proposed building would not have an unacceptable impact as it is well set within an open grain away from surrounding building.

#### Privacy

- 8.83 According to Policy DEV2 of the UDP, new developments should be designed to ensure that there is sufficient privacy for residents. A distance of about 18 metres between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people.
- 8.84 To the east, south and west of the site, the development is setback over 18 metres from

adjacent habitable rooms, and to the north the development would look out onto the raised Aspen Way. As such, it is considered that the overall impact is considered to be minor and is compliant with planning policy.

#### Wind/ Microclimate

- 8.85 As part of the application the applicant undertook a Wind Assessment, to assess the impact of the proposal on the microclimate. The conclusions of the study show that the pedestrian level wind environment in and around the site will have no significant impact. With the implementation of the proposed soft landscaping measures on the site and wider estate, the wind environment conditions are considered suitable for recreation activities and therefore suitable for the planned uses.

#### Noise and Vibration

- 8.86 Policy DEV50 of the UDP states that the Council will consider the level of noise generated from developments as a material consideration in the determination of applications. This policy relates particularly to construction noise created during the development phase or in relation to associated infrastructure works. Policy HSG15 states that the impact of traffic noise on new housing developments is to be considered.
- 8.87 The Noise and Vibration Assessment, submitted as part of the ES (Chapter 17), concludes that the proposed insulation will ensure the residents enjoy a comfortable internal acoustic environment. However, Environmental Health considers that the impact of the DLR and vent shaft on the residential units have not been fully assessed. It is recommended that a revised assessment, with further glazing specification and a proposed means of ventilation, be agreed prior to commencement of the development.

#### Air Quality

- 8.88 Notwithstanding the fact that the Air Quality Assessment submitted as part of the ES (Chapter 16) concludes that additional traffic flows attributed to the development are expected to lead to a negligible change in local air quality and no mitigation measures are recommended, the Council's Environmental Health Officer has concerns with regard to the 'significance criteria' used in the assessment and the assessment not considering the impact of the car park emissions. These investigation and mitigation measures can easily be conditioned without impacting on the final design or built form.

#### Other

- 8.89 Impact on residential amenity by reason of noise, vibration, dust, transport and other operation during construction phase would be mitigated by way of securing the implementation of a robust Construction Environmental Management Plan (CEMP), which should set out measures to be applied throughout the construction phase i.e. restricted construction hours and operation hours, noise and vibration limits.

#### **Energy and renewable technology**

- 8.90 Policies 4A.7, 4A.8 and 4A.9 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources. The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG Oct 2007. In particular, policy DEV6 requires that:
- all planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions;
  - major developments incorporate renewable energy production to provide at least

10% of the predicted energy requirements on site.

8.91 Subsequent to GLA comments set out in the Stage 1 Report, the applicant submitted a revised energy strategy which addresses each of the concerns. The information has been considered by the Council's Energy Officer who considers that:

- Although the low energy measures comply with building regulations, the energy efficiency measures could be increased further to go beyond the building regulations requirements;
- Woodchip biomass boiler and solar thermal (DHWS) are both acceptable technology which can be utilised to meet the on-site renewable energy requirement, however the further information required;
- CHP system is the ideal solution in providing energy efficiently to this development, combined heat and power should be fully optimised before any renewable energy is considered. Consideration should be given to the following points:
  1. Two combined heat and power units have been considered. One to serve the affordable apartments building and the other to serve the private apartment building and the health club. The applicant should consider providing a single CHP unit to serve both buildings, although this has been considered and dismissed as the preferred RSL requires that their building is separately serviced to eliminate the requirement for sub metering and joint ownership of plant, an ESCo could be appointed, who will manage the plant independently to eliminate the hassle of joint ownership etc.
  2. It also states that joining two plants together does not deliver any further carbon savings, although no supporting evidence has been provided to support this statement, a full assessment should be completed to show that a single CHP unit serving both buildings does not deliver further carbon savings over two independent CHP units.
  3. Has consideration been given to provide a private wire network to the residential units, providing a private wire network will allow for a larger CHP unit to be installed, therefore providing further CO2 savings, providing a private wire network does complicate the management aspect of the system, this is easily resolved by appointing an ESCo.
  4. Tri-generation has been considered and dismissed as the full waste heat from the CHP is used for domestic hot water generation in the evening when the cooling load occurs, please provide the cooling load profiles to support this statement.
- A code for sustainable homes assessment should be submitted.

8.92 The approach is considered to be broadly in keeping with the requirements of the London Plan, though further clarifications are required to ensure the strategy is compliant. As such, the energy strategy is considered acceptable and measures in accordance with policies set out in the London Plan and IPG October 2007, subject to conditions requiring full details of the above mentioned prior to implementation.

### **Section 106 Planning Contributions**

8.93 ODPM Circular 05/2005 states that *'the principal objective of the planning system is to deliver sustainable development, through which key Government social, environment and economic objectives are achieved'*. The Circular states that where a number of smaller developments are likely, it is important that the cumulative impact to be taken into account when planning obligations policies are drawn up and that the principle of pooled contributions could help to assist in establishing the required infrastructure, in circumstances where particular development proposals cannot provide the required infrastructure and remain economically viable. The Circular is a material consideration and should be taken into account on all relevant planning decisions. The Circular also states that a planning obligation must be:

- (i) relevant to planning;
- (ii) necessary to make the proposed development acceptable in planning terms;
- (iii) directly related to the proposed development;
- (iv) fairly and reasonably related in scale and kind to the proposed development;
- and
- (v) reasonable in all other respects.

8.94 Both regional and local policies consider the provision of basic physical and social infrastructure as an essential part of all new development as to ensure the acceptability of such new development in terms of its nature, sustainability and possible impact on the surrounding areas. Policy 6A.4 and 6A.5 of the London Plan sets out the Mayor's detailed objectives for boroughs to provide appropriate strategies in their policies as to provide a clear framework for negotiations on planning obligations for basic infrastructure, having regard to central government policy and guidance and local and strategic considerations. Policy DEV4 of the UDP 1998 and Core Strategy IMP1 of the IPG October 2007 seek to secure planning contributions, on site and off site. Core Strategy IMP1 of the IPG October 2007 sets out that the main priorities for securing contributions are towards affordable housing and necessary physical and social infrastructure, such as education contributions and social facilities. The use of these obligations is to prescribe the nature of a development, compensate for loss or damage created by the proposed development or to mitigate the development's impact.

8.95 The application is considered on its own merits. With the proposal providing 486 residential units and 1271m<sup>2</sup> employment floorspace, it is considered that the size and type of development creates a need for the contributions, including essential physical and social infrastructure. Furthermore, it is considered that the needs may have an adverse impact on people that do not benefit directly from the development and it is therefore essential that planning obligations are secured to allow to make this an acceptable development, which would otherwise be unacceptable in planning terms. The following planning obligations were identified to prescribe the nature of the development and to mitigate the development impact, in accordance with the above mentioned local, regional and national planning policies. It is considered that the following should be secured:

- Essential on-site affordable housing

8.96 On site affordable housing is provided in the form of 27% habitable rooms, of which 75% would be allocated towards social rented accommodation and 25% towards intermediate.

8.97 The applicant has provided an alternative option which increased the affordable housing (without a variation in housing mix percentages) to 30% in lieu of the £2.5m financial contribution towards health care and education facilities. On the long run, the advantage is an increase in on-site affordable housing whilst future developments, such as Blackwall Reach Regeneration Area, would mitigate the additional pressure of the current development on the existing community and social infrastructure. The disadvantage is that in the short term there may be a lack of funding to mitigate the needs of the site's future occupiers.

- highway improvement contribution;

8.98 The applicant provides a contribution of £4,000,000 (surplus to be provided as local social or public realm infrastructure improvements) towards the proposed Preston's Road Roundabout Project, to mitigate the impacts of the additional population on the surrounding highways. The applicant also agrees to establish and prepare the legal framework for a Working Group (consisting of the Council, developers, statutory stakeholders and other parties) to deliver the two stages of the roundabout project.

- health and education contribution;

8.99 A total of £2,888,494 was sought by the PCT (£2,234,368) and LBTH Education (654,126). After extensive review by Council Officers, only a maximum of £2.5m can be provided for the planning contributions before the scheme becomes unviable. A pro-rata financial contribution of £1,952,000 is therefore allocated towards health care and £548,000 to education. The short fall is less than 17% of that required. In light of the scheme's viability appraisal, the provision is considered acceptable, and would meet the reasonable needs of the future occupiers.

8.100 As mentioned above, there is an option to increase affordable housing (highest in priority) to 30% in lieu of the £2.5m financial contribution. The advantage and disadvantages are set out above.

- provision of public open space;

8.101 The applicant agreed to not only securing the provision of public open space to the north of the application site (on TfL land) but also contribute £250,000 towards the public open space (TfL land if secured or then other space), to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area.

8.102 In addition to the above, the Council recommends that any surplus from the financial contribution towards the transport infrastructure improvements to the Preston's Round Roundabout be provided towards local social or public realm infrastructure improvements.

8.103

- sustainable transport measures - 'car free' development and green travel plan;
- preparation, implantation and review of a Environmental Management Plan;
- commitment towards utilising employment initiatives in order to maximise the employment of local residents in and post construction phase;
- TV reception monitoring and mitigation measures; and
- DLR Radio Communication investigation, mitigation and monitoring

8.104 The applicant has agreed to these heads of terms.

## **Other**

### Flooding/ Water Resources

8.105 Policy U3 of the UDP and policy DEV21 of the IPG October 2007 states that the Council (in consultation with the Environment Agency) will seek appropriate flood protection where the redevelopment of existing developed areas is permitted in areas at risk from flooding.

8.106 The Environmental Statement (chapter 15) states that the development would not increase the flood risk at the site or elsewhere. The site benefits from two existing floor defences. In an unlikely event that these fail, the development would not impact on the flood flow direction or flood levels. In this situation, approximately 30% of the site would flood to a depth that would cause significant risk to residents.

8.107 The Environment Agency raised no objection on flooding issues, but required details on a flood warning system and an evacuation plan.

8.108 Regarding the runoff rate and potential impact, the exact nature of these mitigation measures should be defined at the detailed drainage design stage in consultation with the Environment Agency and the local authority.

### Archaeology

- 8.109 PPG15 Archaeology and Planning advises on procedures for dealing with archaeological remains and discoveries. Policy CON4 of the IPG October 2007 states that the Council will require any investigation to be carried out in accordance with the British Archaeologists and Developer Liaison Code of Practice.
- 8.110 The site is located within an Archaeological Priority Zone as specified within the UDP and the IPG October 2007. The applicant has undertaken a detailed archaeological evaluation of the site, and further phases are still underway. Whilst English Heritage – Archaeology are satisfied with the works to date, they require that a fieldwork and a post-excavation assessment report should be submitted, which will summarise the results of the excavation and will outline a programme of analysis and publication required to complete the archaeological work. This would be conditioned.

#### Biodiversity

- 8.111 Policy 3D.12 of the London Plan and policy CP31 of the IPG October 2007 seek to ensure that the protection, conservation, enhancement, and effective management of the Borough's biodiversity. Although the development site is not designated for its ecological importance, it falls within the Black Redstart Key Known Area.
- 8.112 It is considered that the proposed development will not have a direct adverse impact on the biodiversity of the area. Through the implementation of the proposed mitigation measures, the proposal is considered acceptable and in accordance with policy guidance.
- 8.113 It is recommended that appropriate conditions, securing full details of the mitigation measures, which include the inclusion of native species in landscaping (including trees, water features and green roofing), creation of brown roofs plus vertical habitat and installation of bird boxes. This should include details for habitats and features to enhance the proposed development for the utilisation by black redstarts.

#### Environmental Statement

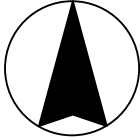
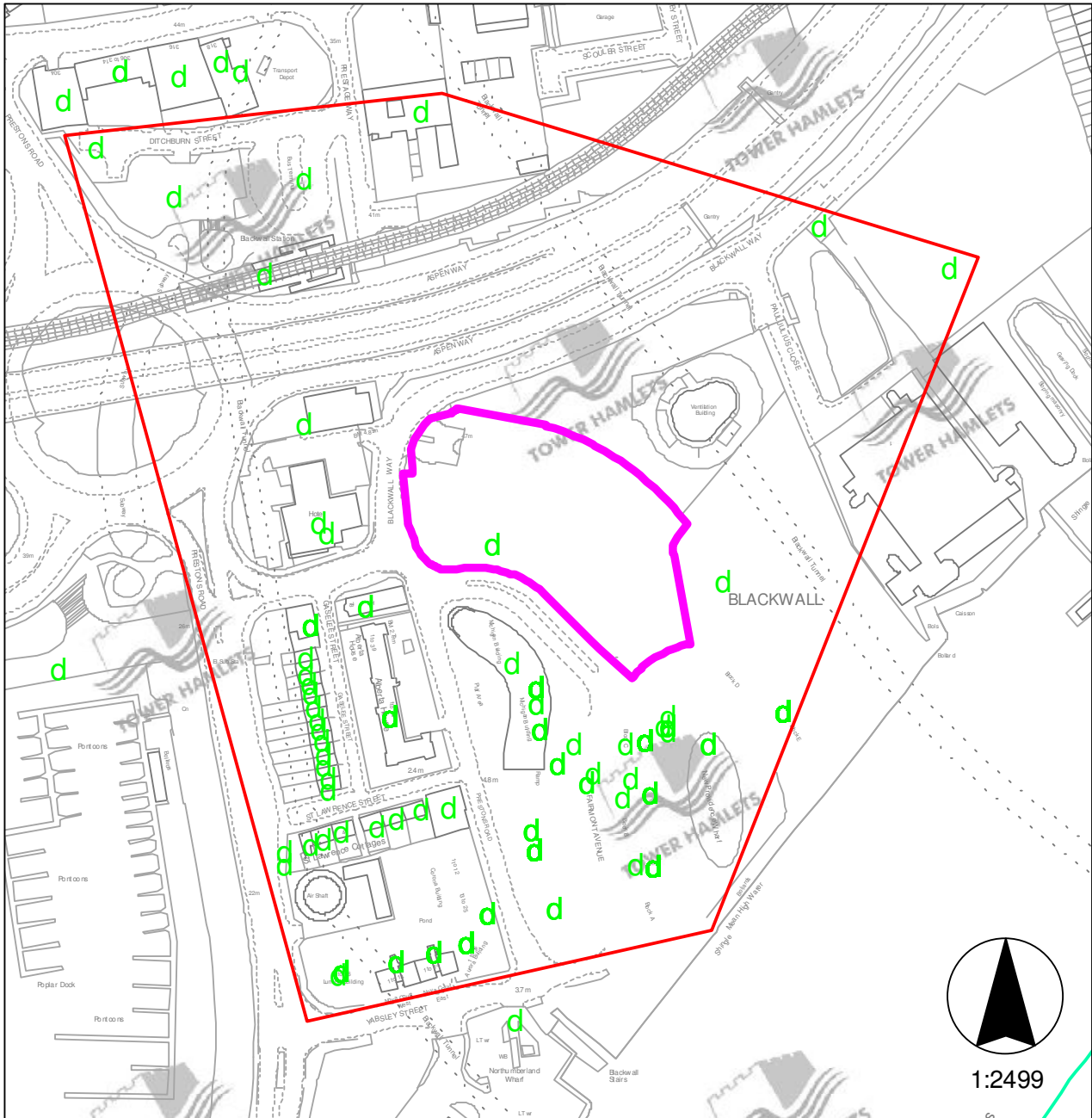
- 8.114 The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Atkins. Mitigation measures required are to be implemented through conditions and/ or Section 106 obligations.

### **9. Conclusions**

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



# Site Map



1:2499

## Legend

- Planning Application Site Boundary
- Consultation Area
- 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

## Building C, New Providence Wharf, Blackwall Way, London