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| Committee: Strategic Development | Date: 13 th March 2008 | Classification: Unrestricted | Agenda Item No: 7.4 |
| Report of: Corporate Director of Development and Renewal | | Title: Planning Application for Decision | |
| Case Officer: Ila Robertson | | Ref No: PA/07/03282 | |
| | | Ward(s): Millwall (February 2002 onwards) | |

1. APPLICATION DETAILS

Location: Indecon Court, 20 Millharbour,

Existing Use: 4 low-rise, mainly single storey, commercial units primarily in use as printing (B2), distribution (B8) and warehousing (B8) uses with some ancillary offices.

Proposal: Demolition of the existing buildings on site and construction of a mixed use development comprising of two buildings. The main building ranges from 12 to 32 storeys with a maximum height of 95 metres (99.5 AOD) and a 10 storey 'Rotunda' building being a maximum height of 31.85 metres (36.15 AOD).

Use of the new buildings for 546 residential units (Use Class C3) (87 x Studios, 173 x 1 bedrooms, 125 x 2 bedrooms, 147 x 3 bedrooms, 14 x 4 bedrooms), 5,390sqm for hotel (Use Class C1) and /or Serviced Apartments (Sui Generis), 1,557sqm of Leisure floorspace (Use Class D2) and 1,654sqm commercial floorspace (Use Classes A1/A2/A3 and/or A4). Plus a new vehicle access, 150 car parking spaces in one basement level, public and private open space and associated landscaping and public realm works at ground floor level.

An Environmental Impact Assessment (EIA) has been submitted in support of this application.

Drawing Nos: CS24235/T/035, (PL)010 REV C, (PL)011 REV C, (PL)012 REV C, (PL)499 REV H, (PL)500 REV J, (PL)501 REV H, (PL)502 REV J, (PL)503 REV J, (PL)504 REV J, (PL)505 REV J, (PL)506 REV J, (PL)507 REV J, (PL)508 REV J, (PL)509 REV J, (PL)510 REV J, (PL)511 REV J, (PL)512 REV J, (PL)513 REV J, (PL)514 REV J, (PL)515 REV J, (PL)516 REV J, (PL)517 REV J, (PL)518 REV J, (PL)519 REV J, (PL)520 REV J, (PL)521 REV J, (PL)522 REV H, (PL)523 REV H, (PL)524 REV H, (PL)525 REV H, (PL)526 REV H, (PL)527 REV H, (PL)528 REV H, (PL)529 REV H, (PL)530 REV H, (PL)531 REV H, (PL)532 REV H, (PL)600 REV D, (PL)601 REV D, (PL)602 REV E, (PL)603 REV E, (PL)604 REV E, (PL)605 REV E, (PL)606 REV E, (PL)607 REV D, (PL)608 REV D, (PL)609 REV D, (PL)610 REV D and (PL)611 REV D

L.200 Rev D, L.201 Rev C, L.202 Rev C, L.203 Rev C, L.204 Rev C,

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

Brief Description of background papers: Tick if copy supplied for register

Name and telephone no. of holder:

Application, plans, adopted UDP. draft
LDF and London Plan

Eileen McGrath
020 7364 xxxx

L205 Rev C, L.206 Rev C, L.207 Rev C and L.208 Rev C.

Environmental Statement Volume I, Volume II and Non-Technical Summary prepared by RPS dated December 2007
Design Statement, prepared by Hamilton's and Ass, dated Dec 2007
Planning Statement, prepared by RPS Planning dated Dec 2007
Energy Statement, prepared by RPS Planning dated 8th Feb 2008
Access Statement prepared by RPS Planning dated 3rd Dec 2007
Sustainability Statement prepared by RPS Transport dated Nov 2007
BRE Addendum Internal daylight Report, prepared by Drivers Jonas and dated 14th Feb 2008

Applicant: Millharbour Developments Ltd
Owner: Walbrook Trustees (Jersey) Ltd and Walbrook Properties Ltd
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- 2.2
- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3A.3 of the London Plan and HSG1 of the Council's Interim Planning Guidance (2007) which seeks to ensure this.
- 2.3
- The retail uses (Class A1, A2, A3, A4) and/or community uses (Class D1) and/or leisure use (Class D2) are acceptable in principle as they will provide a suitable provision of jobs and activity in a suitable location. They will also provide a useful service to the community and future residents of the development, as well as provide visual interest to the street. 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 (2007), which seek to ensure services are provided that meet the needs of the local community.
- 2.4
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.5, 3A.6 and 3A.9 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 (2007), which seek to ensure that new developments offer a range of housing choices.
- 2.5
- The provision of a hotel/serviced apartments is considered acceptable given the proximity of the site to public transport and the Canary Wharf area. Furthermore, the hotel would not result in the loss of any housing or adversely affect the amenity of any adjoining residential properties. As such the development complies with policy 3B.2, 3C.1 and 3D.7 of the London Plan, ART7 of the Unitary Development Plan, policy CP13 of the Council's Interim Planning Guidance (October 2007) which seek to ensure hotels are suitably located within highly accessible locations and in proximity to business locations.
- 2.6
- The density of the scheme would not result in the overdevelopment of the site and 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 (2007), which seek to provide an acceptable standard of accommodation.

- 2.7 • The development would enhance the streetscape and public realm through the provision of a public realm area and improved pedestrian linkages through the Millennium Quarter. As such, the amenity space proposed is acceptable and in line with policies 3C.21, 4B.3 and 4B.5 of the London plan, policies ST37, DEV48 and T18 - T19 of the Council's Unitary Development Plan 1998 and policies CP30, CP36, DEV 3, DEV16 and OSN3 of the Council's Interim Planning Guidance (2006), which seek to improve amenity and liveability for residents.
- 2.8 • 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, 3D.13 and 4B.3 of the London Plan, policy HSG16 of the Council's Unitary Development Plan 1998 and policies OSN2 and CFR5 the Council's Interim Planning Guidance City Fringe Area Action Plan (2007) which seeks to improve amenity and liveability for residents without adversely impacting upon the existing open space.
- 2.9 • The building height, scale, bulk and design is acceptable and in line with English Heritage and CABA criteria for tall buildings; Planning Policy Guidance 15, policies 4B.1, 4B.2, 4B.9 and 4B.10 of the London Plan, policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2, DEV3, DEV 27, CON2 and CON5 of the Council's Interim Planning Guidance (2007), which seek to ensure buildings are of a high quality design and suitably located.
- 2.10 • The submitted Environmental Statement is satisfactory, including the cumulative impact of the development. Mitigation measures will be ensured through conditions and a s106 agreement.
- 2.11 • The safety and security of the scheme is acceptable in accordance with policy DEV1 of the Council's Unitary Development Plan 1998 and policy DEV4 of the Council's Interim Planning Guidance (2007), which requires all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 2.12 • Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policy 3C.23, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport option.
- 2.13 • Sustainability matters, including energy, are acceptable and in line with London Plan policy 2A.1 and 4A.3 to 4A.11, and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- 2.14 • Contributions have been secured towards the provision of affordable housing, health care and education facilities, public access, in line with Government Circular 1/97, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

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

- B. The prior completion of a **legal agreement** to secure the following planning obligations:
- a) Affordable housing provision of a 35% minimum of the proposed habitable rooms with a 78/22 split between rented/ shared ownership to be provided on site. In addition the inclusion of a cascade clause to allow for additional affordable housing provision up to a maximum of 50% if grant is received.
 - b) A contribution of £76,973.12 to mitigate the demand of the additional population on health care facilities.
 - c) A contribution of £93,672.88 to mitigate the demand of the additional population on education facilities.
 - d) Provision of public open space being Lightermans Plaza and landscaping to the Millharbour Frontage.
 - e) Provision of public access through the site via the north-south and east-west linkages.
 - f) Completion of a car free agreement to restrict occupants applying for residential parking permits.
 - j) Commitment towards utilising employment initiatives in order to maximise the employment of local residents.
 - h) TV reception monitoring and mitigation.
 - i) Preparation, implantation and review of a Green Travel Plan.
 - j) Preparation, implantation and review of an Environmental Management Plan.
 - k) Linkage of new eastern phase into the commencement of work on western phase.
 - l) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

3.2 That the Corporate Director Development & Renewal be delegated authority to negotiate the legal agreement indicated above.

3.3 That the Corporate Director Development & Renewal be delegated authority to impose conditions [and informatives] on the planning permission to secure the following matters:

Conditions

1. Permission valid for 3 years.
2. Details of the following are required:
 - Samples of materials for external materials of building in accordance with design precedents detailed in the design and access statement, dated November 2007.
 - Details of all balcony balustrading and screening.
 - The design of the lower floor elevations of commercial units including shopfronts, entrances to the hotel and residential blocks.
 - Mitigation measures required for an acceptable microclimate.
 - Details of all signage.
3. Details of all external landscaping (including roof level amenity spaces and details of brown and/or green roof systems and bird, bat and insect boxes) including lighting and security measures, finishes, levels, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins.

4. Landscape Maintenance and Management Plan
5. Implementation of Landscaping
6. Parking – maximum of 150 cars (including 15 disabled spaces) and a minimum of 546 residential and 32 non-residential bicycle parking spaces.
7. Provision of details regarding servicing management plan.
8. Details of provision of ducting pathways and ventilation systems for A3/A4 uses.
9. Operating hours for A3, A4 and D1 uses (8.00am – 11pm Mon – Sun).
10. Further baseline noise measurements during construction and operational phase (plant noise) to be undertaken for design work purposes.
11. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays.
12. Limit hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday.
13. Construction Management Plan, including a dust monitoring
14. Ground borne vibration limits.
15. Noise level limits
16. Implementation of micro-climate control measures
17. Implementation of ecological mitigation measures
18. Submission of the sustainable design measures and construction materials, including details of energy strategy, efficiency and renewable measures.
19. All residential accommodation to be built to Lifetime Homes standard, including at least 10% of all housing being wheelchair accessible.
20. Details of the disabled access and inclusive design
21. Hotel/ Serviced Apartment 90 day maximum stay
22. Details of noise insulation between residential and commercial uses.
23. Details of foundation design
24. Investigation and remediation measures for land contamination (including water pollution potential) including submission of verification report, and long-term monitoring of and maintenance plan to ensure remediation.
25. Details of water efficiency measures.
26. Full particulars of the surface/ foul water drainage plans/ works.
27. Details of Secure by Design Measures
28. 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. Site notice specifying the details of the contractor required.
 4. Construction Environmental Management Plan Advice.
 5. Environment Agency Advice on Pollution Control
 6. Environment Agency Advice on Construction and Duty of Care
 7. Environmental Health Department Advice.
 8. Code of Construction Practice.
 9. Contact the GLA regarding the energy proposals.
- 3.4 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 This application represents an alternative scheme for the redevelopment of the eastern side of the Indecon Court suite. The site has two previous outline approvals for development on the site. The original scheme was an outline permission (LBTH Reference PA/02/01330) that covered both the eastern and western parts of the site. The scheme

was approved on the 22nd June 2004 for the following:

'Outline application for a mixed use development up to a maximum height of 19 storeys (78.5 metres) comprising residential (Class C3), offices (B1), shops/financial and professional services/food and drink units (A1,A2,A3), B1 workspace units, public open space and pedestrian routes with basement car parking, access and new highway arrangements.'

The second outline scheme (LBTH Reference PA/05/01294) was solely for the eastern side of the Indecon Court site. The scheme was approved on the 28th September 2007 for the following:

In outline, the redevelopment of the eastern side of Indecon Court by a building of a maximum height of 84 metres to accommodate a Use Class C1 (hotel) of 2,775 sq m, 962 sq m for use as an apart-hotel or further hotel floor space, 35,000 sq m of Class C3 (residential – up to 490 units), 550 sq m of B1 (business), 1,000 sq m of either A1 (shop), A2 (financial & professional services), A3 (restaurants/cafes) or A4 (pubs/bars), 1,800 sq m of either Class D2 (assembly & leisure), Classes A3 (restaurants/cafes) or A4 (pubs/bars) at ground and basement, with private and public open space, pedestrian routes, basement car parking, access and landscaping.

4.2 The western (residential) phase of the first outline scheme (LBTH Reference PA/02/01330) is currently under construction on the site with the reserved matter details of the scheme were approved under LBTH reference PA/06/00900 and PA/07/01422 on the 11th January 2007 and 24th September 2007 respectively.

4.3 The current proposal for the redevelopment of the eastern site comprises the following:

- Two buildings one being an 'S' shaped building comprising of six blocks (F, G, H, J, K and M) and a separate building (Block L) to the north west of the site known as the 'rotunda'.
- The blocks are of varying height ranging from 31 to 12 storeys and drop down across the site from north to south, with a maximum height of 99.5m AOD.
- The building will comprise of 546 residential units being 87 x Studios, 173 x 1 bedrooms, 125 x 2 bedrooms, 147 x 3 bedrooms and 14 x 4 bedrooms.
- The building will include a hotel/ serviced apartment complex comprising of 108 rooms totalling 5,390sqm.
- The provision of part of a public park (Lightermans Gardens), communal and private open space amenity areas located across the site at ground level, podium level, roof terraces and winter gardens totalling 11,413sqm.
- A shared common basement including 150 car parking spaces and 546 cycle parking spaces are proposed;
- As there are no defined users for the proposed ground floor commercial floorspace at this stage. The applicant has asked for it to be able to be used for a variety of uses. Consequently, the commercial space is proposed to be used for retail, financial and professional services, restaurant and cafes and drinking establishments, (Classes A1, A2, A3, A4 and A5) and/or community facilities (Class D1) and/or leisure use (Class D2); and
- Public pedestrian routes through the site.

4.3 The proposed layout strengthens the east-west and north-south pedestrian routes through the site with the focus being the Lightermans gardens at the heart of the site and Lightermans Plaza which wraps around the on the north eastern corner.

4.4 It is also important to note that given the site is located within the Millennium Quarter area a tariff system operates for s106 contributions for transport and infrastructure. However, in this instance the applicant is providing a public park on the site known as 'Lightermans

Gardens' which is situated within the middle of the site. Given the applicant is providing a public park this thereby exempts the development from paying the tariff as the costs associated with providing the park are in lieu of the tariff. As noted in paragraph 3.1, the applicant is to make contributions to education and health based on the uplift of the numbers of units from the previously approved scheme. This is on top of the previously approved contributions package which includes the provision of part of Lightermans gardens.

Site and Surroundings

- 4.5 The Indecon Court site comprises 1.76ha and is located within the Millennium Quarter Master Plan (MQMP) on the Isle of Docks just south of the Canary Wharf area. The MQMP identifies the site as being in the heart of the quarter with a larger area of public realm known as Lightermans Gardens.
- 4.6 However, this particular application relates solely to the eastern side of the site and is known as phase two (the mixed-use phase) of the original outline planning permission and incorporates an area of 0.94ha.
- 4.7 The site currently has four one to two storey commercial units located on site in use as printing (B2), distribution (B8) and warehousing (B8) uses with some ancillary offices. The remainder of the Indecon Court site is currently a construction site as the western residential phase of the original permission is being built out.
- 4.8 The site is bounded by three roads being Lightermans Road to the north, Millharbour to the east and Lanterns Lane to the south. To the west of the site is the western residential phase of the original outline phase which is currently under construction.
- 4.9 There a number of residential schemes that either built out, currently under construction or consented adjacent the site. These are identified as follows:
- Former Tate and Lyle Site (Constructed to the west opposite phase one of Indecon Court).
 - 31-39 Millharbour (To the west constructed).
 - 41-43 Millharbour (To the west under construction).
 - Lanterns Court (To the south under construction).
- 4.8 There are a number of existing amenity and support services within the area and the site is in close proximity to the Canary Wharf Shopping centre.
- 4.9 In terms of built heritage, the site is not located within a Conservation Area and none of the buildings on the site are listed.
- 4.10 The site has good access to public transport and other amenities, benefiting close proximity to the Crossharbour (approximately 500m to east) and South Quay (approximately 200m to north) Docklands Light Railway, Canary Wharf and the Jubilee Tube Line (approximately 400 metres to the north) and several bus networks.

Planning History

- 4.11 The following planning decisions are relevant to the application:

PA/02/1330 Outline application for a mixed use development up to a maximum height of 19 storeys (78.5 metres) comprising residential (Class C3), offices (B1), shops/financial and professional services/food and drink units (A1,A2,A3), B1 workspace units, public open space and pedestrian routes with basement car parking, access and new highway arrangements. The application is

accompanied by an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

PA/05/1294 In outline, the redevelopment of the eastern side of Indecon Court by a building of a maximum height of 84 metres to accommodate a Use Class C1 (hotel) of 2,775 sq m, 962 sq m for use as an apart-hotel or further hotel floor space, 35,000 sq m of Class C3 (residential – up to 490 units), 550 sq m of B1 (business), 1,000 sq m of either A1 (shop), A2 (financial & professional services), A3 (restaurants/cafes) or A4 (pubs/bars), 1,800 sq m of either Class D2 (assembly & leisure), Classes A3 (restaurants/cafes) or A4 (pubs/bars) at ground and basement, with private and public open space, pedestrian routes, basement car parking, access and landscaping.

PA/06/0900 Reserved matters (external appearance, design and landscaping) pursuant to condition 2 of outline planning permission (Ref: PA/02/01330) for the erection of an 8 storey building, rising to 17 and 15 storeys in the north-west and south-east corners respectively, comprising 427 residential units (Class C3), retail units (Class A1, A2, A3, A4 and A5) with basement parking for 174 cars and 457 cycle parking spaces, access provided from Mastmaker Road (Cassilis Road), with public and private open space and pedestrian routes with associated landscape works.

Approval of details pursuant to conditions 3 (Phasing of development), 6 (parking layout) and 12 (Access for disabled persons) of outline planning permission PA/02/01330 dated 22nd June 2004.

PA/07/1422 Reserved matters (external appearance, design and landscaping) pursuant to condition 2 of outline planning permission (Ref: PA/02/01330) for the erection of an 8 storey building, rising to 17 and 15 storeys in the north-west and south-east corners respectively, comprising 364 residential units (Class C3), retail units (Class A1, A2, A3, A4 and A5) with basement parking for 174 cars and 393 cycle parking spaces, access provided from Mastmaker Road (Cassilis Road), with public and private open space and pedestrian routes with associated landscape works. **(Amended application)**

5. POLICY FRAMEWORK

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

Unitary Development Plan (as saved September 2007)

| | | |
|------------|-------|---|
| Proposals: | FPA | Flood Protection |
| Policies: | | |
| | DEV1 | Design Requirements |
| | DEV2 | Environmental Requirements |
| | DEV3 | Mixed Use development |
| | DEV4 | Planning Obligations |
| | DEV12 | Provision of Landscaping in Development |
| | DEV50 | Noise |
| | DEV51 | Contaminated Land |
| | DEV55 | Development and Waste Disposal |
| | DEV69 | Water Resources |
| | EMP1 | Encouraging New Employment Uses |
| | HSG7 | Dwelling Mix |
| | HSG16 | Amenity Space |
| | T3 | Provision of Additional Bus Services |
| | T16 | Impact of Traffic |

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| T18 | Pedestrian Safety and Convenience |
| T21 | Existing Pedestrians Routes |
| S7 | Public House |
| S10 | New Shopfronts |
| 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)

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| Proposals: | ID34 | Development Site (Public Open Space and Residential C3) |
| | FRA | Flood Risk Area |
| | LCN | London Cycle Network |
| 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 |
| | CP13 | Hotel, Serviced Apartments and Conference Centre |
| | 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 |
| | 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 |
| | CP41 | Integrating Development with Transport |
| | CP42 | Streets for People |
| | CP43 | Better Public Transport |
| | CP46 | Accessible and Inclusive Environments |
| | CP47 | Community Safety |
| | CP48 | Tall Buildings |
| Policies: | Development Control Policies | |
| | DEV1 | Amenity |
| | DEV2 | Character & Design |
| | DEV3 | Accessibility & Inclusive Design |
| | DEV4 | Safety & Security |
| | DEV5 | Sustainable Design |
| | DEV6 | Energy Efficiency & Renewable Energy |
| | 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 |

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| 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 |
| DEV27 | Tall Buildings |
| EE2 | Redevelopment /Change of Use of Employment Sites |
| 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 |

Isle of Dogs Area Action Plan Policies

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| IOD1 | Spatial Strategy |
| IOD2 | Transport and Movement |
| IOD5 | Public Open Space |
| IOD7 | Flooding |
| IOD8 | Infrastructure Capacity |
| IOD18 | Employment Uses in the Central Sub-Area |
| IOD19 | Residential Uses in the Central Sub-Area |
| IOD20 | Retail and Leisure uses in the Central Sub-Area |
| IOD21 | Design and Built Form in the Central Sub-Area |
| IOD22 | Site Allocations in the Central Sub-Area |

Millennium Quarter Master Plan (September 2000)

Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements

Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (London Plan February 2008)

| | |
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| 2A.1 | Sustainability Criteria |
| 2A.2 | The Spatial Strategy for Development |
| 3A.1 | Housing Supply |
| 3A.2 | Borough Housing Targets |
| 3A.3 | Maximising the Potential of Sites |
| 3A.5 | Housing Choice |
| 3A.6 | Quality of New Housing Provision |
| 3A.7 | Large Residential Developments |
| 3A.8 | Definition of Affordable Housing |
| 3A.9 | Affordable Housing Target |
| 3A.10 | Negotiating Affordable Housing |
| 3A.17 | Needs of Diverse Communities |
| 3A.18 | Social Infrastructure and Community Facilities |
| 3A.20 | Health Objectives |
| 3A.24 | Education Facilities |
| 3A.27 | Meeting Floor Targets |
| 3A.28 | Social and Economic Impact Assessments |

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| 3B.2 | Office Demand and Supply |
| 3B.3 | Mixed Use Development |
| 3C.1 | Integrating Transport and Development |
| 3C.2 | Matching Development to Transport Capacity |
| 3C.21 | Improving Conditions for Walking |
| 3C.22 | Improving Conditions for Cycling |
| 3C.23 | Parking |
| 3D.7 | Visitor Accommodation and Facilities |
| 3D.13 | Children's Play and Informal Play Space |
| 4A.3 | Sustainable Design and Construction |
| 4A.4 | Energy Assessment |
| 4A.5 | Provision of Heating and Cooling Networks |
| 4A.6 | Decentralised Energy: Heating, Cooling and Power |
| 4A.7 | Renewable Energy |
| 4A.9 | Adaptation to Climate Change |
| 4A.10 | Overheating |
| 4A.11 | Living Roofs and Walls |
| 4A.12 | Flooding |
| 4A.14 | Sustainable Drainage |
| 4A.16 | Water Supplies and Resources |
| 4A.19 | Improving Air Quality |
| 4A.20 | Noise |
| 4B.1 | Design Principles for a Compact City |
| 4B.2 | Promoting world class architecture and design |
| 4B.3 | Enhancing the Quality of the Public realm |
| 4B.5 | Creating an Inclusive Environment |
| 4B.6 | Safety, Security and Fire Protection |
| 4B.8 | Respect Local context and communities |
| 4B.9 | Tall Buildings-Location |
| 4B.10 | Large scale buildings, design and impact |
| 5C.1 | The Strategic Priorities for East London |
| 5C.2 | Opportunity Areas in East London |

Government Planning Policy Guidance/Statements

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| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPG13 | Transport |
| PPS22 | Renewable Energy |
| PPG24 | Planning & Noise |

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

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

6. CONSULTATION RESPONSE

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

LBTH Education

6.1 A contribution towards the provision of 74 additional primary school places @ £12,342 =

£913,308.00. (OFFICERS COMMENT: As mentioned in paragraph 4.4 of the report the site is providing a public park as required by the Millennium Quarter Masterplan. Given the scheme is providing this public asset it is considered that any education contribution should be limited to the uplift resulting from the previously approved scheme for 490 units and the proposed 546 units, being 56 units. This results in a contribution to education of £93,672.88.

LBTH Energy Efficiency Unit

- 6.2 The proposal considers a range of renewable energy technology and proposes to meet the 10% on site renewable energy requirement by providing a 280kW biomass boiler, which is satisfactory, provided further information on the procurement of the biomass fuel a sustainable source.

In addition, the development proposes a 300kWe gas fired CHP system to supply energy efficiently to the development. The connection to Barkantine Heat and Power Company has been considered and dismissed on the basis that Barkantine only offer to supply heat and not electricity and the higher initial capital cost of the connection. Councils communication with Barkantine have advised that they are willing to offer electricity and are offering to refund some of the capital cost when adjacent developments join on to the Barkantine scheme. It is therefore considered that further investigations should be completed before the possible connection to Barkantine is dismissed.

The energy strategy in principle is satisfactory however it has not fully explored all the opportunities in terms of connecting into Barkantine CHP plant. It is therefore considered that a condition should be included requiring the submission of a strategy prior to the commencement of works on the site to allow for further exploration on this matter.

LBTH Environmental Health

Contaminated land

- 6.3 The contamination assessment is very detail and the proposed remediation measures appear acceptable. Recommend the inclusion of a condition to secure the implementation and verification of these measures.

Noise

- 6.4 No objection.

Daylight/ Sunlight

- 6.5 The impact on the surrounding buildings is acceptable for the urban nature of the area, with the proposal in general accordance with the baseline established by previous approvals.

The Shadow Analysis between baseline-consented-proposed scheme for 21st March and the cumulative impact is acceptable with any impacts limited to the early hours (07:00-09:00 hrs) and appears satisfactory later on in the day.(10:00-17:00hrs).

Within the scheme the majority of windows comply and the amendments made to the internal configurations and balcony adjustments allows for a good level of compliance.

The proposal is considered to be acceptable in terms of the guidance set out by the Building Research Establishment (BRE criteria).

LBTH Highways

- 6.6 This development would be deemed acceptable providing:

- The entire development is covered by a car free agreement
- That a travel plan is secured by s106
- Details regarding final design of servicing area are conditioned;
- That car parking be kept at no more than 150 spaces; and
- That section 278 and 106 agreements are entered into.

Section 278 Requirements

- 6.7 There will significant section 278 requirements brought about by the construction of this development; these to include footways surrounding the site and highways adjacent to the site.

Section 106 Requirements

- 6.8 The scale of the development will require contributions to the following:
- A construction management plan;
 - A Travel Plan; and
 - Car Free agreement.

LBTH Landscape

- 6.9 No comments received.
LBTH Crime Prevention Officer
- 6.10 No Objection. A number of pre-application discussions were held on the proposal and all my concerns have been addressed. It is considered that a condition securing submission of secured by design statement should be included to ensure the as-built design does not reduce any of the design quality.

British Waterways (Statutory)

- 6.11 No Objection.

Environment Agency (Statutory)

- 6.12 No objection subject to appropriate conditioning in respect to groundwater protection, surface water runoff and water efficiency measures.

Government Officer for London (Statutory)

- 6.13 No comment received.

Greater London Authority (Statutory)

- 6.14 No formal comments received.

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

- 6.15 Overall they consider that the ecological issues are being handled effectively under the ES. If the authority is minded to grant planning permission for the proposal they recommend the use of suitable planning conditions or legal agreements to ensure these aspects are fully adhered to.

Transport for London (Statutory)

6.16 No comments received.

CABE

6.17 No comments received.

English Heritage - Archaeology

6.18 No objection.

London City Airport

6.19 No safeguarding objections.

London Fire and Civil Defence Authority

6.20 No comment received.

Metropolitan Police

6.21 No comments received.

Thames Water Utilities

6.22 No comments received

Docklands Light railway

6.23 No comments received.

National Air Traffic Services Ltd

6.24 No objection.

BBC – Reception Advice

6.25 No comments received.

Tower Hamlets PCT

6.26 Communication with the PCT indicated that the uplift in the number of units on site will generate a capital contribution requirement of £76,973.12.

(OFFICER COMMENT: As mentioned in paragraph 4.4 of the report the site is providing a public park as required by the Millennium Quarter Masterplan. Given the scheme is providing this public asset it is considered that any health contribution should be limited to the uplift resulting from the previously approved scheme for 490 units and the proposed 546 units, being 56 units. This results in a capital contribution to health of £76,973.12).

7. LOCAL REPRESENTATION

7.1 A total of 1016 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 the East End Life and on site.

In addition the following Residents and Tenants Associations were consulted:

- Millwall Tenancy Association
- Association of Island Communities
- Mill Quay Residents Associations
- Barkantine Tenants and Residents Associations

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: 0 Objecting: 0 Supporting: 0
No of petitions received: None

8. MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Design
- Amenity
- Highways
- Other

Land Use

Principle of Residential-Led Mixed Use Development

Residential Use

- 8.2 The proposed scheme includes the demolition of the existing industrial uses on the Site, to provide a residential development. In accordance with polices 3A.1 and 3A.2 of the London Plan, the Mayor is seeking the maximum provision of additional housing in London. The London Plan housing targets (December 2006) for Tower Hamlets from 2007 to 2016 is 31,500 new homes, subject to the provision of adequate social and physical infrastructure and contributing to sustainable communities (CP19).
- 8.3 The site is allocated in the Interim Planning Guidance 2007 (IPG) for public open space and residential uses. The Indecon Court site is providing an area of public park to be known as 'Lighterman's Gardens'. Under the Millennium Quarter masterplan the site is identified for a mixed use development.
- 8.4 It is considered that the site is appropriate for residential-led development given it is identified for residential uses by the site allocation and it falls within the mixed use area of the Millennium Quarter.

Employment Use

- 8.5 The site is not a Strategic Employment Site according to the London Plan or in a Local Employment Location for employment in the UDP. The site has previously had employment generating uses on site. These uses comprised of 12 industrial/ warehouse units, however nine of these units have been removed as part of the construction of the approved western phase of residential development. In particular, the loss of this use was determined under the previous outline consent for the site. It is therefore considered that the loss is acceptable and in accordance with Council policy given the level of replacement floorspace and vision detailed below under the masterplan.

8.6 The site is identified as being at the 'heart of the Millennium Quarter' where a diversity of uses should be concentrated. In particular the masterplan states:

'This area will include shops, restaurants, health and fitness centres, pubs, bistros and cafes. Ideally it will also include religious centres, community facilities, art centres and a wide range of leisure and sports facilities. All development proposals in this area will be expected to incorporate a diverse mix of uses, either at the time of development or by future conversion.'

The scheme therefore proposals include active ground floor frontages adjacent to the pedestrian linkages and areas of public realm, comprising of 1,654sqm of floorspace for use classes A1, A2, A3 and/or A4 and 1,557sqm of leisure floorspace.

8.7 The upper levels of the building will comprise of 546 units over 46,726sqm of residential floorspace and 108 room hotel/ serviced apartment complex over 5,390sqm. This provision is in accordance with the vision set out under the masterplan for a diversity of uses and follows the site allocation under the IPG for inclusion of residential uses.

8.9 In accordance with policies 3B.2 and 3D.7 of the London Plan, the Mayor is seeking the provision of a wide range of tourist accommodation and support services for large office development. Furthermore, Council policy CP13 under IPG supports the location of hotels in areas of high accessibility and within the central areas of the Isle of Dogs. Therefore, given the proximity of the site to Canary Wharf and accessibility of the site by public transport it is considered an acceptable location for a hotel/ serviced apartment use.

8.10 In view of the above comments a residential-led mixed use redevelopment of this site is in principal supported.

Density

8.11 The Site has a net residential area of approximately 0.94 hectares. The scheme is proposing 546 units or 1,436 habitable rooms per hectare. The proposed residential accommodation would result in a density of approximately 580 units per hectare and 1528 habitable rooms per hectare (hr/ha).

8.12 The site has a public transport accessibility level, or PTAL, of 4. According to policy 3A.3 of the London Plan, the site is best described as 'central' and therefore has a suggested density range of 650– 1100 habitable rooms per hectare (hr/ha) in accordance with the 'Density location and parking matrix'. Furthermore, policy IOD19 of the IPG states that densities in a range of 650 to 1100 hr/ha are anticipated in the Central Sub-Area of the Isle of Dogs with in the order of 7,000 new homes expected.

8.13 In general numerical terms, the proposed density of 1528hr/ha would appear to be an overdevelopment of the site. However, the intent of the London Plan and Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design principles and public transport capacity.

8.14 It should be remembered that density only serves an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:

- Access to sunlight and daylight;
- Lack of open space and amenity space;
- Increased sense of enclosure;
- Loss of outlook;
- Increased traffic generation; and

- Impacts on social and physical infrastructure;

These issues are all considered in detail later in the report and were considered to be acceptable.

- 8.15 The proposed density of 580 units per ha does not grossly exceed the density level for the previously approved schemes which had a density of 521 units per ha. The site continues to be located within easy access to public transport and open space, and of high quality design.
- 8.16 Policy 3A.2 of the London Plan encourages 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 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.
- 8.17 On review of these issues, a high density mixed use development can be supported in this location in accordance with London Plan, UDP and IPG policies. The scheme is considered acceptable for the following reasons:
- The proposal is of quality design and responds appropriately to its context.
 - The proposal is not considered to result in any adverse symptoms of overdevelopment.
 - A number of contributions towards affordable housing, health, education and the provision of public open space, have been agreed to mitigate any potential impacts and are in accordance with the Millennium Quarter Masterplan.
 - The development is located within an area with good access to public transport services, open space and other local facilities. The site also has good access to cycle and pedestrian linkages.

Housing

Affordable Housing

- 8.18 Policy 3A.9 of the London Plan sets out a strategic target that 50% of the new housing provision should be affordable.
- 8.19 Policy CP22 of the IPG document 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.
- 8.20 The applicant is proposing to provide 165 affordable dwellings, which represents 35% of the proposed housing on habitable room basis. However, following discussions with Council and the GLA the applicant is prepared for a cascade clause to be included in the s106 to allow for additional affordable units above this 35% up to the maximum of 50% on site if the scheme secures grant funding.
- 8.21 An evaluation of the schemes viability was prepared by the applicant using the GLA Affordable Housing Development Control Toolkit, where the scheme is proposing less than 50% affordable housing, in line with policy 3A.10 of the London Plan. The toolkit assessment has been scrutinised and its results, on balance, are supported.

8.22 It is considered that the level of affordable housing provision complies with Council policies and is therefore acceptable.

Social Rented/ Intermediate Ratio

8.23 Against London Plan policy 3A.9 affordable housing target of 50%, it requires that 70% should be social rent and 30% should be intermediate rent.

8.24 Policy CP22 of the IPG states that the Council will require a social rented to intermediate housing ratio split of 80:20 for all grant free affordable housing.

8.25 A summary of the affordable housing social rented/ intermediate split is provided below:

| Tenure | Units | Habitable Rooms | London Plan | LDF |
|------------------|--------------|------------------------|--------------------|------------|
| social rent | 123 (75%) | 385 (78%) | 70% | 80% |
| shared ownership | 42 (25%) | 107 (22%) | 30% | 20% |
| total | 165 (100%) | 492 (100%) | 100% | 100% |

8.26 The proposed tenure split falls slightly short on the 80% requirement for social rented within the IPG with 78% of the total affordable being for affordable rent. However the scheme exceeds the London Plan target of 70% of the affordable being for rent, and is therefore on balance acceptable.

Housing Mix

8.27 The scheme is proposing a total of 546 residential units comprising of 87 x Studios, 173 x 1 bedrooms, 125 x 2 bedrooms, 147 x 3 bedrooms and 14 x 4 bedrooms.

8.28 Paragraph 20 of Planning Policy Statement 3 states that

“key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people”.

8.29 Pursuant to policy 3A.5 of the London Plan the development should:

“offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups”.

8.30 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.

8.31 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.

8.32 The following table below summarises the proposed housing mix against policy HSG2 of the Interim Planning Guidance 2007, which seeks to reflect the Boroughs current housing needs:

| | | affordable housing | | | | | | market housing | | |
|--------------|-----------------------|--------------------|------------|------------|--------------|------------|------------|----------------|------------|------------|
| | | social rented | | | intermediate | | | private sale | | |
| Unit size | Total units in scheme | units | % | LDF % | units | % | LDF % | units | % | LDF % |
| Studio | 87 | 0 | 0 | 0 | 0 | 0 | 0 | 87 | 23 | 25 |
| 1 bed | 173 | 26 | 21.2 | 20 | 26 | 62 | 37.5 | 121 | 31 | 25 |
| 2 bed | 125 | 37 | 30.1 | 35 | 9 | 21 | 37.5 | 79 | 21 | 25 |
| 3 bed | 147 | 46 | 37.3 | 30 | 7 | | | 94 | | |
| 4 bed | 14 | 14 | 11.4 | 10 | 0 | | | 0 | | |
| 5 Bed | 0 | 0 | 0 | 5 | 0 | 17 | 25 | 0 | 25 | 25 |
| TOTAL | 546 | 123 | 100 | 100 | 42 | 100 | 100 | 381 | 100 | 100 |

8.33 The overall scheme provides 30% family sized accommodation with the targets in both the social rented and private housing mix met or exceeded. The provision of family sized units is at 49% for the social rented units, 25% for the private units and 17% for the intermediate mix. It is considered that the proposal is in accordance with Council policies HSG2 which seek to ensure adequate family sized accommodation is provided to ensure a mixed and balanced community.

8.34 It is to be noted that the scheme also exceeds the amount of family housing otherwise achieved across the borough based on the most recently published LBTH Annual Monitoring Report 2005-6. The table below demonstrates that the proposed development is a significant improvement upon what has been achieved across the borough and in terms of aspiration, is a positive step towards LBTH achieving key housing targets and better catering for housing need.

| Tenure | Borough-Wide % | Proposal % |
|---------------|----------------|------------|
| Social-rented | 21.7 | 49 |
| Intermediate | 9.5 | 17 |
| Market | 1.7 | 25 |
| Total | 6.8 | 30 |

8.36 The scheme provides a suitable range of housing choices and meets the needs of family housing across all tenures. As such, the proposed housing mix is considered to comply with national guidance, the London Plan and the Interim Planning Guidance in creating a mixed and balanced community.

Design

8.37 The scheme has two previous outline approvals for tall buildings on the site. It is considered that the new proposal is a marked improvement in terms of massing, siting and orientation.

8.38 The Council's Planning Department are of the opinion that the buildings height, scale, bulk and quality of design are appropriate for this location in the Millennium Quarter and in general accordance with the previous approvals on the site. This assessment is examined in detail below.

Bulk and Massing

- 8.39 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 achieving good design. These principles are also reflected in policies DEV1 and 2 of the UDP and the IPG.
- 8.40 Policy CP4 of the IPG states that LBTH will ensure development creates buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV2 of the IPG reiterates DEV1 of the UDP and states that developments are required to be of the highest quality design, incorporating the principles of good design.
- 8.41 The Millennium Quarter Masterplan states that Lightermans Gardens should be the heart of the quarter providing a focus. It is therefore considered that any building on the site needs to both draw people down Millharbour by providing a visual anchor.
- 8.42 The proposed development comprises of two buildings one being an 'S' shaped building comprising of six blocks (F, G, H, J, K and M) and a separate building (Block L) to the north west of the site known as the 'rotunda'. The highest part of the scheme is located at the northern end of the site and drops across the site to the south, ranging from 31 to 12 storeys with a maximum height of 99.5m AOD. The height is consistent with the height profile set by the Millennium Quarter Masterplan.
- 8.43 The main building is 11.2 metres higher than the previous outline consent, however the height is limited to the northern part of the building, with the massing and height then drops across the site from north to south. The bulk of the building is concentrated with the northern part of the building and the S Shape allows for the massing to be broken up by provision of infill spaces and cantilevering of parts of building and allowing for the building to wrap around the amenity spaces. It is considered that the proposed building is an improvement on the previous outline approval.
- 8.44 In summary, the bulk and massing of the development is considered to be acceptable. The scheme should be conditioned appropriately to ensure that a high quality detailing of the development is achieved.

Tall Building

- 8.45 The London Plan encourages the development of tall buildings in appropriate locations. Policy 4B.9 states that tall buildings will be particularly appropriate 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.10 of the London Plan requires all large-scale buildings, including tall buildings, to be of the highest quality of design.
- 8.46 CP48 of the emerging LDF permits the Council to consider proposals for tall buildings in locations outside the tall building cluster locations identified in this policy if adequate justification can be made for their development.
- 8.47 The site is located within the Millennium Quarter which sets out a height profile across the quarter requiring buildings to drop in height from north to south. The proposed building is consistent with this profile and drops in height across the site.
- 8.48 It is considered that the height of the building will provide a visual focus for the pedestrians through the Quarter towards Lightermans Gardens which immediately adjoins the site.

The height is limited to the northern part of the building with the remainder of the development dropping in height and wrapping around the amenity areas.

8.49 The success of the building height is considered to lie in the quality of the materials and fenestration proposed which incorporates infill areas of glazing for winter gardens at higher levels and projecting balconies. It is therefore considered that conditions need to be included to ensure that this design quality is not lost during construction.

8.50 Policy DEV27 of the IPG provides a suite of criteria that applications for tall buildings must satisfy. In consideration of the above comments and policy requirements, the proposal is considered to satisfy the relevant policy criteria as follows:

- The design is sensitive to the local and wider context of the Millennium Quarter area.
- The architectural quality of the building is considered to be of a high design quality, demonstrated in its scale, form, massing, footprint, materials, relationship to other buildings and open space provision.
- The proposed development does not fall within the strategic views designated in Regional Planning Guidance 3A (Strategic Guidance for London Planning Authorities, 1991) or the Mayor's draft London View Management Framework SPG (2005). However, the scheme has demonstrated consideration of the appearance of the building as viewed from all angles and is considered to provide an appropriate contribution to the skyline.
- Visually integrated into the streetscape and the surrounding area as a landmark building providing a focus for the heart of the Millennium Quarter.
- Presents a human scaled development at the street level which the north-south and east-west linkages through the site supported and enhanced by the design.
- Respects the emerging local character of the masterplan area, whilst seeking to incorporate and reflect elements of local distinctiveness to ensure it is successful as a focal point in the quarter.
- There will be no adverse impact on the privacy, amenity and access to sunlight and daylight for surrounding residents. Any potential internal impacts are considered to be appropriately mitigated by both the external and internal design of the building. For example, by the provision of dual aspect units, orientation of the main living areas and window and balcony placement.
- Extensive environmental impact testing including wind and micro climate testing has been undertaken and concludes that the impact on the microclimate of the surrounding area, including the proposal site and public spaces, will not be detrimental.
- 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 and will be enhanced by the provision of new habitats via brown and green roofs.
- The scheme will contribute positively to the social and economic vitality of the surrounding area at the street level through its proposed mix of uses directly adjacent new areas of public realm.
- Incorporates principles of inclusive design.
- The site is located in an area with good public transport access.
- Takes into account the transport capacity of the area, and ensure the proposal will not have an adverse impact on transport infrastructure and transport services.
- Improves permeability with the surrounding street network and open spaces, in particular the north-south and east-west linkages through the site are improved and enhanced.
- The scheme provides publicly accessible areas, including the ground floor non-residential uses and public realm.
- The scheme would conform to Civil Aviation requirements. The City Airport has advised there is no safeguarding objection.

- Not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.

8.51 On balance, in accordance with London Plan, CABE / EH guidance on tall buildings, and the IPG the proposal scores merit for its response to the context, evolution of form, distinct character, high quality finishes and generous public realm. The height of the building is considered to be acceptable.

Unit sizes

8.52 According to policy HSG13 of the UDP, all housing units should have adequate provision of internal space in order to function effectively, in accordance with the Council's residential space supplementary planning guidance (SPG).

8.53 The developer identified that of the 546 units, 44 residential units may be below minimum standard. Detailed analysis shows that these units are restricted to one bedroom units in the private component of the development and only fall a maximum of 1.2sqm below the standard. It is considered that given the individual room sizes exceed Council standards that the overall unit size failure is acceptable in this instance.

8.54 Therefore, the proposed units which were initially considered to be below the areas identified within the Council's residential space SPG, do in fact exceed the minimum room areas.

8.55 Further to this, the applicant has provided dual aspect family sized units through both the private and affordable components of the scheme allowing for enhanced layout in terms of solar gain, internal space and outlook. On balance, where the unit sizes and design are considered to comply with the Council's SPG, the scheme is considered to be acceptable.

Material and External Appearance

8.56 The scheme proposes a material palette for the external cladding system, which includes pre-fabricated metal panels, stainless steel and terra-cotta panels, is now considered to be of a high quality design. Notwithstanding, further details should be submitted for approval by conditioning to ensure the performance and hard wearing properties required of a development of this quality is achieved.

Permeability and legibility

8.57 DEV2 of the IPG seeks to improve legibility and permeability of the urban environment. The development is entirely publicly accessible with key linkages across the site being from east to west and northern south through Lightermans Gardens and Plaza. These linkages are required as part of the masterplan for the Millennium Quarter and were provided under the previous outline approvals for the site. The linkages are secured under the s106 agreement to ensure public rights of way across the site.

8.58 The linkages through the site have been reviewed by Council and are considered to be in accordance with policy 3C.21 of the London Plan and DEV2 of the IPG.

Amenity/Open Space

8.59 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, as shown below:

| Tenure | Proposed | SPG Requirement | Total (m ²) |
|---|----------|---|-------------------------|
| Family Units | 161 | 50sqm of private space per family unit | 8050 |
| Non-family units | 385 | 50sqm plus an additional 5sqm per 5 non-family units; | 435 |
| Child Bed spaces (according to the ES calculations) | 168 | 3sq.m per child bed space | 504 |
| Total | | | 8989sqm |

8.60 Following is an assessment against the residential amenity space requirements under policy HSG7 of the emerging LDF Core Strategy document.

| Units | Total | Minimum Standard (sq.m) | Required Provision (sq.m) |
|--|------------|--|--------------------------------------|
| Studio | 87 | 6 | 522 |
| 1 Bed | 173 | 6 | 1038 |
| 2 Bed | 125 | 10 | 1250 |
| 3 Bed | 147 | 10 | 1470 |
| 4 Bed | 14 | 10 | 140 |
| | | | |
| Grand Total | 546 | | 4420sqm |
| | | | |
| Communal amenity | | 50sqm for the first 10 units, plus a further 5sqm for every additional 5 units | 586sq.m (50sq.m plus 536sqm). |
| Total Housing Amenity Space Requirement | | | 5006sqm |

8.61 The applicants Landscaping Design Report states that the site is designed to be read as four distinct character areas of communal private amenity space each with distinctly different character, as follows:

- *The Podium:* Would provide a child's play space for under 5 years which will benefit from afternoon sun and be protected from the wind. The space will be enclosed by adjacent dwellings and canopies will be used to ensure noise is kept within the spaces. It will feature a naturalistic setting with landscaping designed to allow for exploration rather than standard play equipment.
- *The kick-about Play Space:* Is a rooftop terrace on the southernmost block that will provide a sports activity space for 5-11yr olds and 12yrs and over. The space will include a basketball/ football area and an educational play features.
- *The Play Roof Garden:* Would provide spaces for 5-11yrs and 12yrs and over and would incorporate landscaping with play features for swinging, climbing and balancing.
- *The 9th Floor Terrace and Winter Garden* – Would be a communal space featuring landscaping and seating and would incorporate both a winter garden and external terrace orientated west to look over Lightermans Garden.
- *The 15th Floor Roof Terrace* – Would feature mainly hard landscaping with a large chessboard inset in the centre of the terrace with seating to the edges.
- *The 23rd Floor Conservatory Space* – Would be an enclosed winter garden of four storeys which would incorporate a mezzanine level with tall and low level planting orientated to the south.
- *The Rooftops* – *The two roof tops not in use as roof terraces would be landscaped as brown and green roofs to provide habitat for local wildlife.*

8.62 The landscaping report also details the proposed approach for the areas of public realm around the site being Millharbour, Lightermans Road and Lane, Lightermans Plaza and Lanterns Lane. The proposed landscaping seeks to define the north-south and east-west

linkages through the site by landscaping treatment, tree planting, lighting and surfacing whilst clearly defining the entrances to the building and providing visual interest all year round.

- 8.63 Also, the majority of all units being 81% are provided with private balconies. In particular, all family sized accommodation both private and affordable have areas of private open space to the same level.
- 8.64 The total amenity space provision for the proposed development, consisting of both public accessible ground floor areas of public realm across the site (6,435sqm), communal roof terraces, podium and winter gardens (2,442sqm) and private balconies/ terraces (2,536sqm), comprises a total of 11,413sqm. As such, this exceeds the Council's standard.

Child Play Space

- 8.65 The revised ES advises that the child yield for the development would be 168 children. Applying the GLA SPG guidelines of 10sqm of play space per child, a total of 1680qm would be required on site.
- 8.66 The scheme is proposing a total area of 1850sqm for informal and formal child play space. The landscaping scheme identifies that there will be four spaces which have been identified for children's amenity space, being the podium level, kick about space, passive play space and activity play space.
- 8.67 London Plan Policies 3A.17 and 3D13 seek to protect and enhance of social infrastructure, including child play and recreation facilities. The policy seeks to ensure that these facilities are provided within easy reach by walking and public transport of the population that use them.
- 8.68 The draft GLA Guide to Preparing Play Strategies encourages the provision of a wide range of play opportunities and spaces, rather than prescribed, fenced off area with a quota of manufactured equipment. Further, according to paragraph 11.8 of the Mayors SPG for Housing, when assessing needs of children and young people, *"full account should be taken of their need for play and informal recreation facilities within walking distance of their home"*.
- 8.69 According to paragraph 16 of PPS3, matters to consider when assessing design quality of housing developments include the extent to which the proposed development *"provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies"*. Paragraph 17 of PPS3 states that *"where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space"*
- 8.70 As detailed in paragraph 8.62 of the report the landscape strategy for the site sets out to provide an environment that will accommodate informal play and recreation for all ages. The three communal spaces provided on site would be managed by the on-site building management team, be restricted to daytime use and would incorporate security features for users.
- 8.71 In addition, the site adjoins Lightermans Gardens a public area of open space that will provide additional opportunities for children to play and explore.
- 8.72 It is clear that the total open space provision exceeds the minimum requires of the Council's housing SPG and the Interim Planning Guidance. With all family sized units across all tenures provided with private amenity space. In addition, the development

provides a significant communal open space area on-site and enables good access to off-site recreational areas directly adjacent or within walking distance of the site. The proposed child play space is also considered to comply with relevant national and local policies and guidance.

- 8.73 On balance, the amenity space provision is considered acceptable subject to a detailed landscape design condition and s106 agreement to secure public access to the ground floor spaces and management of the communal spaces on site.

Accessibility and Inclusive Design

- 8.74 The access statement indicates that 13.2% of the units will be wheelchair accessible. The scheme should be conditioned appropriately to ensure that this is provided for.
- 8.75 The affordable and market housing elements have been designed to incorporate full Lifetime Homes standard requirements.
- 8.76 To ensure the scheme complies with the minimum accessibility standards, the scheme will be conditions appropriately.

Safety and Security

- 8.77 In accordance with DEV1 of the UDP 1998 and DEV4 of the IPG, all development is required to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 8.78 Councils Crime Prevention officer has been involved in the evolution of the proposal and has advised that the design responds well to crime prevention principles and therefore raises no objections to the scheme/

Amenity

Daylight /Sunlight Access

- 8.79 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.80 Policy DEV1 of the Interim Planning Guidance states 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.
- 8.81 The applicant submitted a Daylight and Sunlight report within the ES, prepared by Driver Jonas, which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.
- 8.82 The following residential properties that were considered to include habitable rooms were assessed for daylight and sunlight:
- Former Tate and Lyle Site
 - 31-39 Millharbour
 - 41-43 Millharbour
 - Lanterns Court

8.83 This assessment demonstrates that any external impacts on adjoining residential properties from the proposed development are the same or less than that demonstrated under the previously consented outline scheme. The surrounding residential properties can therefore expect the same daylighting/ sunlighting conditions established by the previous approvals with any effect from the new proposal to be negligible. It is therefore considered that no further regard needs to be given to adjoining properties given the assessment outcomes.

8.84 The assessment then examined the internal impacts of the proposed building. The report advises that 97% of the habitable rooms do pass the standards set out by Building Research establishment (BRE) Guidelines. These results will be discussed in further detail below.

(a) Internal Daylight Assessment within the proposed Development

8.85 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.

8.86 British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are:

- 2% for kitchens;
- 1.5% for living rooms; and
- 1% for bedrooms.

8.87 Within the proposed development the daylight analysis identified that the majority (97%) of habitable rooms are left with adequate ADF for their room use and therefore meet the required standard. There were 46 windows that fell short of the standards these failures featured on units at lower levels and improved as you went up the building.

8.88 The results demonstrate that the following points are representative of the worst case scenario for most of the blocks as follows:

- Block H – Second floor bedroom (0.6%)
- Block H – Second floor living room (0.8%)
- Block F – Third floor living room (0.9%); and
- Block F – Third Floor bedroom (0.85).

8.89 The results show all of the worst case scenario rooms tested will be left with adequate levels therefore conforming to BRE standards. Furthermore, it is important to note that the failures were evenly distributed across both private and affordable housing and the majority result from the addition of balconies for private open space. On balance it is considered that the provision of amenity space to these units is a more appropriate outcome.

(b) Sunlight Assessment within the Proposed Development

8.90 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 windows within 90 degrees of due south.

8.91 The results showed that the levels of sunlight to the majority of habitable rooms within the development would be acceptable and in accordance with BRE standards.

(c) Shadow Analysis Within the Proposed Development

- 8.92 The BRE report advises that for a garden area or amenity area to appear adequately sunlit throughout the year no more than two-fifths and preferably no more than one-quarter of such garden or amenity areas should be prevented by buildings from receiving any sun at all on 21st of March.
- 8.93 The applicants shadow analysis identifies that the adjoining Lightermans Gardens and Plaza will still received sufficient sunlight during the year with any impacts between the approved scheme and the proposed new building being comparable.

Sense of Enclosure/ Outlook

- 8.94 Unlike, sunlight and daylight assessments, this impact cannot be readily assessed in terms of a percentage or measurable loss of quality of light. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. However, following an assessment it is considered that the separation distances provided both within the scheme and in relation to the western phases of Indescon court and other adjoining residential schemes provide sufficient separation and are acceptable.
- 8.95 In particular, the design and internal layout of the proposed residential units allows for the main outlooks for the majority of the units

Privacy

- 8.96 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 (60 feet) between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people. This figure is generally applied as a guideline and is interpreted as a perpendicular projection from the face of the habitable room window.
- 8.97 In this regard, the development is not considered to have an impact of the adjacent residential buildings. To the, north, south and east of the site, the development is setback over 18 metres or is off-set from adjacent habitable rooms. The proposed building will adjoin part of the western phase of Indescon Court separation by less than 18 metres with 13-14 metre separation, however given the internal orientation of the units and main outlooks from habitable rooms this is considered acceptable.
- 8.98 Consideration should also be given to the impact on future occupants of the development. The internal layouts have been redesigned to address policy concerns to allow for dual aspect units, screening and room orientation. Generally, all internal habitable rooms have a separation distance exceeding 18 meters. Where the separation falls less that this the internal layouts have been designed to prevent main outlooks between units and window and balcony placements have been carefully considered. The separation distances therefore provided within the scheme are considered to be acceptable in this instance to ensure the future privacy of occupants.
- 8.99 The proposed scheme is a marked improvement on the previous approval which had significant privacy failings with single aspect units orientated around a narrow central courtyard. Resulting in only a seven metre separation distance between habitable rooms in some instances.
- 8.100 It is recommended that a condition is included on any permission to ensure that final details of screening details for balconies and window placements are provided prior to construction.
- 8.101 On balance, it is considered that the proposal is acceptable and will ensure that the amenity of the future occupants is safeguarded.

Wind/ Microclimate

- 8.102 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 residual impact.
- 8.103 In respect of wind conditions on the thoroughfares surrounding the site, the assessment shows that the introduction of parapets, soft landscaping and pergolas measures will result in local wind conditions that are suitable for existing and planned activities at both ground and upper floor levels.
- 8.104 With the implementation of the above measures the assessment demonstrates that the proposal would be suitable for the planned uses.
- 8.105 If the Committee were minded to approve the scheme in its current form, the scheme should be conditioned appropriately to ensure the mitigation measures are implemented.

Noise and Vibration

- 8.106 The London Plan seeks to reduce noise by minimising the existing and potential adverse impacts of noise, from, within, or in the vicinity of development proposals. The plan also states that new noise sensitive development should be separated from major noise sources wherever practicable (policy 4A.20).
- 8.107 Policy DEV50 of the LBTH 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.
- 8.108 A noise assessment was carried out and is included within the Environmental Statement. The assessment considers impacts upon the surrounding environment during the construction phase and the operation phase.
- 8.109 The review of the ES document, undertaken by Bureau Veritas identified the noise assessment to be in line with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Whilst the potential impacts during the construction and operation phase are considered to be acceptable, Bureau Veritas has requested that the scheme be conditioned to allow further baseline measurements of the noise from the site during construction phase and the operational phase (plant noise) to be undertaken for design work purposes. The scheme has been conditioned appropriately.
- 8.110 It is considered that the scheme should be conditioned to apply restricted construction hours and operation hours, noise and vibration limits to ensure the amenities of surrounding and future residents will be protected.

Air Quality

- 8.111 The development would result in changes to traffic flow characteristics on the local road network. Effects of the proposed development on local air quality based on traffic flow predictions have been assessed
- 8.112 An assessment shows that the effects of the proposed development are likely to be of minor negative impact. In order to mitigate any potential impacts a Construction Environmental Management Plan (CEMP) will be required setting out measures to be applied throughout the construction phase.

- 8.113 During the operational phase, encouraging sustainable transport and reducing dependence on the private car would reduce the impact of the development in terms of both greenhouse gases and pollutants. This will be addressed through s106 agreement.

Highways

Access

- 8.114 The site is in a location of good public transport accessibility (PTAL 4) and has good links to areas with high public transport accessibility and is in close proximity to a range of local facilities, thereby encouraging more walking and reducing the reliance on private car use. The Dockland Light Railway Stations are located in close proximity, being Crossharbour Station approximately 500m to east and South Quay Station approximately 200m to north. The Canary Wharf Jubilee Tube Line is located approximately 400 metres to the north and several bus networks are located within easy walking distance to Marsh Wall and Westferry Roads.
- 8.115 There are also good cycle routes in the area as it adjoins the London Cycle Network which runs through the docks through the Isle of Dogs.
- 8.116 In order to maximise the areas of open space for pedestrians and to minimise the impact of car parking at ground level, basement car parking will be provided. Access into all areas of the car park will be directly from Millharbour. Access into the basement car parking will be controlled by a physical barrier system located at point of entry.
- 8.117 Given the site is located within the Millennium Quarter area a tariff system operates for s106 contributions for transport and infrastructure. However, given the site was identified for the provision of a public park it has been exempt the tariff given the development costs associated with providing a public park across the site.
- 8.118 Given the level of development currently occurring within the Millennium Quarter and Canary Wharf area it is considered appropriate for a condition to be included to provide an Environmental Construction Management Plan prior to the commencement of works on the site.

Parking

Car parking

- 8.119 The basement car park will provide 150 spaces, including 15 disabled spaces, with 142 for residents only and 8 for the hotel. The layout for the disabled bays will be designed as per LBTH guidance and meet the minimum required spaces under the IPG guidance.
- 8.120 According to policy 3C.23 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 and UDP policies.
- 8.121 The residential parking provision is equivalent to a parking provision of 0.26 spaces per dwelling. The proposed car parking provision is in accordance with the standard set out within the IPG parking standard. Further, the number of car parking spaces complies with the parking standards identified in Annex 4 of the London Plan.
- 8.122 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. As noted above, the provision of public transport to the site is of a good level. 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

- 8.123 The scheme proposes 546 cycle parking spaces both within accessible and secure stores at ground and basement levels close to the building cores. Furthermore, 32 stands are provided within the landscape plan to allow for the needs of non-residents using the commercial units. This provision meets the standards set out by TFL and the Council's IPG.
- 8.124 In addition, a s106 agreement for the preparation, implementation and maintenance of a green travel plan will be secured.
- 8.125 It is therefore considered that the provision of cycle parking across the site for both residential and commercial uses is acceptable and accordance with Council, TfL and London Plan standards.

Servicing and Refuse Provisions

- 8.126 The servicing strategy for the site proposed to service the ground floor uses and hotel will be from a designated drop-off and pick up area adjacent to the north-eastern corner of the site within the highway. All residential uses will be serviced from the basement, apart from the biomass deliveries which will utilise a designated loading area adjacent the south-eastern corner of the site solely for these deliveries.
- 8.127 It is recommended that a service management plan should be provided and secured by condition to ensure that the service areas identified above are secured and appropriately managed given the size of the development.
- 8.128 Provision for the storage and collection of refuse for the residential and non-residential uses has been provided for. It is recommended that a condition be included to ensure the adequate provision of storage of refuse and recycling facilities is provided.

Other

Biodiversity

- 8.129 The development site is not designated for its ecological importance and is considered to be poor in terms of plant diversity and abundance. The proposed development will have a minor positive impact through the redevelopment of the site. Proposed mitigation measures include the inclusion of native species in landscaping (including trees, water features and green roof), creation of brown roofs and vertical habitat and installation of bat, bird and insect boxes.
- 8.130 The Council's review of the EIA identified that the ecology statement provides an adequate assessment of the potential impacts of construction and operation on the site and local ecology. A number of conditions have been attached to this development to ensure the provision of the biodiversity measures identified within the ES are implemented.
- 8.131 On balance, the development is considered acceptable in terms of potential impact on biodiversity, subject to appropriate conditioning.

Flooding/ Water Resources

- 8.132 Policy U3 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. The Environmental Statement identified that the south eastern corner of the site is shown to be affected by the Thames River flood defence system, but is only at risk if the Thames Water flood defences fail.
- 8.133 The Environment Agency raised no objection on flooding issues. They have requested the inclusion of a number of conditions if planning permission was granted to ensure the groundwater is protected during construction.

Archaeology

Archaeology

- 8.134 PPG15 Archaeology and Planning advises on procedures for dealing with archaeological remains and discoveries. Policy 4B.10 of the London Plan relates to historic conservation
- 8.135 The site is not located within an Archaeological Priority Zone as specified within the UDP and the IPG. English Heritage have reviewed the proposal and given the previous archaeological evaluations of the site under the previous schemes they do not consider it necessary for a condition to be included on the scheme.

Waste

- 8.136 The application states that “it is recommended that a Construction Environmental Management Plan is implemented for the site in which management of waste will form an integral part.” This is supported and the management plan and its implementation should be conditioned. The management plan will implement the requirement to maximise the reusing or recycling of demolition and construction waste, following targets as set out in the Tower Hamlets Council Municipal Waste Strategy which has set a performance target for recycling and composting of municipal waste of 35% by 2010.

Sustainability

- 8.137 The London Plan energy policies policy 2A.1 and 4A.3 to 4A.11 aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible. Energy Efficiency is addressed in policy DEV6 which reiterates the Mayor’s target of 20% of new development’s energy to come from renewable energy generated on site and a reduction of 20% of emissions. Policies DEV7, DEV8, DEV9 and DEV11 seek sustainable developments through water quality and conservation, sustainable drainage, sustainable construction materials and air pollution and air quality. It is important to note that at the time of lodgement the policy requirement of the London Plan was for 10% provision of renewable energy generation onsite.
- 8.138 The applicant has submitted an energy statement to indicate that it will reduce carbon dioxide emissions through design measures to meet minimum requirements of building regulations. A range of energy technologies have been considered as potential on-site energy generation sources. The proposed scheme will comprise 280kW biomass boiler and 300kWe gas fired CHP system to supply energy efficiently to the development to serve the residential units, hotel and ground floor commercial units.
- 8.139 The proposed biomass boiler and CHP system will assist in reducing carbon emissions by 22.6%. As a result of the proposed measures, the development will result in an overall 22.6% reduction in carbon dioxide emissions, of which 11.5% would come from on-site renewable energy sources.

- 8.140 It is noted that whilst the connection to the Barkantine Heat and Power Company has been considered and the statement lodged dismisses this on the basis that Barkantine only offer to supply heat and not electricity and the higher initial capital cost of the connection. Council investigations highlight that Barkantine are willing to offer electricity and are offering to refund some of the capital cost when adjacent developments join on to the Barkantine scheme. Therefore, it is not possible to accept that connection to Barkantine is not feasible and further investigations including a more detailed feasibility study should be completed before the possible connection to Barkantine is dismissed. Council's energy officer considers that this matter can be satisfactorily dealt with via condition.
- 8.141 Furthermore, the statement states the residential development will achieve a code level 3 – code for sustainable homes. To ensure this is delivered Council's Energy Officer recommends that a condition is included on any permission to secure an assessment confirming compliance.
- 8.142 Whilst agreed measures should be secured by the Council as part of any planning permission, the Council's energy efficiency unit is satisfied that this matter can be dealt with by an appropriate planning condition.

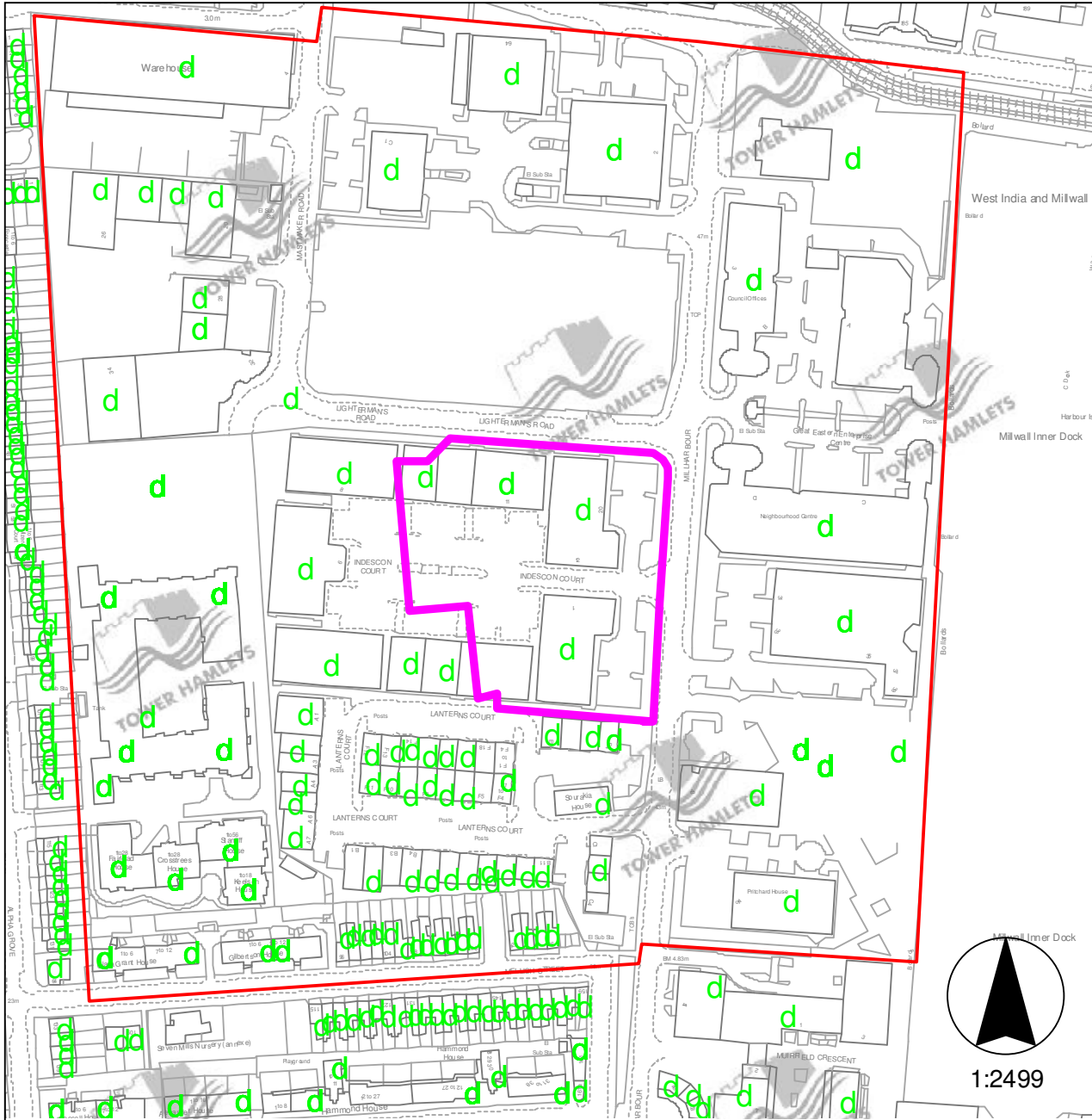
Environmental Statement

- 8.143 The Council's consultants, Bureau Veritas undertook a review of the Environmental Statement. The ES examines the impact of the proposed development on the following issues:
- EIA Process and Method
 - Design Evolution
 - Planning Policy and Context
 - Landscape and Visual Character
 - Archaeology
 - Built Heritage
 - Geology and Contaminated Land
 - Solid Waste management
 - Ecology and Nature Conservation
 - Water Quality and Drainage
 - Noise and Vibration
 - Daylight, Sunlight and Overshadowing
 - Wind Assessment
 - Energy Assessment
 - Telecommunications
 - Traffic and Transport
 - Local Air quality
 - Socio-economics
 - Cumulative Impacts
- 8.144 The review highlighted a number of areas where additional information or clarification was required. Following the submission of further information, Council was satisfied that the additional information provided in the 'Response to regulation 19 issues and environmental statement review prepared by Bureau Veritas' to supplement the original Environmental Statement for Indescon Court, is adequate for the Council to appropriately form a viewpoint on the environmental impacts of the proposed development. No further information was required.
- 8.145 The environmental impacts have been considered to be satisfactory, with mitigation measures for potential impacts 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



Legend

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

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