

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

13th March 2008 at 7.30 pm

UPDATE REPORT OF HEAD OF DEVELOPMENT DECISIONS

INDEX

Agenda item no	Reference no	Location	Proposal
7.1	PA/05/0471	4-6 and 16-22 Middlesex Street and 3-11 Goulston Street, E1	Redevelopment to provide a mixed use development comprising a 17 storey office building rising to a maximum height of 76m (and providing 41,361m ² office floorspace), 8 storey hotel plus plant room; building (providing 207 guest rooms, and comprising 15, 002m ² floorspace) together with 872m ² of Class a1-a4 use (retail) floorspace, and ancillary car parking, servicing, landscaping and new vehicular access.
7.2	PA/07/2193	32-42 Bethnal Green Road	Demolition of existing buildings and erection of 4 to 25 storey buildings to provide 3,443sqm of commercial floorspace with the use classes A1, A2, A3, A4, B1 B8, D1 and/or D2 together with 360 residential units, 83 car parking spaces, bicycle parking, refuse/recycling facilities, public amenity space and new public square

7.3

PA/07/3088

Heron Quays West, Heron
Quays, E14

PA/07/3089

PA/07/3090

Demolition of existing structures and erection of a part 12, part 21 and part 33 storey building comprising Class B1 offices, 3 levels of basement for Class A retail units, plant and underground parking, together with erection of a 4 storey building for Class A3 (restaurant and café), Class A4 (drinking establishments) and Class D1 (training) uses, and two listed building applications for works to listed dock walls and locks

7.4

PA/07/3282

Indecon Court, 20
Millharbour, London E14

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.

LONDON BOROUGH OF TOWER HAMLETS

Agenda Item number:	7.1
Reference number:	PA/05/0471
Location:	4-6 and 16-22 Middlesex Street and 3-11 Goulston Street, E1
Proposal:	Redevelopment to provide a mixed use development comprising a 17 storey office building rising to a maximum height of 76m (and providing 41,361m ² office floorspace), 8 storey hotel plus plant room; building (providing 207 guest rooms, and comprising 15, 002m ² floorspace) together with 872m ² of Class a1-a4 use (retail) floorspace, and ancillary car parking, servicing, landscaping and new vehicular access.

1. CLARIFICATIONS/ CORRECTIONS

- 1.1. The following the publication of the report, the following errors were noted in the report.
- 1.2. In Section 1, the applicant and owner is Cromlech Property Co Ltd and not Clonlech Property Co. Ltd
- 1.3. In paragraph 3.1 (B)(a), the contribution towards transport
- 1.4. Improvements including public transport and highways, pedestrian and cycle improvements in the vicinity of the site is £1,084.96 and not £1,167,180 as stated in the committee report.
- 1.5. In paragraph 4.2, the proposed hotel is 8 storeys plus plant room and not 11 storeys as noted in the committee report.

2. RECOMMENDATION

- 2.1 The recommendations to grant permission remains unchanged

LONDON BOROUGH OF TOWER HAMLETS

Agenda Item number:	7.2
Reference number:	PA/07/2193
Location:	32-42 Bethnal Green Road
Proposal:	Demolition of existing buildings and erection of 4 to 25 storey buildings to provide 3,443sqm of commercial floorspace with the use classes A1, A2, A3, A4, B1 B8, D1 and/or D2 together with 360 residential units, 83 car parking spaces, bicycle parking, refuse/recycling facilities, public amenity space and new public square

1. AMENDMENTS TO REPORT

- 1.1 Minor errors in the application details/ summary of details and recommendations were made in the published report. Section 1 should read as follows:

1. APPLICATION DETAILS

Location:	32-42 Bethnal Green Road, London, E1 6HZ
Existing Use:	Light industrial (B8 warehouse and distribution use)
Proposal:	Demolition of existing buildings and erection of 4 to 25 storey buildings to provide 3,443sqm of commercial floorspace within Use Classes A1, A2, A3,A4, B1, B8, D1 and/or D2 together with 360 residential units, 83 car parking, bicycle parking, refuse /recycling facilities, access, public amenity space and new public square.
Drawing Nos:	PL100, PL201 Rev B; PL103 Rev B; PL104 Rev C; PL 105 Rev C; PL106 Rev C; PL107 Rev C; PL108 Rev C; PL109 Rev B; PL110 Rev B; PL111 Rev B; PL112 Rev B; PL113 Rev B; PL114 Rev B; PL115 REV B; PL116 Rev B; PL117 Rev B; PL118 Rev B; PL119 Rev B; PL120 Rev B; PL121 Rev A; PL201 Rev B; PL202 Rev B; PL203 Rev A; PL204 Rev C; PL205 Rev A; PL206 Rev A; PL207 Rev A; PL208 Rev A; PL209 Rev A; PL210 Rev A; PL211 Rev B; PL212 Rev A; PL213; PL215
Supporting documentation	<p>Design and assess statement dated August 2007</p> <p>Sustainability Statement dated August 2007</p> <p>Air Quality report dated August 2007</p> <p>Planning/Socio economic statement dated August 2007</p> <p>Energy Statement dated August 2007</p> <p>Geotechnical Report (dated 24th August 2007)</p> <p>Transport Assessment dated August 2007</p> <p>Sunlight/Daylight Report dated August 2007</p> <p>Tran</p> <p>Courtyard and Design Development Study dated January 2008</p> <p>Heritage Assessment (addendum) dated January 2008</p> <p>Tall Buildings Development Study (addendum) dated Jan 2008</p>

Heritage, Townscape & Visual Assessment (addendum dated January 2008)
Transport Assessment (addendum) dated February 2008
Daylight and Sunlight report (addendum) dated January 2008

Applicant: Telford Homes and Genesis Housing Group
Owner: Telford Homes/Genesis Housing Group
Historic Building: N/A
Conservation Area: Adjacent to Fournier Street and Boundary Estate Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

The proposal is in line with the 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 seek to ensure this.

- The retail uses (Class A1, A2, A3, A4) and/or community uses (Class D1) and/or leisure use (Class D2) and/or office and light industrial use (B1 and B8) are acceptable in principle as they will provide a suitable provision of jobs 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.
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.4, 3A.7 and 3A.8 of the consolidated London Plan (2008), 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.
- The loss of the employment use on site is acceptable because the site is unsuitable for continued industrial use due to its location, accessibility, size and condition. As such, the proposal is in line with employment policies 3B.1, 3B.2 & 3B.5 of the consolidated London Plan (2008), and policies CP9, CP11, CP12, CP19 and EE2 of the Council's Interim Planning Guidance (2007), and CFR1 of Council's Interim Planning Guidance City Fringe Area Action Plan (2007), which consider appropriate locations for industrial employment uses.
- 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.
- The development would enhance the streetscape and public realm through the

provision of a public realm area and improved pedestrian linkages. As such, the amenity space proposed is acceptable and in line with policies 4C.17 and 4C.20 of the consolidated London plan (2008), 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.

- The quantity and quality of housing amenity space and the public realm strategy is considered to be acceptable and in line with PPS3 and 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.

- The building height, scale, bulk and design is acceptable and in line with GLA and Council criteria for tall buildings; Planning Policy Guidance 15, policies 4B.1, 4B.5, 4B.8, 4B.9 and 4B.15 of the consolidated London Plan (2008), 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.

- 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.

- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policy 3C.22, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport option.

- Sustainability matters, including energy, are acceptable and in line with London Plan policy 4A.6 and 4B.7, and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.

- Contributions have been secured towards the provision of affordable housing, health care and education facilities, highways, transport, public art, open space and public realm 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 of London

B. The prior completion of a legal agreement to secure the following planning obligations:

(1): Affordable housing provision of 35% of the proposed habitable rooms with a 71/29 split between rented/ shared ownership to be provided on site.

(2): A contribution of £313,548 to mitigate the demand of the additional population on health care facilities.

(3): A contribution of £537,000 to mitigate the demand of the additional population on education facilities.

(5): A contribution of £25,000 for the improvements of bus stops on Bethnal Green Road and Shoreditch High Street

(6): A contribution of £150,000 towards improving street environment and walking links between the development

(4): £2,093,978 for cultural, social and community products and for the provision of workspace off site.

(5): Completion of a car free agreement to restrict occupants applying for residential parking permits.

(7): TV reception monitoring and mitigation.

(8): Commitment towards utilising employment initiatives in order to maximise the employment of local residents.

(9): Preparation, implantation and review of a Green Travel Plan.

(10): Preparation, implantation and review of a Service Management Plan.

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

3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

3.4 Conditions

1. Permission valid for 3 years.

2. Details of the following are required:

(a): Samples of materials for external fascia of building

(b): Ground floor public realm

(c): Cycle parking

(d): Security measures to the building

(e): All external landscaping (including roof level amenity space and details of brown and/or green roof systems) including lighting and security measures, details of the ground floor defensible spaces overlooking the internal courtyard, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins

(f): The design of the lower floor elevations of commercial units including shopfronts;

(g) escape doors

2. The storage and collection/disposal of rubbish

3. Landscape Maintenance and Management Plan.

4. Parking – maximum of 83 cars (including 4 disabled spaces) and a minimum of 360 residential and 110 non-residential bicycle parking spaces.

5. Construction of storage facilities for oils, fuels or chemicals
6. Investigation and remediation measures for land contamination (including water pollution potential).
7. Archaeological Investigation
8. Details of the site foundation works.
9. Construction of storage facilities for oils, fuels or chemicals to be carried out
10. Construction Environmental Management Plan, including a dust monitoring.
11. Submission of the sustainable design measures and construction materials, including details of energy efficiency and renewable measures.
12. Further baseline noise measurements during construction and operational phase (plant noise) to be undertaken for design work purposes.
13. 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.
14. Limit hours of power/hammer driven piling/breaking out to between 10.00 hours to 16.00 hours, Monday to Friday.
15. Ground borne vibration limits.
16. Noise level limits.
17. Implementation of micro-climate control measures.
18. Implementation of ecological mitigation 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. Details of the highway works surrounding the site.
22. Full particulars of Class A1-A3 use to be submitted
23. Full particulars of the means of ventilation for A3 use to be submitted
24. Any other condition(s) considered necessary by the Head of Development Decisions

Further clarification points

- 1.2 Omit paragraph 7.14 as it is unnecessary and not relevant to the application.
- 1.3 Paragraph 7.27 is to be adjusted to read: " A contribution of £150,000 (not £851,000) will be provided towards improving street environment and walking links between the development as part of the Section 106 agreement.
- 1.4 In paragraph 8.44, the first bullet point should read: "201 Bishopsgate two commercial towers of 35 and 13 storeys". The following should be omitted: "201 Bishopsgate two commercial towers of 5 and 13 storeys (under construction)
- 1.5 The last line in paragraph 8.90 should read: " it is not considered to be unreasonable".
- 1.6 In paragraph 8.109 the following sentence needs to be included: "the proposal is not considered to result in undue loss of privacy given the orientation and tight urban context of the site".

2. ADDITIONAL CONSIDERATIONS

Additional information concerning the Bishopsgate Goodsyard site

- 2.1 The site lies between the London Boroughs of Hackney and Tower Hamlets. London Borough of Hackney's South Shoreditch Supplementary Planning Document (SSSPD) states that:

"Bishopsgate Goodsyard site is located within the Tall Building Opportunity Area and as such in an appropriate location for tall buildings outside strategic viewing corridors stepped back from street frontages and subject to design quality."

- 2.2 In addition, the GLA's draft City Fringe Opportunity Area Planning Framework (February 2008) identifies both the Bishopsgate Goodsyard and this site as sites suitable for tall buildings. In the draft City Fringe Opportunity Planning Framework, it is notes that the Bishopsgate Goodsyard site is:

"capable to taking up substantial amounts of housing, office floorspace and other uses."

- 2.3 Moreover, in terms of maximizing its development potential, the Bishopsgate Goodsyard site, is characterized by a number of complex constraints. The constraints derive from both existing and proposed infrastructure passing through the site, as well as existing historic structures, environmental and conservation issues and townscape views.
- 2.4 The following are some of the known constraints on and above the site:

- Limitations on height of development imposed by strategic and local views particularly to the south of the site.
 - The new east London line infrastructure, including the station, the raised track and enclosure and bridge structures running through the site.
 - Existing central line running under the site.
 - Existing suburban line running under the site.
- 2.5 Because of these constraints, high density development is broadly limited to the western end of the site, close to 32-42 Bethnal Green Road. As such, the only sites that have potential for tall buildings are the sites identified in the GLA's City Fringe Opportunity Area Planning Framework. Consequently, the proposed tall building adheres to the Mayors vision to maximize the development potential of the sites.

Amendments to the scheme

- 2.6 Minor alterations to the shared ownership units in Block A on Sclater Street have been recently made to improve the internal daylight levels within the shared ownership units, but also ensure that development rights for Bishopsgate Goodsyrd site would not be unduly compromised. These include:
- Removing the protruding balconies and bringing the windows forward to reflect the general building line, whilst adding smaller Juliet balconies.
 - Increasing the size of the glazing to some bedrooms on the Sclater Street elevation
 - Small changes to some internal layouts to improve residential light.
 - Adding some secondary windows to units to the rear (all obscured to prevent any overlooking)
 - These changes improve internal amenity within these units. Although there would be a loss of balcony space, the improvement in the amount of light within the units would offset this.
- 2.7 In response to the amendments made to the scheme, Ballymore, the developers of the Bishopsgate Goodsyrd note that:

"we welcome the recent changes made by the applicants to improve the internal daylight levels within the shared ownership in Block A on Sclater Street to recognize future developments on Bishopsgate Goods yard."

3. ADDITIONAL OBJECTIONS

- 3.1 Since the publication of the report, 306 further objection letters have been received. Of the 460 responses, 274 are from residents of Tower Hamlets. Of the 274 responses, 36 individual and 238 identical responses with individual signatures were received. In addition, 1 petition with 77 signatures was also received. The objections were based on the following grounds.

3.2 *Land use and design*

- The proposed density of the proposal results in overdevelopment of the site
- This proposal will set a precedent for tall buildings in the area
- The proposal is out of keeping with the whole character of the area
- Tall buildings on this site should come forward in a comprehensive development of sites.
- Inappropriate location of the tower
- Poor quality design and finishes
- The tower will have a negative impact on Brick Lane and Boundary Estate Conservation Areas
- A tall building is not necessary for the regeneration of this area.
- Rich Mix will be dwarfed by the proposed tower
- With reference to culture, this site would be better used for creative industries as this area serves an artistic community.
- With reference to health, the area needs a modern health care centre with up to date facilities.
- The tower should be considered in its existing context and not in the context of potential proposals for the Bishopsgate Goodsyrd site.
- The proposal would have an adverse impact on existing businesses and independent traders.
- On the drawings, the vacant plot bounded by Sclater Street/Cygnet Street/Bacon Street is described as being a future 'end of terrace' development site, set back from the current pavement edge behind a row of trees and what look like front gardens. In fact, this plot is not part of this application and is a sizeable site in its own right, likely to be developed in the future right up to the pavement edge.
- Lack of larger (3-6 bedroom) dwellings to meet local needs
- Lack of provision for affordable housing

3.3 *Public Realm*

- The proposed total open space is approximately 554 sqm.

(Officers comment: The above figure is incorrect. The proposed open space is 1049sqm. All the open space has been calculated within the site boundaries)

- Rich Mix Square scales off at approximately 373 sqm.

(Officers comment: The above figure is incorrect. Rich mix square provides 540 sqm of public open space)

- Club Row provides 180s sqm of public open space

(Officers comment: The above figure is incorrect. Club Row provides 300 sqm of public open space)

3.4 *Transport*

- Increase pressure on car parking spaces.

3.5 *Amenity*

- Loss of privacy to neighbouring dwellings
- Over shadowing on many properties north of the development including Old Nichol Street and Redchurch Street
- Loss of light and air to the immediate neighbourhood and boundary estate north of the building.
- The green space in the scheme is of low quality, shadowed and enclosed by the development. It is not clearly accessible green space that could be used by current local residents.
- Lack of provision of additional public open space, to balance the density.
- The quality of the proposed open space is poor.

3.6 *Other*

- The application makes reference to the Bishopsgate Goodsyrd Masterplan. However, the masterplan for this development is not in the public domain and has not been publicly consulted and approved.
- The new development will cause high winds in the nearby streets
- Electricity, gas and water supplies will be badly affected.
- The notice of the exhibition gave scant information in respect of the application; in particular, the notice did not mention the proposed height of the tower.
- The questionnaire, while specifically asking for feedback on the proposed public square and proposed uses for the commercial space, did not ask for principal concern of those who attended the public exhibition
- More pressure on school spaces

3.7 The issues raised above have already been addressed in the committee report. Officers do not propose to comment further on these objections.

4. **SUBMISSION IN SUPPORT OF THE SCHEME**

4.1 The Council has received one letter of support for the proposed development on the grounds that:

- The proposal will bring new life to the area
- The proposal has interesting architecture
- The proposal will attract new businesses to the area and give people greater civic pride.

5. **RECOMMENDATION**

5.1 The recommendations to grant permission remain unchanged.

LONDON BOROUGH OF TOWER HAMLETS

Agenda Item number:	7.3
Reference number:	PA/07/03088 PA/07/03089 PA/07/03090
Location:	Heron Quays West, Heron Quays, London E14
Proposal:	<p><u>PA/07/3088:</u> Demolition of the existing buildings and structures on the site, partial infilling of South Dock and its redevelopment by:</p> <ul style="list-style-type: none"> • erection of a part 12 storey, part 21 storey and part 33 storey building comprising Class B1 offices; construction of 3 levels of basement for Class A retail units, underground parking, servicing & plant; • construction of a subterranean pedestrian link to the Jubilee Place Retail Mall and the Jubilee Line Station incorporating Class A retail accommodation; • erection of a 4 storey building for Class A3 (restaurant and cafe) and A4 (drinking establishments) uses, and/or at first and part second floor level Class D1 (training centre); • relocation of the canal between South Dock and Middle Dock from the eastern to western part of the application site; • provision of a new publicly accessible open space; • associated infrastructure and landscaping together with other works incidental to the application. <p><u>PA/07/3089:</u></p> <ul style="list-style-type: none"> • Partial demolition of a Grade I listed quay wall, copings and buttresses to south edge of West India Export Dock to facilitate works for the relocation of the existing canal; reinstatement of Grade I listed quay wall and copings along existing canal entrance to West India Export Dock alterations and stabilisations of Grade I listed quay wall and copings and associated works. <p><u>PA/07/3090:</u></p> <ul style="list-style-type: none"> • Partial demolition and associated works to the Grade II listed former lock entrance to South Dock to facilitate works for the relocation of the existing canal.

1. SECTION 1 – DRAWING NOS

1.1 Submitted drawing numbers were listed incorrectly. The full set of correct drawing numbers is as follows:

760-50001, 760-50980 rev A, 760-50985 rev A, 760-50990 rev A, 760-51000 rev A, 760-51005, 760-51010, 760-51020, 760-51030, 760-51040, 760-51050, 760-51060, 760-51070, 760-5180, 760-51090, 760-51100, 760-51110, 760-51120, 760-51130, 760-51140, 760-51150, 760-51160, 760-51170, 760-51180, 760-51190, 760-51200, 760-51210, 760-51220, 760-51230, 760-51240, 760-51250, 760-51260, 760-51270, 760-51280, 760-51290, 760-51300, 760-51310, 760-51320, 760-51330, 760-52001, 760-52002, 760-52003, 760-52004, 760-53001, 760-53002, 760-53003, 760-53004, 760-53501, 760-53502, 760-55001, 760-55002, 760-55003, 760-55004, 760-55005, 760-55006, 760-55007, 0X4398-P-100 rev F, 364-10-100, 364-10-103 rev F, 364-10-104 rev C, 364-10-105 rev D, 364-10-106 rev B, 364-10-107 rev B, 364-10-108 rev A,

364-10-201 rev C, 364-10-202 rev C, 364-10-203 rev C, 364-10-204 rev C, 364-10-301 rev C, 364-10-302 rev C, 364-10-303 rev D and 364-10-304 rev C.

2. SECTION 2 – RECOMMENDATION

- 2.1 Paragraph 2.1, bullet 7 reads incorrectly; contributions have not been secured towards affordable housing and healthcare. The Council did not seek such contributions. A full breakdown of the s106 contributions is contained within section 8 of the report, including a justification as to why the Council does not consider an offsite affordable housing contribution to be reasonable.
- 2.2 The previous report collectively recommended conditional approval for the planning application (ref. PA/07/03088) and the listed building consent applications ref. PA/07/03089 and PA/07/03090). As such, for clarification purposes, the recommendations have been separated below:

Planning application ref. PA/07/03088:

- 2.3 It is recommended that the Committee resolve to **GRANT** planning permission subject to:

A Any direction by The London Mayor

- B** The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following planning obligations:

Financial Contributions

- a) Provide **£175,000** for the improvement and upgrade of the 24 hour lighting in the lower Westferry roundabout
- b) Provide a contribution of **£870,521** towards open space management. This will fund the enhanced management of existing public open spaces on the Isle of Dogs for a period of 5 years
- c) Provide a contribution of **£1,500,000** for Heron Quays public realm improvements
- d) Provide a contribution of **£3,178,000** towards social and physical infrastructure. In line with similar developments elsewhere within the Canary Wharf estate, the projects/improvements would be defined under specific headings within the S106 agreement, these being:
 - i. *Sustainable transport initiatives*; improvements to facilitate walking, cycling, sustainable transport modes, including improvements in accordance with the Cycle Route Implementation Plan and Millwall Outer Dock walkway improvements
 - ii. *Heritage and culture*; improvements to preserve and enhance the history and character of the Docklands/Isle of Dogs area
 - iii. *Open space improvements within and around the site*; up to £2,500,000
 - iv. *Provision of affordable flexible business space*; to assist small/start-up businesses within the Borough
- e) Provide a contribution of **£3,000,000** towards Docklands Light Railway (DLR) capacity enhancement works and works that would improve the hard landscape under Heron Quays station
- f) Provide **£1,800,000** towards TfL Buses improvements (£200,000 per bus per year for three years)

- g) Provide **£2,250,000** towards the conversion of 3 grass pitches to AstroTurf to increase capacity, in accordance with the Council's emerging Sports Pitch Strategy
- h) Provide **£2,500,000** towards social and community facilities (Isle of Dogs Community Foundation)
- i) Provide **£3,000,000** towards Employment and Training – 'pump priming' the new employment service during the first two years of its operation

(Total s106 contribution of **£18,273,521**)

Non-Financial Contributions

- j) TV Reception - mitigation of any impacts on TV Reception.
- k) Publicly Accessible Open Space and Walkways - Maintenance of new publicly accessible open space within the development together with unrestricted public access
- l) Biodiversity Management Plan - Ensure biodiversity value is maintained in the long-term
- m) Code of Construction Practice - To mitigate against environmental impacts of construction
- n) Travel Plan - To promote sustainable transport
- o) Access to employment - To promote employment of local people during and post construction

Any other planning obligation(s) considered necessary by the Corporate Director of Development & Renewal

2.4 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

2.5 That the Corporate Director Development & Renewal is delegated power to impose conditions on the planning permission to secure the following matters:

- 1) Time Limit (3 years)
- 2) Phasing programme details
- 3) Particular details of the development
 - External materials;
 - External plant equipment and any enclosures;
 - Wind mitigation measures;
 - Hard and soft landscaping including the reed bed planting and trees; and
 - External lighting and security measures
- 4) Full particulars of energy efficiency technologies required
- 5) Hours of construction (0800-1800 Hours Monday to Friday and 0800 – 1300 Hours on Saturdays)
- 6) Hours of operation of A3/A4 units
- 7) Environmental Noise Assessment required
- 8) Demolition and Construction Management Plan required including feasibility study and details of moving freight by water during construction
- 9) Noise control limits
- 10) Land contamination assessment required
- 11) Details of additional cycle parking spaces
- 12) Green Travel Plan required including

- 13) Biodiversity Plan required
- 14) Full details of the new canal required
- 15) Programme of archaeological work required
- 16) Drainage strategy details required
- 17) Protection of public sewers
- 18) Impact study of the existing water supply infrastructure required
- 19) Control of development works (restricted hours of use for hammer driven piling or impact breaking)
- 20) Plus any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 106 agreement required
 - 2) Contact Thames Water
 - 3) Contact London City Airport regarding cranes and aircraft obstacle lighting
 - 4) Contact LBTH Building Control
 - 5) Contact British Waterways
 - 6) Contact London Fire & Emergency Planning Authority
 - 7) The planning permission is a
 - 8) Any other informative(s) considered necessary by the Corporate Director Development & Renewal
- 2.6 That, if within 3-months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

Listed Building Consent Application ref. PA/07/03089

- 2.7 It is recommended that the Committee resolve to **GRANT** listed building consent subject to the following conditions:
- 1) Time limit (3 years)
 - 2) Programme of recording and historic analysis required
 - 3) Submission of method statement required
 - 4) Matching materials
 - 5) Plus any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) The works approved are only those specified on the submitted drawings/documentation
- 2) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

Listed Building Consent Application ref. PA/07/03090

- 2.8 It is recommended that the Committee resolve to **GRANT** listed building consent subject to the following conditions:
- 1) Time Limit (3 years)
 - 2) Programme of recording of and historic analysis required
 - 3) Plus any other planning condition(s) or informatives considered necessary by the Corporate Director Development & Renewal

3. SECTION 6 – CONSULTATION RESPONSE

GLA Stage 1 Report

- 3.1 The Greater London Authority's stage 1 report has now been received. The report details, inter alia, that the Mayor accepts the principle of the proposed development subject to the satisfactory resolution of s106 issues, particularly the securing of appropriate offsite affordable housing contributions and the provision of cycle parking spaces consistent with TfL's cycle parking standards. The Council's position on cycle parking issues can be found at paragraphs 6.21 and 8.29, whilst off site affordable housing is discussed at paragraphs 8.48 and 8.49.

Additional letter of representation

- 3.2 An additional letter of representation has been received from a neighbouring commercial occupier within Marsh Wall. The letter recommends a number of conditions in order to mitigate possible adverse environmental and highway conditions during the construction period. The writer also recommends that the applicant funds the preparation of an initial schedule of condition for their building. It is considered that existing recommended conditions, together with Environmental Health and Building Control legislation, sufficiently mitigate the concerns raised. With regard to the suggested funding of a schedule of condition, this is a private matter between the parties concerned and is not a material planning consideration.

Environment Agency

- 3.3 Following the publication of the committee report, the Environment Agency have written to the Council stating that the flood risk Sequential Test has been adequately demonstrated, and as such, their objection on these grounds is removed. The EA have also recommended additional conditions relating to:
1. Submission of a detailed structural report of the condition of the flood defence wall
 2. Express consent required for piling or penetrative foundation designs
 3. Details of water efficiency measures
 4. Light spillage limits
 5. The construction of the canal link must be completed before the existing one is removed

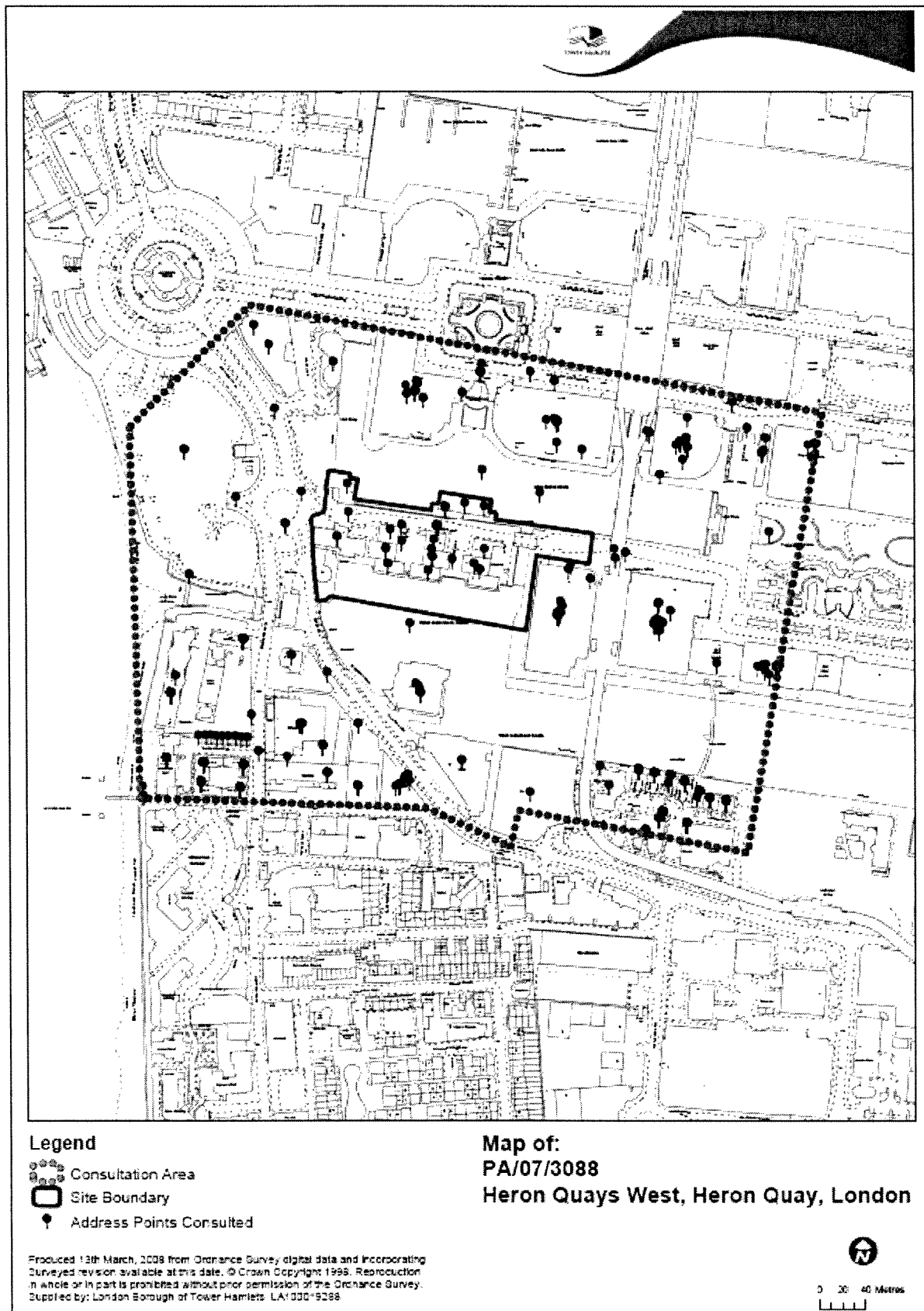
4. SITE MAP

- 4.1 Due to the poor quality of the site map reproduction the report, an better quality site map is provided, below.

5. RECOMMENDATION

- 5.1 The recommendations remain unchanged.

Site map- Heron Quays West



LONDON BOROUGH OF TOWER HAMLETS

Agenda Item number:	7.4
Reference number:	PA/07/03282
Location:	Indecon Court, 20 Millharbour, London E14
Proposal:	<p>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).</p> <p>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.</p>

1. SECTION 6 – ADDITIONAL CONSULTATION COMMENTS

1.1 The Stage One report from the GLA was considered by the Mayor on the 6th March 2008 received by Council on the 10th March 2008. The report makes the following key recommendations:

a) The Mayor raises concerns that the proposal does not provide 50% affordable housing and that the possibility of using grant funding needs to be explored. (**OFFICER COMMENT:** The provision of 35% affordable is in accordance with our local policies and the use of a cascade clause in the s106 will allow for additional affordable housing provision to be captured if grant is secured).

b) The concept for design is welcomed. However, concerns about the detailing of the fenestration in terms of the detailing of the infills, cladding and use of voids need to be re-considered. It is possible that other design typologies could be used to break up the building mass especially in the southern blocks.

c) The proposal exceeds the guidance in respect to open space and child play space provision on site.

d) Details of how the development will be made heat resilient in design construction and operation in respect of the south facing single aspect dwellings and further information on the cooling system to maximise carbon reductions need to be provided. The potential to connect to Barkentine Heat and Power Company for energy supply also remains outstanding and needs to be secured under a s106 clause to use reasonable endeavours to secure connection, failing this a site-specific

strategy could be implemented. (**OFFICER COMMENT:** It is recommended that an additional s106 head of terms and conditions be included to provide for this).

e) TFL queries the trip generation and junction assessments and occupancy data used within the assessment. TFL also requests a s106 contribution of £45,000 for improving bus stops at Marshwall and Limeharbour to fully accessible standards. (**OFFICER COMMENT:** The transport assessment within the ES has been reviewed by external consultants and council officers and found to be robust. An appropriate transport contribution has already been secured under the Millennium Quarter Masterplan so no additional contributions are considered necessary).

f) TFL requests conditions to investigate the delivery of construction materials and removal of waste to the site by barge and a construction management plan (**OFFICER COMMENT:** It is recommended that an additional condition is included to allow for a feasibility study to undertake such deliveries).

1.2 Formal comments were received by Council from CABA on the 13th March 2008. The comments raised the following points:

a) The Millennium Quarter Masterplan is becoming out of date since it was prepared in 2000. It is recommended that amendments be made to bring this document up to date and set out new design and use principles especially in terms of public realm.

b) The quantum is perhaps too much for the site. The height of the main could be acceptable in view of the surrounding precedents, however the mass appears inelegant and bulky.

c) The 'Lightermans Gardens' could potentially be a well protected public park. This space is well defined along the southern and eastern edges, however further work should be completed on the north east corner to ensure is well defined here. The new Lightermans Plaza is supported, however the design should be amended to incorporate more domestic features.

d) The provision of amenity for residents is acceptable, however consideration of the likely use patterns of these spaces needs to be considered.

e) The idea to sculpt a building into clusters of solid and void elements has potential. However, it is considered further work is necessary to break up this unusual Z-shaped building to prevent it being large and over bearing. The uses of the building should also be more clearly presented through the building facades.

f) We are please that the materials identified are of high quality, however to ensure they are delivered further information should be submitted to demonstrate that the quality can be achieved.

g) The internal layouts of some of the units appear tight and further information should be sought to ensure these are satisfactory (**OFFICER COMMENT:** Amendments were made to units to ensure higher space standards and dual aspect was achieved on the units in particular family sized accommodation).

h) In terms of sustainability we consider that tall buildings should set exemplary standards. The intention to achieve level 3 of the code for sustainable homes should be raised given a scheme of this size and intensity.

l) CABE thinks the proposal does not meet the standards of excellence set out in the English Heritage/CABE Guidance on Tall Buildings.

(**OFFICER COMMENT:** It is considered that the comments raised by CABE are addressed in section 8 of the Committee Report).

2. RECOMMENDATION

3.1 The recommendations remain unchanged.