

Committee: Strategic Development	Date: 29 th May 2008	Classification: Unrestricted	Agenda Item No: 7.1
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No: PA/05/1866	
		Ward(s):Blackwall and Cubitt Town	

1. APPLICATION DETAILS

- 1.1 Location: Car park at South East Junction of Prestons Road and Yabsley Street, Prestons Road, London, E14
- 1.2 Existing Use: Car park
- 1.3 Proposal: Erection of buildings between 7 and 17 storeys comprising 43 sqm of commercial use at ground floor and 141 flats (comprising 76 x 1 bed; 29 x 2 bed; 22 x 3 bed; 6 x 4 bed; 8x 5 bed), 49 car parking spaces at basement level, communal open space including roof gardens and associated works
- 1.4 Drawing Nos:
- 709-PA-04-05 Rev B: Context Elevation
 - 709-PA-02-001 Rev B: Basement Plan
 - 709-PA-02-00 Rev B: Ground Floor Plan
 - 709-PA-02-01 Rev B: First Floor Plan
 - 709-PA-02-02 Rev B: Second Floor Plan
 - 709-PA-02-03: Third Floor Plan
 - 709-PA-02-04: Fourth-Sixth Floor Plan
 - 705-PA-02-05 Rev B: Seventh-Tenth Floor Plan
 - 709-PA0-02-06 Rev B: Eleventh-Fourteenth Floor Plan
 - 709-PA-02-07 Rev B: Fifteenth Floor Plan
 - 709-PA- 02-07 Sixteenth floor Plan
 - 709-PA-04-04 Rev B: West Elevation
 - 709-PA-04-03 Rev B: East Elevation
 - 709--04-02 Rev B: Northern Elevation
 - 709-PA-01 Rev B: Southern Elevation
 - 709-PA-02-09 Rev B: Roof top Plan
 - 709-PA-05-01 Rev B: Section AA
 - 709-PA-05-02 Rev B: Section BB
 - 709-PA-05-03 Rev B: Section cc

Applicant: Baladine Properties Ltd.
Owner: Baladine 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:

- The proposal is in line with the Mayor's 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 commercial use on the ground floor (Class A1 or A2 or B1 or D1,) is acceptable in principle as it will provide a suitable provision of employment. It will also provide a useful service to the community and future residents of the development. 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 proximity of the proposed residential development to the waste transfer station is acceptable and in line with policies DEV 2 of the UDP and DEV1 of the Interim Planning Guidance (2007) which seeks to protect the amenity of residential occupiers and the environment of the borough generally from the effect of air and noise pollution
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies, 3A.7 and 3A.8 of the London Plan, policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), which seek to ensure that new developments offer a range of housing choices.
- The density of the scheme would not result in the overdevelopment of the site 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 quantity and quality of housing amenity space and the public realm strategy is considered to be acceptable and in line with PPS3, policy 3D.11 of the consolidated London Plan (2008) 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.
- The building height, scale, bulk and design is acceptable and in line with CABI criteria for tall buildings; Planning Policy Guidance 15, policies 4B.1, 4B.3, 4B.5; 4B.9 and 4B.15 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.
- 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 policy 4A.7 of the consolidated London Plan (2008), 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 **37%** of the proposed habitable rooms with a **76/24** (social rented/intermediate) split between rented/ shared ownership to be provided on site

(2) A contribution of **£198,784** to mitigate the demand of the additional population on health care facilities.

3) A contribution of **£234,498** to mitigate the demand of the additional population on education facilities.

4) A contribution of **£75,000** for civic works required and upgrading the lights and controller, and **£75,000** to TfL for a commuted sum of ten years to ensure the operation of the lights.

5) **£30,000** for the upgrade of pedestrian links to Blackwall Station

6) Commitment towards utilising employment initiatives in order to maximise the employment of local residents

7) Preparation, implantation and review of a Green Travel Plan.

8) Car free agreement

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:

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 hard and soft landscaping (including roof level amenity space and details of brown and/or green roof systems) including lighting and security measures)

- (f): The design of the lower floor elevations of commercial units including shopfronts.
3. Details of the design and the proposed use of the commercial use on ground floor to be submitted and approved
 4. Details of site foundations
 5. Details of the basement car park and access ramp
 6. The storage and collection/disposal of rubbish
 7. Parking – maximum of 49 cars (including 6 disabled spaces) and a minimum of 141 residential and 2 non-residential bicycle parking spaces.
 8. Investigation and remediation measures for land contamination (including water pollution potential).
 9. Archaeological investigation
 10. Construction Environmental Management Plan, including a dust monitoring.
 12. Submission of the sustainable design measures and construction materials, including details of energy efficiency and renewable measures.
 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. Details of the disabled access and inclusive design.
 16. Details of the highway works surrounding the site.
 17. Any other condition(s) considered necessary by the Head of Development Decisions

3.5 Informatives

1. Section 106 agreement required.
2. Section 278 (Highways) agreement required.
3. Construction Environmental Management Plan Advice.
5. Environment Agency Advice.
6. Ecology Advice.
7. Environmental Health Department Advice.
8. Metropolitan Police Advice.
9. Transport Department Advice.
10. London Underground Advice.
11. Landscape department advice.
12. Contact the GLA regarding the energy proposals.

- 3.6 That, if by 29th August 2008 the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated authority to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Context

- 4.1 This planning application was originally submitted in November 2005 and originally comprised 154 residential units and 43 sqm of ground floor commercial floorspace. However, in light of consultation with the GLA and the Council the applicant has made significant changes to the scheme.
- 4.2 The revised development now comprises:
- 141 residential units. The mix of units and level of affordable housing provision is set out in the Housing section of the report. (Paras 8.28-8.39)
 - 43 sqm commercial space, provided as a single unit;
 - 820 sqm of communal open space provided in the form of a large ground floor garden and roof gardens provided on both buildings;
 - 49 car parking spaces provided in an underground car park. 6 of the spaces would be disabled standard with cycle parking also provided within the basement.

- 4.3 The development comprises of 2 buildings. The market housing is accommodated within the 17 storey building (50 metres high), located on the northern end of the site, with the affordable housing element of the scheme to be accommodated within the 7 storey slab block which covers most of the remainder of the site.

Site and Surroundings

- 4.4 The site comprises an area of 0.25 hectares. In the past, the site was used for a variety of industrial purposes and has since been cleared, with only sections of boundary wall still remaining. It is currently in use as a temporary car park.
- 4.5 The site is located on Prestons Road, Isle of Dogs, with access to the site from Yabsley Street. The site boundaries are formed by Prestons Road to the west, Yabsley Street to the north, Raleana Road to the south and Northumberland Wharf (waste transfer station) to the east.
- 4.6 New developments have recently being completed at New Providence Wharf and the White Swan Building adjacent to the site on Prestons Road.
- 4.7 The proposed development site has a Public Transport Accessibility Level (PTAL) of 5, with 6 the highest, with the Blackwall DLR station located only 7 minutes walk to the north providing connections to the West End, the City, Stratford and City Airport while the Canary Wharf Jubilee Line station and DLR station is located approximately 15 minutes to the west. Bus stops exist on Preston's Road (2 minute walk) running in both directions providing connections around the borough to Canary Wharf, Mile End, Wapping, Whitechapel, Bethnal Green and Canning Town while the A1206 immediately to the west of the site forms part of the Transport for London Road Network (TLRN).

Planning History

- 4.8 Ref. no: PA/02/1554: Erection of four buildings varying in height between 8 and 16 storeys comprising 96 flats, 50 semi basement car parking spaces, access off Prestons Road and associated landscaping. Withdrawn August 2005.
- 4.9 Ref. no: PA/04/1559: Redevelopment of site to create 147 residential units together with commercial use at ground floor level (Classes A and B1), basement car parking facilities, landscaping and other associated works. Withdrawn 7th April 2005.

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:

5.2 Unitary Development Plan 1998 (as saved September 2007)

- | | | | |
|-----|------------|----------|--|
| 5.3 | Proposals: | Proposal | Opportunity Site (Mixed uses, including predominately residential) |
| 5.4 | Policy | DEV1 | Design Requirements |
| | | DEV2 | Environmental Requirements |
| | | DEV3 | Mixed Use development |
| | | DEV4 | Planning Obligations |
| | | DEV | Protection of local views |
| | | DEV12 | Provision of Landscaping in Development |
| | | DEV17 | Siting and Design of Street Furniture |
| | | DEV44 | Protection of Archaeological remains |
| | | DEV50 | Noise |
| | | DEV51 | Contaminated Land |

DEV55	Development and Waste Disposal
DEV57	Development affecting nature conservation areas
DEV69	Water Resources
EMP1	Encouraging New Employment Uses
HSG7	Dwelling Mix
HSG15	Preservation of residential character
HSG16	Amenity Space
T10	Priorities for Strategic Management
T16	Impact of Traffic
T18	Pedestrian Safety and Convenience
T21	Existing Pedestrians Routes
OS9	Child Play Space
U2	Consultation Within Areas at Risk of Flooding
U3	Flood Defences

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

5.6 Proposals Development site (mixed use development including Residential C3; Employment (B1); Retail (A2,A3,A4); Public open space

5.7 Core Strategies:	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP2	Equal Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP7	Job Creation and Growth
	CP11	Sites in Employment Use
	CP15	Range of Shops
	CP19	New Housing Provision
	CP20	Sustainable Residential Density
	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP27	Community Facilities
	CP28	Healthy Living
	CP29	Improving Education and Skills
	CP30	Improving the Quality and Quantity of Open Space
	CP31	Biodiversity
	CP37	Flood Alleviation
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A sustainable transport network
	CP41	Integrating Development with Transport
	CP42	Streets for People
	CP43	Better Public Transport
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings
	CP49	Historic Environment
	CP50	Important Views

5.8 Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security

DEV5	Sustainable Design
DEV6	Energy Efficiency & Renewable Energy
DEV7	Sustainable Drainage
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping
DEV14	Public Art
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV24	Accessible Amenities and Services
DEV25	Social Impact Assessment
DEV27	Tall Buildings
EE2	Redevelopment /Change of Use of Employment Sites
RT4	Retail Development and Sequential Approach
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing
SCF1	Social and Community Facilities
OSN2	Open Space
CON1	Listed Buildings
CON4	Archaeology and Ancient Monuments
CON5	Protection and Management of Important Views

5.9 Spatial Development Strategy for Greater London (consolidated with alterations since 2004)

2A.1	Sustainability Criteria
3A.1	Increasing London's Supply of housing
3A.3	Maximising the potential of sites
3A.5	Housing choice
3A.7	Large Residential Developments
3A.8	Definition of affordable housing
3A.9	Affordable Housing targets
3A.10	Negotiating affordable housing in individual private residential and mixed use schemes
3A.11	Affordable housing thresholds
3A.17	Addressing the needs of London's diverse population
3A.23	Health objectives
3A.24	Education facilities
3B.3	Mixed use development
3D.11	Open space provision in DPDs
4B.1	Design principles for a compact City
4B.2	Promoting world class architecture design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.8	Respect and local character and communities

4B.9	Tall buildings location
4B.10	Large scale buildings-design and impact
4B.11	London's built heritage
4A.12	Heritage Conservation
4A.1	Historic Conservation led regeneration
4A.4	Energy Assessment
4A.5	Provision of heating and cooling
4A.6	Decentralised energy, heating, cooling and power
4A.7	Renewable energy
4A.14	Sustainable drainage
4A.17	Water Quality
4A.19	Improving air quality
4A.22	Spatial policies for waste management

5.10 Government Planning Policy Guidance/Statements

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

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

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

5.12 Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements
Archaeology and Development

6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 Greater London Authority (Statutory):

6.3 The following were comments made in the GLA Stage 1 Report presented to the Mayor on the 14th November 2005.

- The applicant is required to undertake full noise and air quality appraisals to investigate whether any environmental impacts can be mitigated against.

(Officers comment: The applicant has undertaken a detailed noise and air quality impact appraisals which has addressed the GLA concerns. Refer to paragraph 8.101-8.107)

- The applicant should clarify that all homes are to be built to 'Lifetime Homes' standards and that 10% of homes will be built to wheelchair design standards.

(Officers comment: 10% of the homes will be wheelchair accessible. This can be

secured by way of condition)

- A financial contribution will be payable to TfL towards improving pedestrian links to Blackwall station.

(Officers comment: A financial contribution of £30,000 has been proposed by TfL and agreed by the applicant. This will be conditioned in the S106 agreement)

6.4 Following on from the Stage 1 report, the applicant provided information to the GLA which sought to address the concerns raised previously. On the 1st August 2007, the Mayor considered an update report on these proposals. The following additional points were raised:

- The applicant has not addressed the concerns raised previously over the potential impacts the waste transfer station would have on residential amenity.
- The applicant has not modified the design of the building to mitigate against potential noise impacts.

(Officers comment: To address the above concerns raised by the GLA, the applicant conducted a further Environmental Assessment report. In short, the scheme incorporates additional measures as follows:

a) Noise attenuating materials and the use of double glazing to the façade of the eastern elevation

b) Inclusion of mechanical ventilation systems into the scheme

c) Use of noise absorbent materials in the construction of the balconies. These serve to reduce noise ‘reflection’)

It is important to note the Arron House development abuts the Northumberland Waste Transfer Station (WTS) to the south. This site is closer to the loading area of the scheme of the WTS (the loading area) of the scheme. It is considered that the applicant has addressed concerns raised by the GLA and is discussed later in this report

6.5 Samples of the materials to be used on the eastern elevation would be submitted prior to construction works on site. This would be secured by way of condition.

6.6 To help meet the needs of older children within the development a financial contribution should be made towards the procurement, development and future management of recreational facilities in the area.

(Officers comment: The applicant has amended the scheme to increase the amount of child playspace on site. The scheme now provides sufficient child playspace and meets the policy requirement as set out in HSG 7 of the Interim Planning Guidelines).

6.7 GLA raised concerns relating to air quality for future residents as a result of neighbouring Northumberland Wharf site. Clarification is needed that the impact on air quality of the vent was assessed in the recent air quality assessment undertaken by Hilson Moran.

(Officers comment: The applicant has addressed this concern. Refer to paragraph 8.108-8.113)

- The concerns expressed in the Stage 1 update report regarding the proposed design in respect of WTS noise still remain. The applicant should consider a redesign of the

layouts e.g.: moving habitable rooms away from the affected façade.

- The Housing mix is now satisfactory
- Satisfied with the proposed Affordable Housing, provided a cascade mechanism is in place within any S106 to secure more AH in the event that more SHG is forthcoming
- With regard to energy, the officer is satisfied to report favourably to the Mayor when the proposals get to Stage II referral.

6.8 Transport for London (Statutory)

6.9 The following are comments were made in the Stage 1 report presented to the Mayor on the 14th November 2005

- The developer should provide cycle parking inline with London Cycle Design Manual Standards (This requires the developer to provide 1 cycle space per residential unit).

(Officers comment: The applicant has agreed to provide 1 cycle space per unit i.e. 141 cycle spaces. This will be secured by way of condition)

- The development does not impact on the operation of the Blackwall Tunnel. Any permission should be conditional upon the submission and approval of details of the height of the building, and foundation type and cross-section drawings showing both above ground and underground structures including foundations, basement car park and access ramp.

(Officers comment: The applicant will be required to submit details of site foundations by way of condition)

6.10 Environmental Agency (Statutory):

- The Flood Risk Assessment (FRA) is acceptable. The Environmental Agency request a cross section drawing showing the finished floor levels of the car parking and the residential level shall be included in the FRA.
- The applicant needs to undertake an assessment to demonstrate that the risk of pollution to controlled waters is acceptable

(Officers comment: The applicant has been completed a risk assessment and is set out as part of the geotechnical survey undertaken by Card Geotechnics which was submitted with the application. The risk assessment makes specific reference to the risk of pollution to controlled waters. Section 6.5.3 (Page 26) concludes that:

“...it is considered that the identified site contamination poses a low overall risk to the underlying groundwater...given the presence of a layer of relatively impermeable Alluvium beneath the site and the river wall it is considered that the site poses a low overall risk to the nearby River Thames.”

However, Environmental Agency has not commented on the report as yet. The comments will be included in the addendum report on the 28th May 2008)

6.11 English Heritage Archaeology

- This site lies within an area of archaeological interest
- Archaeological investigation should be undertaken on site. These investigations should be secured by way of planning condition.

(Officers comment: This will be secured by way of condition)

6.12 LBTH Highways department

- The proposed 49 basement car parking spaces which equates to 0.35 spaces per unit and hence in line with current LBTH policies.
- Inappropriate location of refuse facilities

(Officers comment: The applicant will be required to submit details of refuse and recycle facilities on a different location on site)

- The developer has indicated in the transport assessment that cycle parking is being proposed at 1 space per 3 flats, this is less than current LBTH standard. 1 cycle space per unit should be provided for the residential unit.

(Officers comment: The applicant has agreed to provide 1 cycle space per unit i.e. 141 cycle spaces. This will be secured by way of condition)

6.13 Education:

3): A contribution of £234,498 to mitigate the demand of the additional population on education facilities.

(Officers comment: The above contribution will be secured in the S106 agreement).

6.14 Environmental Health

- The Prestons road facades will require noise mitigation and all other non glazing facades should achieve RW48.
- The Aircraft Noise from City Airport air traffic movements and taking in consideration the predicted increase in both daytime and night noise levels at the proposed development due to the expansion of City Airport, the noise impact is considered insignificant.

6.15 Primary Care Trust

- A total capital planning contribution of £198,784 to be made for the section 106 agreements.

(Officers comment: The above will be secured in the S106 Agreement)

6.16 British Waterways

Appropriate development of land is welcomed provided it:

- Improves the character of the waterscape
- Improve the general public's appreciation of the waterways; and
- Enhances the environmental attributes of the waterway.

6.17 Crossrail

No comments received

6.18 Thames Water Utilities Ltd-

No comments received

- The loss of natural light and/or overshadowing to surrounding residents
- Loss of daylight and sunlight to properties at Nova Court East and West
- Overlooking and loss of privacy to residents in Nova Court
- The neighbouring developments (The Lighthouse Development) will now be seriously overlooked and result in loss of privacy for all of its many residents

(Officers comment: Amenity issues are discussed in paragraphs x)

7.5 Infrastructure

- Part of the development will be above Blackwall Tunnel. The development will result in long term structural problems to Blackwall Tunnel.

(Officers comment: This is discussed in paragraphs 8.114-8.177 for discussion on this point)

7.6 Transport

- Lack of car parking on site
- Lack of car parking in the surrounding area resulting in increased pressure on existing spaces
- This development will mean there will be no affordable parking in the area, resulting in the only option available to residents being extremely expensive parking within the Canary Wharf estate.
- The proposal will result in increased traffic congestion

(Officers comment: Parking policy issues are discussed in paragraphs 8.81-8.94)

7.7 Housing

- There are no advantages for more Council and shared owners tenants to move in this new proposed redevelopment. In addition to the high cost of life living within close proximity to Canary Wharf,

(Officers comment: Refer to housing section of the report)

7.8 Environmental Objections

Loss of trees that run parallel with the site cut down and destroyed, as they are not depicted on any plan. Even if the trees remain the neighbouring development (The Lighthouse Development) will no longer be able to benefit from seeing these trees.

(Officers comment: The views of the trees are not protected by any planning policy and is therefore not a material planning consideration)

7.9 Other objections relating to the area in general

- no school or other public services nearby (NHS centre, dentist etc)
- No park/green areas (open space) to sit as a family or for friends to relax (New Providence Wharf is private property and members of the public are not permitted to use the area)
- There are no affordable restaurants and/or places to socialize for Council and shared owners tenants who move into this new proposed redevelopment.
- No real size community centre to accommodate such a huge amount of people
- No sports centre facilities and no real size sports ground
- No childcare facilities for young families.
- Prospect of anti-social behaviour

- Lack of freedom of actions and movement due to high security of New Providence Wharf/Ontario development will increase the risk of social clashes with council/shared ownership tenants.
- Impact Barclays, HSBC and Citigroup views of the o2 Arena and North Greenwich with a tower and building block that will block the view but also emit bright inharmonious colours (red, yellow).

(Officers comments:

1. With reference to school places and health services, the applicant will be required by enter into a Section 106 agreement to provide a contribution of £198,784 to mitigate the demand of the additional population on health care facilities and £234,498 to mitigate the demand of the additional population on education facilities.

2. With reference of open space, the proposal provides an appropriate amenity of public open space which exceeds policy requirement.

3. There is no evidence to suggest the proposal would result in anti social behavior.

4. A community facility does not form part of the application and is considered necessary to include in order to deem the proposed acceptable.

5. The views of o2 Arena and North Greenwich are not protected for Barclays, HSBC and Citigroup)

7.10 Letter of support

- The layout and density of the proposed plan is well designed, at the Preston's Road end the careful landscaping and slope of the building minimizes the loss of natural daylight to Nova Court and surrounding buildings.
- The loss of privacy having a building opposite your own is in fact of life when living in urban spaces.
- Community objections to the loss of car park space is unfounded as the new development includes it's own underground facilities, the incumbent car park whose constant movement of vehicles all day and the associated dust cloud covers surrounding buildings only serve s the contractors of the various building sites around Docklands.
- The Nova Court Buildings have had recent surveys that included residential feedback on any structural problems, and none were found, from this we can assume development will face the same.
- Plans state that it includes a communal open space and further commercial units to complement Blackwall Way and the Ibis Hotel this will lead to a well lit and occupied Yabsley Street which at present is dark and uninviting.
- The proposed community park at Woodland Wharf on Preston's Road redresses fear of lost open spaces.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use
2. Density
3. Design
4. Housing
5. Amenity/open space
6. Daylight and Sunlight
7. Transport

8. Sustainability

Land use

- 8.2 The proposed scheme comprises of 141 residential units and 43 sqm of commercial floorspace, which would be provided as a single unit. The site is not designated in the UDP (1998). However, in the Councils Interim Planning Guidance 2007 (Isle of Dogs Area Action Plan), the site is allocated for residential (C3).
- 8.3 The site is not recognised as a location for B1 (office) development and is isolated from the nucleus of such activity around Canary Wharf.
- 8.4 With reference to residential development on site, the GLA Stage 1 report notes that:
- ‘the relationship of residential development on the application site to the neighbouring waste management facility at Northumberland Wharf is of critical importance in making an assessment of the acceptability or otherwise of the current proposals’.*
- 8.5 The applicant has undertaken studies on the environmental impacts in order to assess the impact with Waste Management facility may have on future occupants of the site. In light of the details provided, the Council does not believe that the waste centre should have an adverse impact on residential amenity. Please refer to paragraphs 8.106-9.110 for discussions relating to residential amenity.
- 8.6 In accordance with policies 3A.1, 3A.3 & 3A.5 of the London Plan (2008), the Mayor is seeking the maximum provision of additional housing in London (2008). The London Plan housing target (Dec 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).
- 8.7 The principle of residential development within close proximity to this Waste Transfer station has previously been accepted by the Council at the Arron House development. The site abuts the WTS to the south. This site is closer to the noisiest part of the WTS (the loading area) of the scheme). Other examples in London where large scale residential development has been approved in London include Riverside West development by Berkeley Homes in Wandsworth. This is a 434 unit riverside development which is 8 storeys high and which adjoins the Western Riverside Waste Facility. The WRWA is a much larger facility than Northumberland Wharf (as it serves four local authorities rather than the two at Northumberland Wharf) but has a similar functions i.e. it operates as a combined waste transfer and civic amenity facility and moves waste onto river barges for transfer downstream. In this case, Council members at Wandsworth were given sufficient comfort that there would be no adverse impacts on the future residents of the scheme. In light of the preferred uses for the site identified in the London Plan, IPG 2007 and comfort given to officers that future occupiers of residential units would not be adversely affected by the proximity of the waste transfer station.
- 8.8 At present, the site does not contain any commercial uses on site. The proposal will include 43 sqm of commercial floorspace and thus result in new employment floorspace on site. This is acceptable as an ancillary use to the residential led scheme proposed.

Density

- 8.9 The site has a net residential area of approximately 0.23 hectares. The scheme is proposing 141 units or 405 habitable rooms. The proposed residential accommodation would result in a density of approximately 1760 habitable rooms per hectare (hr/ha).
- 8.10 The site has a public transport accessibility level, or PTAL, of 5 According to TABLE 4b.1 of

the London Plan, the site is best described as 'urban' 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'.

- 8.11 In general numerical terms, the proposed density 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. The area already contains several high density development residential schemes i.e. Ontario Tower, New Providence Wharf, Poplar Dock and Blackwall Basin.
- 8.12 Residents have considered that this application results in an unacceptable increase in density and is therefore an overdevelopment of the site. However 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
- 8.13 These issues are all considered in detail later in the report and were considered to be acceptable.
- 8.14 Policy 3A.4 of the consolidated London Plan (2008) states that the Mayor will ensure the development proposals achieve the highest possible intensity of use compatible with local context, the design principles of 4B.1 and with public transport capacity.
- 8.15 Policy 3A.2 of the consolidated London Plan (2008) 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.
- 8.16 On review, 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 as it secures a number of contributions towards affordable housing, health, education, transport and community facilities and local employment initiatives been agreed to mitigate any potential impacts on local services and infrastructure.

Design

Height, Bulk and Massing

- 8.17 Good design is central to all the objectives of the London Plan. Policy 4B.1 of the consolidated London Plan (2008) refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design.
- 8.18 Policy CP4 of the Interim Planning Guidance (2007) states that LBTH will ensure the 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.

- 8.19 Comments from the 2007 GLA stage 1 report advises “*that the site is able to take up increased massing and height, subject to high quality architecture and use of materials*”.
- 8.20 The GLA support the scale and massing of the proposal. The GLA stage 1 report notes that:
‘ the proposed layout, massing and scale of development responds satisfactorily to the site’s context, with the low rise block to be built parallel to Preston’s Road providing improved definition to this route while the tower will- in terms of it’s massing, height and form- relate well to the nearby density development At ‘New Providence Wharf’ and the ‘White Swan’ Development.’
- 8.21 The use of prefabricated timber panels, large glazing units and engineered balconies gives the opportunity for a high quality of finish. Overall the design makes a positive contribution to the area.

Tall Buildings

- 8.22 The London Plan encourages the development of tall residential buildings in appropriate locations.
- 8.23 Policy 4B.9 of the consolidated London Plan (2008) 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 consolidated London Plan (2008) requires all large-scale buildings, including tall buildings, to be of the highest quality of design.
- 8.24 CP48 of the Interim Planning Guidance 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.
- 8.25 Within the wider context of the site there area a number of tall buildings, these tall buildings occur both within the City Quarter to the south west of the site but also within the more residential areas to the north of the site. Examples of tall residential buildings (and high density development) m approved in the area are: (1): Ontario Tower, (2): New Providence Wharf; (3): White Swan; (4): Polar Dock and (5): Blackwall Basin. In addition, give its close proximity to Canary Wharf, the principle of tall commercial buildings in the area is well established.
- 8.26 Policy DEV27 of the Interim Planning Guidance 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:
- 8.27
- 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
 - Presents a human scaled development at the street level.
 - The 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 scheme will contribute positively to the social and economic vitality of the surrounding area at the street level through its proposed mix of uses.
 - 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. There are 49 car parking spaces proposed which is not considered to be excessive and complies with policy.

Housing

8.28 In summary the key changes made to the mix since the previous submission are:

- a reduction in the overall number of units from 154 to 141
- an increase in the overall amount of affordable housing from 32% to 37% (by habitable room)
- an affordable housing tenure split of 76/24 (social rented/intermediate).
- an increase in the number of family sized (3 + bed units) from 29 to 36. By habitable room, this represents an increase from 1% to 56% of the total mix

Affordable Housing

8.29 Policy 3A.9 of the consolidated London Plan (1998) sets out a strategic target that 50% of the new housing provision should be affordable. 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.

8.30 An evaluation of the schemes viability was prepared by the applicant using the GLA Affordable Housing Financial Viability 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 by the GLA. This scheme proposes to provide 37% of affordable housing when measured by habitable room, which is the Council's preferred measure. This is above the minimum of 35% required by the IPG and is acceptable. In addition, the GLA have confirmed their acceptance of the level of affordable housing proposed.

Housing mix

8.31 Policy CP21 'Dwelling Mix and Type' of the Interim Planning Guidance governs the ratio of social rented units to those of intermediate tenures.

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 Borough's current housing:

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total Units in scheme	units	%	target %	units	%	target %	units	%	target %
Studio	0	0		0	0	0	25	0		25
1 bed	76	3	10.7	20	2	20	25	71	69	25
2 bed	29	10	35.7	35	3	30	25	16	15.5	25
3 bed	22	5	17.8	30	1	10	25	16	15.5	25
4 bed	6	2	7.1	10	4	40		0		
5 Bed	8	8	28.5	5	0			0		
TOTAL	141	28	100	100	10	100	100	103	100	100

Table 1: Proposed housing mix and tenure split

- 8.33 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 Council considers the mix identified in Table 1 to be acceptable in light of policy HSG7 of the UDP.
- 8.34 The Council's Interim Planning Guidance requires 45% of social rented units to be suitable for family accommodation (3 bed or more). The proposal provides 54% family accommodation by unit numbers. The proposed development therefore exceeds the policy requirement of HSG 2 'Housing Mix'.
- 8.35 The Council's Interim Planning Guidance requires 25% of intermediate and market units to be family sized accommodation. The proposal makes provision for 50 % family housing and in the intermediate tenure and therefore exceeds the policy requirement. However, the proposal makes provision for 16% family units in the private tenure and which falls short of the policy requirement. The Council is prepared to accept the deficiency of family units in the private sector and the proposal exceeds the policy requirement provision for family units in the social rented and intermediate tenure.
- 8.36 The financial viability assessment in the form of the GLA's Toolkit has been submitted justifying the financial viability of the mix as proposed. Importantly, the scheme exceeds the amount of family housing otherwise achieved across the Borough based on the most recently published LBTH Annual Monitoring Report 2005-6 as shown in the table below. Therefore the scheme is a positive step towards LBTH achieving key housing targets and better catering for housing need.

8.37	Tenure	Borough wide %	PA/05/1866
	Social rented	21.7%	54%
	Intermediate	9.7	50%
	Market	1.7	16%
	Total	6.8	26%

Social Rented/ Intermediate Ratio

8.38 Against London Plan policy 3A.9 affordable housing target is 70% should be social rent and 30% should be intermediate rent.

8.39 Policy CP22 of the IPG states that the Council will require a social rented to intermediate housing ratio split of 80:20 for affordable housing. Given the difference between policy objectives, the proposed split of 76/24 falls within the range of acceptability and is supported by Council officers along with the GLA. A summary of the affordable housing social rented/ intermediate split is provided below:

Accessibility

8.40 The IPG Policy HSG9 both require 10% wheelchair accessible accommodation; further the IPG requires that all new homes be built to lifetime homes standards.

8.41 Six car parking spaces will be earmarked for disabled users. In addition, there is also no mention of lifetime homes standards. Meeting the standards of 100% lifetime homes. This will be secured by way of condition.

Amenity/Open Space

8.42 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	36	50sqm of private space per family unit	1800
Non-family units	205	50sqm plus an additional 5sqm per 5 non-family units;	91
Child Bed spaces	83.4	3sq.m per child bed space	250
Total			2141

8.43 Following is an assessment against the residential amenity space requirements under policy

HSG7 of the Interim Planning Guidance (Oct 2007).

Units	Total	Minimum Standard (sq.m)	Required Provision (sq.m)
Upper floor units			
Studio	0	6	0
1 Bed	76	6	456
2 Bed	29	10	290
3 Bed	21	10	210
4 Bed	5	10	50
5 bed	4	10	40
Total			1046
Ground floor Family units			
Studio			
1 bed	0	25	0
2 bed	0	25	0
3 bed	1	50	50
4 bed	1	50	50
5 bed	4	50	200
Total			300
Grand Total	141		1346
Communal amenity		50sqm for the first 10 units, plus a further 5sqm for every additional 5 units	(50sq.m plus 130 sqm). 180
Child play space		83.4 x 3 sqm	834 (83.4 x 3)
Total Housing Amenity Space Requirement			2360

8.45 The table above illustrates that the total amount of amenity space required to make the scheme policy compliant is 2360 sqm. The proposal makes provision for a total of 2, 777 sqm of amenity space which exceeds the policy requirement of 2360 sqm.

8.46 The proposed communal amenity space of 1252 sqm exceeds the policy requirement of 180 sqm identified by the IPG 2007. The scheme provides private amenity space in the form of terraces and balconies which together have a total floorspace of 1225 sqm. This is below the target of 1346 sqm. Of the 141 units, only three do not have private amenity space. However, these three units are all on the ground floor of the tower block and have direct access to the communal gardens at the rear.

8.47 Furthermore, as set out above, the communal amenity space is well above the level sought by Policy HSG7, which assists to offset any shortfall in private space provision. In light of the overall open space provision across the site, this is acceptable.

Child Play Space

8.48 Policy 3A.18 'Protection and enhancement of social infrastructure and community facilities' of the consolidated London Plan (2008) seeks the protection and enhancement of social infrastructure, including child play and recreation facilities. As such, all residential development is expected to provide child play space.

8.49 The 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 Mayor's

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”.

8.50 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

8.51 *“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”*

8.52

	No units	Child yield	Number of children-
Private and intermediate			
1 bf	73	0.11	8.03
2 bf	19	0.11	2.09
4 bf	17	0.48	8.16
4 bf	4	0.48	1.92
Social rented			
1 bf	3	0.20	0.6
2 bf	10	1.00	10
3 bh	5	2.00	10
4 bh	2	3.3	6.6
5 bh	8	4.5	36
Total	141		83.4

8.53 The child occupancy of the proposed development is calculated as 83.4 children as set out in the table below. The Council’s IPG (2007) notes that the need for play space will equate to the number of children x recommended benchmark standard of 3sq.m /child. This equates to a requirement for 250.2sqm (83.4 x 3 = 250.20)

8.54 The applicant has increased the provision of child playspace from 120 sqm to 300 sqm. The Council considers this to be acceptable as the amount of child playspace provided exceeds the policy requirement of HSG7 of the Interim Planning Guidance.

Daylight /Sunlight Access

8.55 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.

8.56 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.

Daylight Assessment

8.57 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.

- 8.58 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.

White Swan Development

- 8.59 All but one room that directly face the site achieve the ADF criteria set out in the BRE Report with the proposed development in place. The room is a living room/ kitchen and has an existing ADF value of 1%. The proposal will result in an ADF of 0.76%. However, the windows are small and one of them is set under a balcony, which lead to an inadequate ADF figure in the existing case.

Arran House

- 8.60 All rooms complying with the BRE criteria for VSC, ADF and No-sky line.

Galleon Quay Proposed scheme

- 8.61 All rooms achieve or exceed the BRE and British Standard criteria for daylight.

8.62 **Sunlight**

- 8.63 The sunlight availability before and after development was calculated as a measure of the impact of the proposal on sunlight. The BRE Report recommends that the annual probable sunlight hours in the proposed case should be at least 25% of the annual total including at least 5% in winter. Where the proposed values fall short of these then the diminution should not be greater than 20% in either case. Only those windows that face within 90 degrees of south should be considered.

8.64 White Swan Development (Nova Court)

- 8.65 This building contains balconies and overhangs above some windows. The BRE criterion for sunlight does not consider existing balconies in the calculations. This means that during the summer, apart from early morning and late afternoon, the sun casts a shadow on the window throughout the day.
- 8.66 During the winter months the sun tracks across the sky at low angles of elevation, and in midwinter does not exceed 15 degrees elevation above the horizon. This means that the windows under balconies have relatively high levels of winter sunlight and low levels of summer sunlight. When such windows face a vacant site, even modest development will inevitably cause a reduction of winter sunlight. The summer sunlight level measured at such windows is low and unchanged by the development.
- 8.67 The sunlight results show that the White Swan development will continue to receive high levels of sunlight; all windows that are not affected by balconies typically receive 50% of the Annual Probable Sunlight Hours, which is double the BRE suggested minimum. Some living rooms at first floor are dual aspect. Here one window is affected by the presence of a balcony but the other is unhindered and will receive high levels of sunlight. Therefore even with the balconies these rooms will enjoy good levels of sunlight.
- 8.68 There are four living rooms on the ground floor that are set back behind the main building line so that the floor above projects out above the ground floor windows. The general effect

of this is similar to that described above. Measured at the window centre the summer sunlight levels are low and unaffected by the development, and the winter levels are initially high but reduced significantly by the development. The reasons for this reduction are as follows:

- the sunlight level measured on the main façade is very high: in the range of 54% to 68% of the Annual Probable Sunlight Hours (APSH).
- the figures for all but one of the windows measured at window centres are not unusually low for an urban location with APSH figures of around 20%.
- the low figures are partially due more to that recessed position of the windows than to the scale of development of the Galleon Quay site. The upper half of the proposed building is hidden by the projecting balcony and therefore does not affect the sunlight figures. To comply strictly with the BRE guidelines for these windows would mean reducing the height of the proposals to low rise development, uncharacteristic of this area, namely a high density, Central London location.

8.69 Overall the White Swan development will continue to receive high levels of sunlight, significantly in excess of the BRE guidelines. There are few rooms, where due to recessed windows or balconies the windows do not meet a strict interpretation of the BRE guidelines but in all cases the sunlight availability on the façade of the building is very high.

Arran House

8.70 The façade of this building adjacent to the development site faces northwards and therefore does not have a requirement for sunlight.

Galleon Quay Proposed scheme

8.71 All living rooms with a southerly aspect have windows that achieve the BRE guidelines for sunlight. There are some north facing living rooms within the scheme, which is common in an urban development, and clearly these will not have good sunlight, nor do they have an expectation of such.

8.72 The orientation of the affordable block is such that the living rooms have views over the water and do not face within 90 degrees of south. They would therefore not have an expectation or requirement for high levels of sunlight. The bedrooms at the rear of the block do face within 90 degrees of south and do not achieve the BRE guidelines for sunlight. However the BRE states:

“kitchens and bedrooms are less important, although care should be taken not to block too much sun.”

8.73 The bedrooms in question typically receive around 14% of the annual probable sunlight hours, which are not an unusual figure in an urban location, even for a living room, and therefore should be regarded as a reasonable figure for a bedroom.

Objections received on daylight and sunlight grounds

8.74 The following properties have expressed concern that the development will adversely impact on the existing daylight and sunlight levels:

Aurora Building, 164 Blackwall Way, London, E13 9PG

Flat 11 & 22, Arron House

8.75 The living room in flat 11 will retain a good level of daylight. The room retains ADF values of 2.69%, 2.09%, 1.74%, and 25% which exceeds the BRE recommendation of 1.5%. Likewise, with flat 22, Arron House, the proposed ADF values are 2.27 % and 1.60%
Flat 30, Arron House:

8.76 The daylight levels to the living room will retain the ADF levels. The ADF levels will remain very high at over four times BRE suggested figure for a living room. The sunlight availability as measured by Annual Probable Sunlight Hours (APSH) to the principal living room window will be 73% which is approaching treble the BRE suggested figure of 25%. Therefore the impact to sunlight is small and the property will retain very high levels of sunlight availability

Nova Court (East), 6 Yabsley Street, London, E14 9RX

Flat 11 at Nova Court (east)

8.77 The Average Daylight Factor (ADF) level is 3.7% which exceeds the BRE recommendation of 1.5% for a living room. The daylight levels will remain good. Similarly, the sunlight levels exceed the minimum standards as set out in the BRE guidelines.

Flats 5, 12, 13 & 14 at Nova Court (West) 4 Yabsley Street, London, E14 9SA

8.78 Each of the above properties exceeds the minimum ADF recommendations. Each property has an ADF of around 3.6% Similarly the impact to sunlight is small and the properties will retain very high levels of sunlight availability.

Lumina Building, 29 Prestons Road, London, E14 9RJ

8.79 Flat 20, Lumina Building.

The living rooms pass the ADF tests. The sunlight levels also exceed the BRE suggested figure. The property has two bedrooms one of which retains a high ADF of 2.7% compared to the BRE suggested figure. The property has two bedrooms one of which retains a high ADF of 2.7% compared to the BRE suggested figure of 1%. The other has a low ADF figure of 0.65% in the existing situation, due to its small window located under a balcony, but is not materially impacted by the proposed development since there will be no reduction in ADF and only a small reduction in No-Sky line.

8.80 Flat 21, Lumina Building

The living room will retain a very good level of daylight with an ADF of 4.3% and similarly, with an APSH of 52%, will retain excellent sunlight availability of double the BRE suggested figure. The two bedrooms will retain good levels of daylight with ADFs of 1.7% and 3.3%.

Transport

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

Access

8.82 The site is generally sloped across its length. A level podium is proposed to access the tower and block and is approached directly off of the existing public thoroughfare of Prestons Road via steps and ramps.

Pedestrian

- 8.83 Pedestrian approach is direct from Prestons Road for the residential block and tower as well as the small retail unit at the base of the tower.
- 8.84 The retail development is accessed directly off of a new landscaped pathway from Prestons Road and Yabsley Street via a level approach. These new pathways are connected to existing public thoroughfares.
- 8.85 Both the residential tower (17 storeys) and low rise block (7 storeys) have level access directly off of the access podium.
- 8.86 Given the high amount of accommodation provided, the Council and GLA have determined that contributions for transport infrastructure are required via the S106 agreement to ensure that the development can be sufficiently mitigated against.

Car parking

- 8.87 According to policy 3C.23 of the consolidated London Plan (1998), 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.
- 8.88 Parking standards for residential is 0.5 spaces per dwelling (no parking allowance for visitors) as set out in the Councils Interim Planning Guidance. As a result of discussions with LBTH, the number of car parking spaces is 49 at basement level. Therefore, the proposal is to have a 35% car parking provision and complies with Council policy.
- 8.89 The parking standard in Annex 4 of the London Plan states that boroughs should take a flexible approach in providing disabled spaces. The only minimum standard mentioned is for new developments to provide 2 car parking spaces which the development complies with. The Accessible London Supplementary Planning Guidance (SPG) does not provide additional information with regards to the quantity of spaces to be provided. The proposal provides 6 disabled parking spaces which the Council are satisfied with.
- 8.90 Vehicular arrival is direct from Yabsley Street, Prestons Road and Releana Road to the main entrance. The car parking provision for the development is accommodated at basement level.
- 8.91 It is recommended that a S106 agreement be put in place to ensure that the development is 'car free', so that no controlled parking permits are issued to the new residents of the development. As such, there will be no overspill parking from the development. Most of the residents will therefore be committed to using public transport services and alternative modes for all journeys. Also, a S106 agreement for the preparation, implementation and maintenance of a green travel plan will be secured. The applicant has agreed to such planning contributions.

Cycle Parking

- 8.92 The London Plan does not designate cycle parking standards. Annex 4 of the London Plan states that developments should provide sufficient secure cycle parking and supporting facilities in accordance with PPG13. It also acknowledges that TFL has indicative guidance on cycle parking standards.
- 8.93 PPG13 does not adopt a minimum figure for cycle spaces, rather requires that convenient and secure cycle parking is provided in developments at least at levels consistent with the cycle strategy in the local transport plan.

8.94 The TFL cycle parking standard and the Council's IPG require 1 bicycle space per unit for the residential element. The scheme makes provision for 44 cycle spaces at basement level and 6 motorcycle spaces at basement level. The applicant should provide 141 spaces for the residential element of the proposal and 3 for the commercial element. This can be addressed by way of condition.

Sustainability

Energy

8.95 Policy 4A.7 of the consolidated London Plan (2008) seeks to adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite emissions of 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

8.96 The GLA stage 1 noted that :

" the applicant needs to provide details of the fuel supply and ensure that C2 emissions associated with it take into account transportation. In addition, the applicant should take account of the alterations top the London Plan which sets a 20% CO2 emissions reduction target."

8.97 The applicant has addresses the concerns raised and the GLA are satisfied with the proposal "subject to the applicant addressing the issues raised in the Stage 1 update report" he is satisfied to report favourably to the Mayor when proposals are referred back at Stage II.

8.98 The GLA update report noted that the proposal should accord to the following:

- Heat load profiles should be submitted to the GLA to demonstrate whether combined heat and power is technically feasible; and, should CHP be feasible, it should be incorporated in line with the current and emerging London Plan energy policies.
- Details of the fuel supply should be supplied to seek to ensure that carbon dioxide emissions associated with it take into account transportation.
- The draft further alterations to the London Plan sets a 20% carbon dioxide emissions reduction target and to help meet this target the applicant will need to demonstrate whether it can increase the contribution from the proposed boiler.

8.99 The proposal addresses the previous concerns raised by the GLA by incorporating the following measures:

- a) The use of a gas fired CHP plant is proposed to meet a proportion of the schemes heating and power requirement
- b) Use of dual fuel boilers which will use a combination of glass and biodiesel fuels
- c) The proportion of bio-diesel to be used has been increased significantly under the revised strategy.
- d) The solution will generate a 20% reduction in co2 emissions, and therefore be fully compliant with the Mayor's energy policy.

Microclimate

Wind

8.100 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. In respect of wind conditions on the thoroughfares surrounding the site, the assessment highlights that the introduction of soft landscaping measures will result in local wind conditions that are suitable for existing and planned activities. (Is this Bethnal Green or Yabsley Street). Details of the landscaping (trees& formal planting) will be required by way of condition.

Noise and Vibration

8.101 The consolidated London Plan (2008) 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.14).

8.102 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.

8.103 The noise report specifies different forms of double glazing, non-glazing façade materials and mechanical ventilation which can be used to meet these requirements. The report also examined the potential impact of future night-time activities at the WTS and concluded that the relevant internal noise limits should not normally be exceeded provided the mitigation measures described above are implemented as suggested. Following on from comments made in the stage I updated report, revisions were made to the design of the façade on the eastern elevation to reduce the impacts of noise from the WTS.

8.104 It is now proposed that the scheme employ some additional measures as follows:

- Inclusion of mechanical ventilation systems into the scheme
- Use of noise absorbent materials in the construction of the balconies. These serve to reduce noise 'reflection'.

The above would be secured by way of condition.

8.105 The above measures will be secured through the use of planning conditions attached to any grant of permission and it is therefore considered that noise issues can be fully addressed. This has been assessed and agreed by Councils Environmental Health officers.

8.106 With reference to the road traffic noise, The GLA noted in correspondence with the applicant that :

8.107 *"having now seen the revised Environmental Assessment (issue 0.10, 17 May 2007) has confirmed that it is satisfactory addresses the concern expressed over road traffic noise assessment methodology in the Stage 1 Update Report should now be withdrawn".*

Air Quality

8.108 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

8.109 The GLA stage 1 report notes that:

“The proximity of the proposed residential units to the waste transfer station may cause dust and odour nuisance for future residents. Concentrations of fine particulate matter (PM10) may also be elevated in the vicinity of the Waste Transfer Station”.

8.110 Air quality assessment was undertaken by Hilson Moran as set out in the submitted Environmental Assessment Report. The main conclusions of the studies are that:

- 8.111 • The emissions from the source would not have a significant contribution to levels at the development and that no additional mitigation measures were necessary.
 - 8.112 • Odour samples were taken in the waste tipping hall of the WTS on the site boundary and upwind of the site. Odour emissions were modelled and the predicted levels at the site boundary (rather than within the application site) did not exceed the guideline levels. It should be noted that the actual levels measured in the same locations were in fact lower than the forecast levels.
- 8.113 There is therefore highly unlikely to any air quality or odour impacts arising from the WTS which might affect the amenity of residents of the proposed development. This has been assessed by Councils Environmental Health officers and found it to be acceptable.

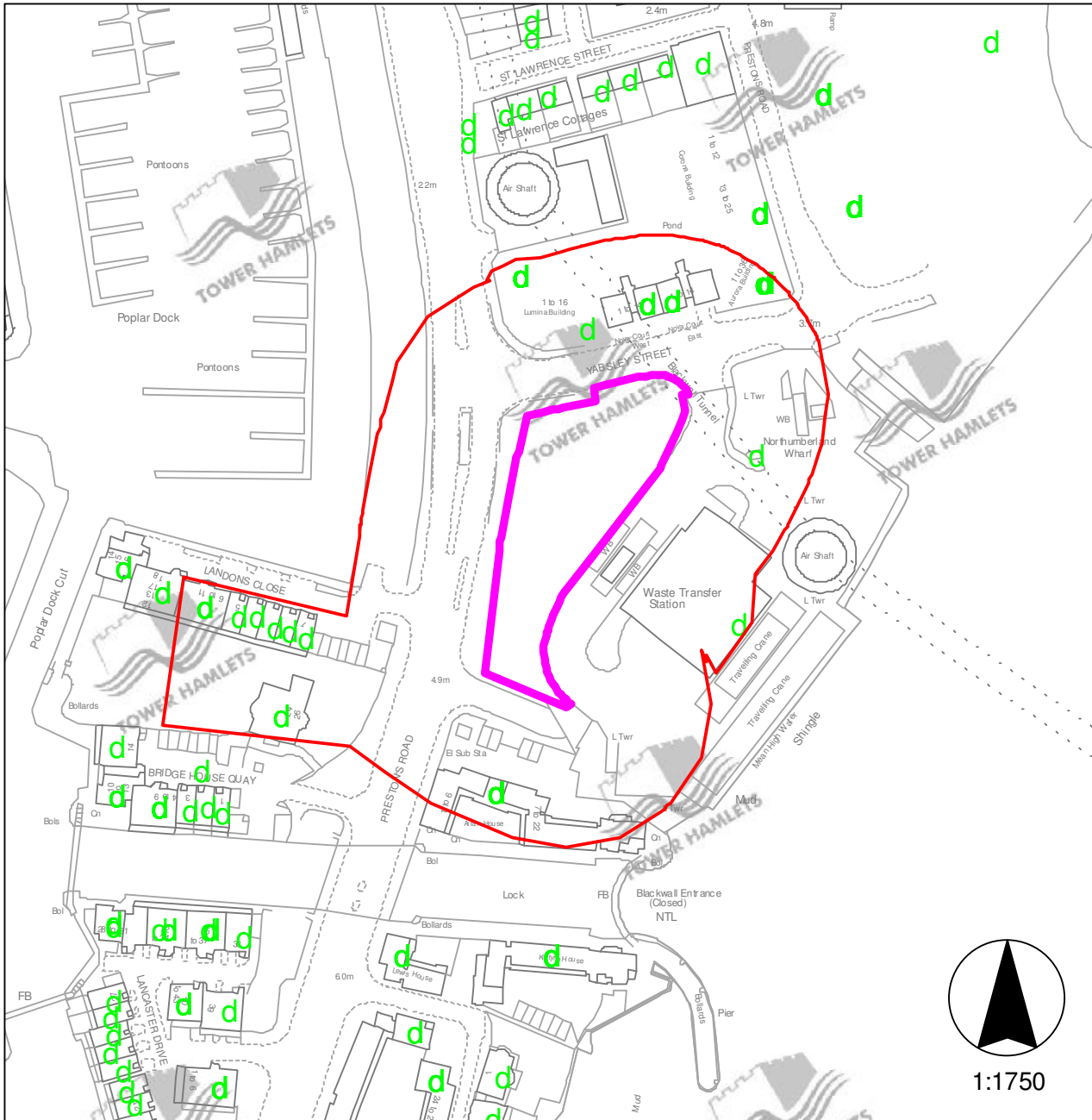
Impact on the physical infrastructure of Blackwall Tunnel

- 8.114 Walsh Associates have been invited by Baladine Properties to act as their structural and civil engineering consultants in connection with the proposed development. As part of this role, Walsh Associates have reviewed the engineering implications of building close to the existing northbound Blackwall Tunnel.
- 8.115 The line of the Blackwall Tunnel clips the very edge of the site. The operation of the tunnel falls under the remit of Transport for London. What have TfL said about this??
- 8.116 A review of the scheme highlighted that new building line is now set approximately 25m from the centre line of the Blackwall Tunnel at the closest point. Given that the invert of the Blackwall Tunnel is approximately 18.5m below Yabsley Street it was established that piling to the proposed new structure will be outside the tunnel of influence.
- 8.117 Nevertheless, Transport for London comments in the Stage 1 GLA report recommends that a condition requiring details of height of the building, foundation type and cross section drawings showing both above ground and underground structures including foundations basement car parking car parking and access ramps to be submitted and approved in writing by the Local Planning Authority. In addition, TfL also request that a condition be attached which will require details of the proposed hard and soft landscaping proposals within 25 m of the Blackwall tunnel including tree planting proposals as well as construction method plan and/or statement and construction access routes must be provided for TfL approval. The recommendations made by TfL will be secured by way of planning conditions to the proposed development.

9 Conclusions

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

Site Map



1:1750

Legend

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

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