

Committee: Strategic Development	Date: 10 th July 2008	Classification: Unrestricted	Agenda Item No: 7.3
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Devon Rollo		Ref No: PA/08/00504	
		Ward(s): Blackwall and Cubitt Town	

1. APPLICATION DETAILS

Location:	The London Arena (Phase II), Limeharbour, London, E14 9 TH
Existing Use:	Vacant site previously forming part of Former London Arena, which had a leisure use (D2 Use Class)
Proposal:	Amendment to the approved application, reference PA/06/2068, permitted on 3rd October 2007 involving revised designs, layout and land uses, removing Office (B1) uses and providing 6 additional hotel rooms (143 in total), 195 serviced apartments, 54 additional residential units (1111 in total), additional retail floorspace, a health club and additional open space.
Drawing Nos:	DPA-010 00, DPA-011 00, DPA-100 00, DPA-101 00, DPA-102 00, DPA-103 00, DPA-104 00, DPA-105 00, DPA-106 00, DPA-107 00, DPA-108 00, DPA-109 00, DPA-110 00, DPA-111 00, DPA-112 00, DPA-113 00, DPA-114 00, DPA-115 00, DPA-116 00, DPA-117 00, DPA-118 00, DPA-119 00, DPA-120 00, DPA-121 00, DPA-122 00, DPA-123 00, DPA-124 00, DPA-200 00, DPA-201 00, DPA-202 00, DPA-203 00, DPA-204 00, DPA-205 00, DPA-400 00, DPA-400 02, DPA-401 00, DPA-402 00, DPA-402 02, DPA-403 00, DPA-500 00, DPA-501 00, DPA-502 00, DPA-503 00, DPA-504 00, and DPA-505 00
Supporting Documents:	<p>Planning Statement – March 2008</p> <p>Design and Access Statement – March 2008</p> <p>Landscaping Strategy – March 2008 (as amended by Drawing Nos. 4438-03/L006 – Bicycle Storage Review 24-04-2008 and 4438-03/L010A)</p> <p>Sustainability Statement – March 2008</p> <p>Employment Supply Study – March 2008</p> <p>Energy Strategy – March 2008</p> <p>Statement of Community Involvement – March 2008</p> <p>Environmental Impact Assessment (Vol 1-4) – March 2008</p> <p>GLA Affordable Housing Toolkit – May 2008 (Confidential)</p>
Applicant:	Ballymore Group
Owner:	Ballymore Group Docklands Light Railway

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

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Xxxx Xxxx 020 7364 xxxx

London Borough of Tower Hamlets

Historic Building: The site does not contain any Listed Buildings

Conservation Area: The site is not located within a 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 and associated supplementary planning guidance, the London Plan 2008 and Government Planning Policy Guidance and has found that:
- 2.2 The proposal is in line with the Mayor and Council's policy, as well as Government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3A.3 of the London Plan 2008 (Consolidated with Alterations since 2004) and policy HSG1 of the Council's Interim Planning Guidance (2007) which seeks to ensure this.
- 2.3 The retail uses (Class A1, A2, A3, A4 & A5), hotel and serviced apartment use (C1), health club use (D2) and residential are acceptable in principle, as they will provide a suitable mix of services to the community and future residents of the development, as well as be in accordance with the identified uses for the site. As such, it is in line with policies ART7 and ST49 of the Council's Unitary Development Plan 1998 and policies IOD20, IOD22, CP13 and SCF1 of the Council's Interim Planning Guidance (2007), which seek to ensure services and jobs are provided that meet the needs of the local community.
- 2.4 The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.5, 3A.8, 3A.9 and 3A.10 of the London Plan 2008 (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), which seek to ensure that new developments offer a range of housing choices.
- 2.5 The loss of the employment use on site is acceptable because the site is considered a fringe site and the market has been shown to be oversupplied with office with the particular area. As such, the proposal is in line with employment policies 3B.2 and 4B.1 of the London Plan 2008 (Consolidated with Alterations since 2004), and policies CP1, IOD22 and CP19 of the Council's Interim Planning Guidance (2007), which seek to create sustainable and efficient uses for sites in relation to the particular site location.
- 2.6 The density of the scheme would not result in the overdevelopment of the site and any of the symptoms that are typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of the London Plan 2008 (Consolidated with Alterations since 2004) and policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to provide an acceptable standard of accommodation.
- 2.7 The development would enhance the streetscape and public realm through the provision of a public realm area and improved pedestrian linkages through the site to the adjacent dock. As such, the proposal is acceptable and in line with policies 4B.3, 4B.5 and 4C.11 of the London Plan 2008 (Consolidated with Alterations since 2004), policies ST37, DEV48, T18 and T19 of the Council's Unitary Development Plan 1998 and policies CP30, CP36, DEV3, DEV16 and OSN3 of the Council's Interim Planning Guidance (2007), which seek to improve amenity and liveability for residents.

- 2.8 The quantity and quality of housing amenity space and the public realm strategy is considered to be acceptable and in line with PPS3, policy 4B.3 of the London Plan 2008 (Consolidated with Alterations since 2004), policy HSG16 of the Council's Unitary Development Plan 1998 and policy OSN2 the Council's Interim Planning Guidance (2007) which seeks to improve amenity and liveability for residents without adversely impacting upon the existing open space.
- 2.9 The development's height, scale, bulk and design is acceptable and in line with policies 4B.1 and 4B.5 of the London Plan 2008 (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2 and DEV27 of the Council's Interim Planning Guidance (2007), which seek to ensure buildings are of a high quality design and suitably located.
- 2.10 The safety and security of the scheme are acceptable in accordance with policy DEV1 of the Council's Unitary Development Plan 1998 and policy DEV4 of the Council's Interim Planning Guidance (2007), which requires all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 2.11 Transport matters, including parking, access and servicing, are acceptable and in line with London Plan 2008 (Consolidated with Alterations since 2004) policies 3C.1 and 3C.23, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.12 Sustainability matters, including energy, are acceptable subject to a condition for further mitigation measures. This is in line with London Plan 2008 (Consolidated with Alterations since 2004) policies 4A.4 and 4A.7 and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (2007), these policies seek to promote sustainable development practices.
- 2.13 Contributions have been secured towards the provision of affordable housing, health care and education facilities, highways, transport, open space and public realm in line with Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
- A. Any **direction** by **The Mayor**
- B. The prior completion of a **legal agreement**, to the satisfaction of the Assistant Chief Executive (Legal Services), to secure the following:
- a) A proportion of 35% on a gross floor space basis of the proposed units to be provided as affordable housing with the socially rented mix as specified in the table attached in Section 8.15.
- b) Provide **£8,579** towards the installation of Docklands Arrival Information System (DAISY) within the London Arena development.
- c) Implement measures to offset signal interruption to mitigate the adverse effects on DLR radio communications.

- d) Provide a minimum of **£22,763** towards the D5 bus service or new bus service (TFL proposal) and potential new bus stops on East Ferry Road.
- e) Provide **£7,149** towards general improvements to pedestrian and cycle routes in the area including crossings and new paving surfaces.
- f) Provide **£4,289** towards the signalisation of the junction of Marsh Wall/Limeharbour with a green man phase.
- g) Provide **£6,225** towards open space improvements to cater for the demand that will arise from the new housing on existing open space and recreational facilities.
- h) Set of measures for the public realm including provision of the public piazza and access to the Dockside Walkway.
- i) Provide **£30,018** towards education to mitigate the demand of the additional population on education facilities.
- j) Provide **£163,375** towards medical facilities to mitigate the demand of the additional population on medical facilities.
- k) Provide **£7,114** towards the Local Labour in Construction (LiC) programme.
- l) Provide **£4,289** towards Skillsmatch to maximise the employment of local residents.
- m) Preparation of a Workplace Travel Plan (including welcome pack for residents).
- n) Preparation of a Service and Delivery Plan.
- o) Obligations in relation to construction works (noise levels, hours of work, transport arrangements, air quality, method statements) to be secured through a Code of Construction Practice.
- p) TV Reception monitoring and mitigation.
- q) Preparation and implementation of a public art strategy including involvement of local artists.
- r) Completion of a car free agreement to restrict occupants applying for residential parking permits.
- s) Preparation of an Environmental Management Plan – post construction.

3.2 That the Head of Development Decisions be delegated authority to impose conditions [and informatives] on the planning permission to secure the following:

Conditions

- 1) Time limit for full planning permission
- 2) Details of the following are required to be submitted:
 - Elevational treatment including samples of materials for external fascia of building
 - Interface of retail areas with public space
 - The design of the lower floor elevations of commercial units including shopfronts
 - External lighting and security measures
- 3) Landscape Plan to be submitted
- 4) Landscape Management Strategy to be submitted

- 5) Biodiversity Strategy to be submitted
- 6) Details of signage to be submitted
- 7) Land contamination study required to be undertaken
- 8) Hours of construction limits
- 9) Hours of operation limits – hammer driven piling
- 10) Details of insulation of ventilation systems and any associated plant to be submitted
- 11) Details of site drainage to be submitted
- 12) Full particulars of refuse/recycling/composting storage to be submitted
- 13) Construction Management Plan to be submitted
- 14) Details of finished floor levels
- 15) Details of surface water control measures
- 16) Detailed Energy Strategy to be submitted
- 17) Black Redstarts habitat provision required
- 18) Green roofs
- 19) Construction operations and impact on dock walls
- 20) Horizontal access strip from dock wall
- 21) Materials openings and maintenance regime for boundary with DLR
- 22) Use of barges
- 23) Lifetime homes
- 24) Highways works
- 25) Archaeological watching brief
- 26) Parking plan to be submitted
- 27) Wheel wash facilities
- 28) Vibration
- 29) Health Club Management Plan
- 30) Any other condition(s) considered necessary by the Head of Development Decisions

Informatives

- 1) Thames Water Advice
- 2) British Waterways Advice
- 3) Site notice specifying the details of the contractor.
- 4) Any other informative(s) considered necessary by the Head of Development Decisions

3.3 That, if by 10th October 2008 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Head of Development Decisions be delegated authority to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 The applicant seeks to undertake changes to Phase II of the development approved under planning permission PA/06/02068 involving revisions to designs, layout and land uses of buildings 1, 8 and 9, as shown in Figure 1 below.

4.2



Figure 1 – Showing the proposed locations and layout of buildings in phase I of the consented application and the proposed phase II.

- 4.3 Building 1 is proposed to extend to a height of 45 storeys (154.8m AOD) and is located on the north-western part of the site. The building is now proposed to consist of a Health Club in the basement, retail and entrance lobby areas on the ground floor, private residential units and a public restaurant on the top floors. A total of 330 residential units will be provided. All apartments will have balconies. Plant is located within the basement, and on levels 21, 42 and 43, and the restaurant with associated terrace is located on levels 43 and 44. This would represent a 3 storey (18.1m) increase in the height of building 1.
- 4.4 Building 8 is proposed to extend to a height of 19 storeys (68.2 m AOD) and is located on the northern part of the Site. The building is now proposed to comprise a hotel and serviced apartments. Lobby, hotel retail, business centre and drop off areas are proposed to be located on ground floor with plant and an amenity space (including a 613.8 sq. m green roof) for hotel residents located on level 19. This would represent an increase in number of storeys by 3 storeys, however, due to the building formally being designed for office an overall drop in height of 9.5m.
- 4.5 Building 9 is proposed to extend to a height of 16 Storeys (56.7 m AOD) and is located in the south-eastern part of the site. This building will primarily consist of social rented apartments with a small number of market residential units. Plant and a 752.9 sq. m brown roof will be provided on level 16. A total of 33 habitable rooms will be provided within the private residential units and 293 within the affordable residential units. Disabled access will be provided to 10% of the units. Service areas and car parking is located in the basement and basement podium deck with retail, private and affordable housing lobby areas on ground floor. This would represent an increase in height of 1 m, with the number of floors being the same.
- 4.6 The proposed changes to Phase II would result in the following changes to the approved scheme in terms of overall landuse:

Land Use	Approved Scheme (Gross External Area)	Amended Scheme (Gross External Area)
Residential	39,393 m ² (366 units)	46,443 m ² (421 units)
Office	25,838 m ²	0 m ²
Hotel / Serviced apartments	10,238 m ² (149 rooms)	18,579 m ² (143 hotel rooms) (195 serviced apartments)
Health Club	0 m ²	1,126 m ²
Retail (A1-A5)	1,254 m ²	3,225 m ²
Total	76,723m ²	69,373m ²

Site and Surroundings

Site

- 4.7 The site lies on the Isle of Dogs and is bounded by the elevated Docklands Light Railway Line, beyond which lies Limeharbour to the east; Harbour Exchange development to the north; Millwall Inner Dock is directly to the west of the site; and Pepper Street is located to the south. The site has a total area of 27,400m² and was previously utilised as a leisure and entertainment centre, known as the London Arena. The London Arena was constructed in the 1980's and has since been demolished. Vehicular access to the site is from Limeharbour. Currently construction work is taking place on the subject site, implementing the phase I of the planning application PA/06/02068 approved in October 2007. At the time of the Planning Officer's site visit, construction of buildings 2, 4, 5, 6 and 7 was in progress.

Surrounding Area

- 4.8 The surrounding area comprises a mix of predominantly commercial and residential uses, including a number of high density developments. To the east of the site, on the opposite side of Limeharbour are commercial and residential uses of varying sizes. To the south east is medium to low density residential development with local shops opposite the Crossharbour DLR station and the designated district centre comprising the Asda supermarket. To the south of the site is Lanark Square, including retail uses at ground floor level with office uses above, Balmoral House, a 4 storey residential building, and Aegean House, an 8-storey commercial structure. To the west of the site lies Millwall Inner Dock. A floating Chinese restaurant is located on the Dock along this boundary. On the opposite side of the dock there are a number of recently approved high-density residential schemes within the Millennium Quarter. The site is well located in terms of public transport accessibility as demonstrated in the Transport Assessment submitted in support of the application, being located adjacent to the Crossharbour Docklands Light Railway Station and the bus services on Limeharbour. The site has a PTAL rating of 5.

Planning History

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

PA/04/00904 The demolition of London Arena and redevelopment by erection of 8 buildings ranging from 43 to 7 storeys in height with a total of 142,180 sqm of floor space over a podium. The proposal comprises 972 residential units; 26,500 sqm of office space; a 15,560 sqm hotel; a community facility of 1,157 sqm; a range of retail uses including A1, A2, A3, A4 and A5 comprising 4,810 sqm; new health and fitness club 1,085 sqm; associated landscaping including new public open spaces and a dockside walkway; a new internal road; and parking for 527cars. **Approved 10 March 2006**

PA/06/02068 Redevelopment by the erection of 8 buildings 7 to 43 storeys to provide 149,381 sq m of floor space over a podium for use as 1057 residential units,

25,838 sq m of Class B1 (offices), a 149 room hotel; a 10,238 sq m. apart-hotel; a Class D1/D2 community facility of 1,329 sq m, 2,892 sq m for use within Classes A1, A2, A3, A4 and A5, a Class D2 health club of 1,080 sq m, associated car parking, landscaping including new public open spaces and a dockside walkway. (Revised scheme following grant of planning permission PA/04/904 dated 10th March 2006). **Approved 03 October 2007**

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

Proposals:

FPA	Flood Protection Area
CAZ	Central Area Zone

Policies:

DEV 1	Design Requirements
DEV 2	Environmental Requirements
DEV 3	Mixed Use Development
DEV 4	Planning Obligations
DEV 8	Protection of Local Views
DEV 12	Provision of Landscaping in Development
DEV 44	Protection of Archaeological Remains
DEV 46	Protection of Waterway Corridors
DEV 48	Strategic Riverside Walkways and New Development
DEV 55	Development and Waste Disposal
DEV 56	Waste Recycling
DEV 69	Efficient Use of Water
EMP 7	Enhancing the Work Environment and Employment Issues
HSG 7	Dwelling Mix and Type
HSG 16	Housing Amenity Space
T 16	Traffic Priorities for New Development
T 21	Pedestrian Needs in New Development
ART 7	Location of Major Hotel Development

Interim Planning Guidance (October 2007)

Proposals:

IODAAP	Isle of Dogs Area Action Plan
DI 11	Development Site – London Arena
FRA CP37	Flood Risk Area

Core Strategies:

CP 1	Creating Sustainable Communities
CP 2	Equality and Opportunity
CP 3	Sustainable Environment
CP 4	Good Design
CP 5	Supporting Infrastructure
CP 7	Job Creation and Growth
CP 11	Sites In Employment Use
CP 12	Creative and Cultural Industries and Tourism
CP 13	Hotels, Serviced Apartments and Conference Centres
CP 15	Provision of a Range of Shops

CP 19	New Housing Provision
CP 20	Sustainable Residential Density
CP 21	Dwelling Mix and Type
CP 22	Affordable Housing
CP 25	Housing Amenity Space
CP 27	High Quality Social and Community Facilities to Support Growth
CP 30	Improving the Quality and Quantity of Open Spaces
CP 31	Biodiversity
CP 33	Sites of Importance for Nature Conservation
CP 36	The Water Environment and Waterside Walkways
CP 37	Flood Alleviations
CP 38	Energy Efficiency and Production of Renewable Energy
CP 39	Sustainable Waste Management
CP 41	Integrating Development with Transport
CP 46	Accessible and Inclusive Environments
CP 47	Community Safety
CP 48	Tall Buildings

Policies:

DEV 1	Amenity
DEV 2	Character and Design
DEV 3	Accessibility and inclusive Design
DEV 4	Safety and Security
DEV 5	Sustainable Design
DEV 6	Energy Efficiency and Renewable
DEV 7	Water Quality and Conservation
DEV 8	Sustainable Drainage
DEV 9	Sustainable Construction Materials
DEV 10	Disturbance from Noise Pollution
DEV 11	Air Pollution and Air Quality
DEV 12	Management of Demolition and Construction
DEV 13	Landscaping and Tree Preservation
DEV 14	Public Art
DEV 15	Waste and Recyclables Storage
DEV 16	Walking and Cycling Routes and Facilities
DEV 17	Transport Assessments
DEV 18	Travel Plans
DEV 19	Parking for Motor Vehicles
DEV 20	Capacity of Utility Infrastructure
DEV 21	Flood Risk Management
DEV 22	Contaminated Land
DEV 24	Accessible Amenities and Services
DEV 25	Social Impact Assessment
DEV 27	Tall Buildings Assessment
EE 4	Serviced Apartments
RT 4	Retail Development and the Sequential Approach
RT 5	Evening and Night-time Economy
HSG 1	Determining Residential Density
HSG 2	Housing Mix
HSG 3	Affordable Housing Provision in Individual Private Residential and Mixed-use Schemes
HSG 4	Varying the Ratio of Social Rented to Intermediate Housing
HSG 7	Housing Amenity Space
HSG 9	Accessible and Adaptable Homes
HSG 10	Calculating Provision of Affordable Housing
OSN 3	Blue Ribbon Network and the Thames Policy Area

- CON 4 Archaeology and Ancient Monuments
- CON 5 Protection and Management of Important Views

Isle of Dogs Area Action Plan:

- IOD 18 Employment Uses in the Central Sub-area
- IOD 19 Residential Uses in the Central Sub-area
- IOD 20 Retail and Leisure Uses in the Central Sub-area
- IOD 21 Design and Built Form in the Central Sub-area
- IOD 22 Site allocations in the Central Sub-area

Supplementary Planning Guidance/Documents

- Designing Out Crime – SPG 2002
- Residential Space – SPG 1998
- Riverside Walkways – SPG 1998
- Landscape Requirements – 1998

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

- 2A.1 Sustainability Criteria
- 3A.3 Maximising the Potential of Sites
- 3A.6 Quality of New Housing
- 3A.7 Large Residential Developments
- 3A.10 Negotiating Affordable Housing in Individual Private Residential and Mixed Use Schemes
- 3A.11 Affordable Housing Thresholds
- 3A.23 Health Impact
- 3A.28 Social and Economic Impact Assessments
- 3C.1 Integrating Transport and Development
- 3C.2 Matching Development to Transport Capacity
- 3C.23 Parking Strategy
- 3D.7 Visitor Accommodation and Facilities
- 3D.8 Realising the Value of Open Space and Green Infrastructure
- 3D.13 Children and Young People's Play and Informal Recreation Strategies
- 3D.14 Biodiversity and Nature Conservation
- 4A.4 Energy Assessment
- 4A.5 Provision of Heating and Cooling Networks
- 4A.6 Decentralised Energy: Heating, Cooling and Power
- 4A.7 Renewable Energy
- 4A.11 Living Roofs and Walls
- 4A.14 Sustainable Drainage
- 4A.15 Raising Groundwater
- 4A.17 Water Quality
- 4A.19 Improving Air Quality
- 4A.20 Reducing Noise and Enhancing Soundscapes
- 4A.28 Construction, Excavation and Demolition Waste
- 4B.1 Design Principles for a Compact City
- 4B.3 Enhancing the Quality of the Public Realm
- 4B.5 Creating an Inclusive Environment
- 4B.6 Safety, Security and Fire Prevention and Protection
- 4B.8 Respect Local Context and Communities
- 4B.9 Tall Buildings – Location
- 4B.10 Large-scale buildings – Design and Impact
- 4C.1 The Strategic Importance of The Blue Ribbon Network
- 4C.2 Context For Sustainable Growth

4C.3	The Natural Value of The Blue Ribbon Network
4C.6	Sustainable Growth Priorities for the Blue Ribbon Network
4C.11	Increasing Access Alongside and to the Blue Ribbon Network
5C.3	Opportunity Areas in North East London
6A.8	Phasing of Development and Transport Provision

Government Planning Policy Guidance/Statements

PPS 1	Delivering Sustainable Development
PPS 3	Housing
PPS 6	Planning for Town Centres
PPG 13	Transport
PPG 22	Renewable Energy
PPG 24	Planning and Noise

Community Plan

The following Community Plan objectives relate to the application:

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

6. CONSULTATION RESPONSE

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

Natural England (Statutory)

- 6.2 Given the existing ecological interest of the site and the percentage of the site that will be soft landscaping, the development should be able deliver a net gain in biodiversity in line with national and regional planning policy. We recommend that a biodiversity strategy is submitted as part of the detailed landscape design to ensure that this potential is fully realised. It is Natural England's opinion that this proposal does not affect any priority interest areas in respect of conservation of biodiversity, geology or landscape. Therefore no formal objection is made to the proposal.

Officer's Comment

- 6.3 It is recommended in the body of the report that a condition be included to include require the developer to submit a biodiversity strategy prior to occupation of the buildings to ensure that the provisions for biodiversity are maximised within the site.

Thames Water Utilities Ltd. (Statutory)

- 6.4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 6.5 Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
- 6.6 Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6.7 Thames Water recommends the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
- 6.8 If possible surface water should discharge to the Dock by private agreement. Otherwise surface water retention should be applied such that overall peak flow to the combined system does not exceed historic. Suitable points of connection to public sewers must be agreed with Thames Water Developer Services.

Officer's Comments

- 6.9 An informative should be included on any approved planning permission as requested by Thames Water to ensure minimal disruption to water infrastructure services in the area. Also as recommended by Thames Water it is considered that it would be appropriate to include a condition relating to Petrol/Oil Interceptors to ensure that petrol and oil pollutants from vehicle do not enter and contaminate adjacent waterways through stormwater discharges.

Greater London Authority (Statutory)

- 6.10 Having considered the report, the Deputy Mayor of London has decided that the application is supported in principle subject to the outstanding strategic issues being addressed satisfactorily.
- 6.11 The proposed change in land use from office to hotel/serviced apartments and residential is supported in the light of the remaining capacity for office use in the Isle of Dogs Opportunity Area.
- 6.12 In terms of design the proposal offers a high quality appearance of the development and a good amount of open space. The tower will be visible in the view from Greenwich Park to the Greenwich World Heritage Site but, as a result of the quality of design and in the context of existing and consented schemes, it would have no adverse impact on the setting of the World Heritage Site and the setting of its listed buildings.
- 6.13 The proposal includes a number of measure to maximise water efficiency, introduces new public space and active uses along the dock but more information is required to demonstrate that the development maximises opportunities to engage with the water, in line with Blue Ribbon Network policies.
- 6.14 The application broadly follows the energy hierarchy of the London Plan but there is insufficient information to understand the proposals fully, and further details are required in particular areas.

- 6.15 In terms of transport, there is scope to reduce car parking spaces and to increase bicycle parking spaces.
- 6.16 The new housing mix is broadly supported and the financial viability assessment, which had not been submitted in time to allow an assessment of the contents for this report, is currently being reviewed.
- 6.17 The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The Mayor has taken the environmental information made available to date into consideration in formulating his comments.

Environment Agency (Statutory)

- 6.18 We have no objection, in principle, to the proposed development provided the recommended planning conditions are attached to any planning permission granted.

English Heritage (Statutory)

- 6.19 The view from General Wolfe Statue is designated as a London Panorama within the London View Management Plan. The LVMF states that 'the view from the statue is the only designated London Panorama that is part of a formal, axial arrangement. The principle view is to Greenwich Place, symmetrically arranged about the axis of the Queen's House. The backdrop of the view is Greenwich Reach, the Isle of Dogs and the large-scale modern architecture of Canary Wharf'.
- 6.20 The view is robust and has been subject to much change, particularly in the last twenty years, but to date it has retained some sense of order with the great towers located at the northern end of the Isle of Dogs and some lower towers located slightly further south in developments centred around the Millennium Quarter. It is a view composed of clear recessive planes – the impressive Palace complex, the trees of Island Gardens, followed by low rise buildings, beyond which rise the towers. We are concerned that this tower, much further south than structures of similar height breaks the established convention. It is likely to have more impact on the view than some of the Canary Wharf towers because it is much closer to the viewing place.
- 6.21 The change in architectural language from the more traditional, orthogonal, language or the previous version to the less orthodox, curvilinear, form of the current proposal may result in a degree of increased visual impact. Has a full assessment of changed impact been undertaken?

Officer's Comments

- 6.22 The views assessment included in the applicant's Environmental Statement provided a robust assessment of the impact of the proposed development on the view from General Wolfe Statue including several photo montages of the impact of the building in the view. It is not considered that there is a significant impact as detailed and illustrated in the body of this report.

National Air Traffic Services Ltd. (Statutory)

- 6.23 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

National Grid (Statutory)

- 6.24 The application has been assessed with respect to the operational electricity transmission network and the operational national gas transmission network. Based on the information provided and the proximity and sensitivity of these networks to the proposal it is concluded that the risk is negligible.

Port of London Authority (Statutory)

- 6.25 The Port of London Authority is pleased to see that approximately 80,000m³ of excavated material was removed from the site by barge but is disappointed that this approach was not considered to be feasible for the delivery of materials for the remainder of the construction period. Whilst the site is not within the Port of London Authority jurisdiction it would ask the applicant reviews the use of barges for the delivery of construction materials on a regular basis. This will help to ensure that a prime opportunity to utilise a sustainable method of transporting materials to the site is not lost. It is noted that a biomass boiler and CHP plants are proposed as part of the development. It is unclear what fuels will feed the boiler and plants however, has consideration been given to delivering the material to fuel these facilities by water?

Officer's Comment

- 6.26 The development undertaken under the consented scheme has utilised barges for removal of demolition and excavation waste. A condition of consent could be imposed on the consent if granted to require the developer to submit details of the use of barges during construction, in order to ensure that the construction traffic was minimised. This would be consistent with the previously consented scheme.

Government Office for London (Statutory)

- 6.27 No response received

London City Airport (Statutory)

- 6.28 No response received

London Fire and Emergency Planning Authority

- 6.29 With regards to Town and Country Planning, the Fire Authority needs to consider access to water supplies. The Fire Authority has been liaising closely with the developers and Tower Hamlets Building Control, and the matter of water supplies and access has been discussed, and has been resolved.

London Borough of Greenwich

- 6.30 The Council has formally considered the matter and raises no objections. The Council has no further observations to make.

British Waterways

- 6.31 British Waterways has no objections to the proposed development.
- 6.32 Since a condition requiring the use of waterborne freight for the transport of waste and materials during construction and occupation was imposed and complied with (barges have already been used for the transport of a substantial amount of construction waste from this site) on the previous application PA/06/2068 which this current application seeks to amend no such condition is required on this current application.

- 6.33 If the Council is minded to grant planning permission, it is requested that the following informatives are attached to the decision notice:

“The applicant is advised that any discharge of surface water into the waterways requires British Waterway’s written permission before development commences.”

“In the event of any balcony overhangs or other encroachments into British Waterway’s airspace, land or water, the applicant must enter into an appropriate commercial agreement with British Waterways before development commences. Please contact Lucy Vermeulen/ Jonathan Young (Management ‘Surveyor) on 020 7985 7283/4 for further information.”

“Any access from the towpath, scaffolding oversail or closures of the towpath during the construction must be agreed in writing with British Waterways before development commences. Please contact Lucy Vermeulen/ Jonathan Young (Management ‘Surveyor) on 020 7985 7283/4 for further information.”

“The applicant/developer is advised to contact third party works engineer, Richard Baker, (020 7985 7268) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways’ “Code of Practice for Works affecting British Waterways”.

“The development must not affect the ability of British Waterways to carry out repairs to or reinstatement of the adjacent dock wall.”

Following re-consultation of additional information to Environmental Statement

- 6.34 British Waterways would still encourage waterborne freight, during or after construction wherever possible as part of the development. British Waterways are aware that Ballymore are having ongoing talks with barge operators in the locality to ascertain ways and means of using barges where possible. British Waterways therefore raises no objection.
- 6.35 With regard to the Dock Water Cooling System proposed, British Waterways are pleased that this is to be incorporated into the scheme, but reiterate that this will require permission from British Waterways.

Docklands Light Railway

- 6.36 No response received

British Broadcasting Corporation

- 6.37 No response received

Metropolitan Police

- 6.38 No response received

Lea Valley Regional Park Authority

- 6.39 No response received

LBTH Waste Management

- 6.40 Waste provision for the 1,111 residential units should be separate from that provided for the remaining occupants of the development. With a scheme of this scale we are prepared to offer the concession of a twice weekly refuse collection service, although recycling will be once weekly. Provision of containers should be allocated in line with Planning Standard 2

which can be made available to the applicant on request if they do not already have this document. Height clearance and hauling distances indicated are acceptable. Vehicle should be able to enter and leave basement area in forward gear.

LBTH Education Development Project

- 6.41 Residential developments are assessed for their impact on the provision of school places. This proposal has been assessed as requiring a contribution towards 136 primary school places @ £12,342 = £1,678,512. The funding will be pooled with other funding to support the strategic provision of school places to meet local need in the borough.

Officer Comment

- 6.42 The financial contributions have been calculated on a pro-rata basis on the amount agreed to for the mitigation of the previously consented scheme. While phase II of the development creates 136 primary school spaces overall the actual increase in primary school spaces for the additional 54 units is only 34 spaces. Therefore the additional cost of the development in terms of primary school spaces is only £419,628. The developer has provided an acceptable Financial Toolkit to justify the level of financial contributions at the pro-rata level. It is therefore considered that the pro-rata calculation for education of £30,018 for the additional 54 units of accommodation is acceptable.

LBTH Environmental Health

- 6.43 Examination of Council records indicates that the subject site was historically occupied by a number of industries associated with the former Millwall Docks and is located within an area of unknown filled ground and consequently the site may contain elevated levels of contaminants within the substrate. As ground works are proposed, a potential pathway for contaminants may exist and will need further characterisation to determine associated risks. A condition is recommended on this application to ensure the developer carries out a site investigation to investigate and identify potential contamination.
- 6.44 In relation to noise and vibration issues, Environmental Health has no objection to the amended application.
- 6.45 No bedroom to be below minimum floor area of 6.5 m², sufficient extract ventilation is required to internal kitchens, bathrooms, and W.C.s. Premises must comply with relevant statutory requirements including the Housing Act 2004, or comply with relevant Building Regulations.

Officer's Comments

- 6.46 Conditions of consent are recommended to be included on any approval to ensure that site is tested for contaminated material and if necessary remedial work is carried out to ensure that material on site does not pose risks to occupants or receiving waters.

LBTH Energy Efficiency Unit

- 6.47 The general structure of the energy strategy is reasonable, however further information is required to demonstrate the strategy meets the requirements of the policies set out in the London Plan and the LDF, as the original planning permission for this site has been granted on October 2007, Energy Efficiency Unit is happy to accept this application with conditions to provide the requested further information.

Officer's Comments

- 6.48 Conditions of consent are recommended to be included on the consent to ensure that the

final energy efficiency of the development is acceptable and will meet the relevant policies once final design details have been completed.

LBTH Highways

- 6.49 The site is considered to have a good level of accessibility to public transport links. The site is adjacent to Cross harbour DLR Station. With regard to this station there are good pedestrian access via the existing footways and proposed pedestrian facilities from the site.
- 6.50 The site is in such a location and has such a high PTAL that the applicant should be advised that the any scheme at this location should be developed as a car free development and any potential car use could be included as part of a scheme such as “City Car Club “
- 6.51 In terms of the revised scheme Highways have no objection in principle to the planning application; however there are some issues that Highways would like to raise regarding the proposed level of cycle provision. The shortfall of cycle’s spaces of this level would not be acceptable the applicant should be providing secure cycling parking at 1 per Unit. The cycle parking should be covered and secure in its design and Sheffield type stands are recommended.
- 6.52 Officers have reviewed the heads of terms for the proposed Section 106 Agreement and can confirm that proposed highway works for the General improvement to the existing pedestrian, the introduction of a green man phase at the junction of Marshwall and Limeharbour and the generic Section 278 Agreements would be acceptable. The Council should also include within the Section 106 Agreement provision to prevent the occupiers of the site from applying for any on street permits.
- 6.53 The development site is located in an area which has a good level of accessibility to public transport and is within easy reach of key transport interchanges. Highways considered that the applicant should be encouraged to provide a lower level of private parking as part of this application and encourage more sustainable forms of public transport via the Travel Plan. Where levels of accessibility to local transport facilities are good, a reduced or zero level of parking provision should be encouraged.

Officer’s Comments

- 6.54 The parking provision is in accordance with the Council’s maximum parking standards for motor vehicles. As with the previously consented scheme, the applicant is proposing a Green Travel Plan is submitted in accordance with a clause in a Section 106 Agreement. It is proposed that the cycle parking provision for the development is monitored and will be provided at a level of 15% above the demand for cycle parking within the development, secured by way of compliance with the Green Travel Plan. It is considered that this would be acceptable and in accordance with the previously granted planning permission on the site.

7. LOCAL REPRESENTATION

- 7.1 A total of 953 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 1 Objecting: 1 Supporting: 0

- 7.2 The following local groups/societies made representations:

- The Greenwich Society

- Maritime Greenwich Heritage Site
- Alpha Grove and Barkantine T.A
- Barkantine Tenants and Residents Assoc.

7.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- The decision not to include office space seems misguided despite the 'current market conditions'. Creating office space and new jobs will help regenerate the local area and surely boost demand for the residential development.
- Unsure how the current retail offer and transport infrastructure can cope with another huge development in the Millwall Dock area
- Millharbour and Limeharbour are already grossly overdeveloped and there is a need for more green spaces. Inclusion of public green spaces is great news.
- The area is very noisy on a Saturday morning until 1pm with deliveries and construction noise.
- Generators and lights seem to be left on overnight, which aside from green issues is very irritating for local residents.

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

The Greenwich Society has no comments to make with respect to this application.

Officer's Comment

7.5 The matters of no longer including office space in phase II of the development, the retail provision and the transport capacity are all addressed in section 8 of this report. If the Council is minded to grant planning permission it has been recommended that conditions of consent be included to ensure construction matters and noise nuisance is mitigated.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the Land Uses
2. Housing Provision
3. Density of the Development
4. Impact on the Amenity of Adjoining Occupiers and the Surrounding Area
5. Traffic and Servicing Issues
6. Design and Layout of the Development
7. Sustainability
8. Planning Obligations

Principle of the Land Uses

8.2 The proposed development consists of the erection of three buildings, as phase two of the scheme to redevelop the land formally occupied by the London Arena and used as a leisure and entertainment facility.

8.3 The site has an existing planning permission dated 3 October 2007 (PA/06/02068) for development of 8 buildings over the entire area of the former London Arena site. This particular application is limited to the redesign of the 3 of the buildings at the northern end of the site, which is identified as phase two of the development.

- 8.4 The existing consent, which creates a baseline for development on the site, provides for 366 residential units, 25,838m² of office floor space, 137 hotel bedrooms and 1,254m² retail floor space within phase two. This application proposes to increase the number of residential units by 55 to 421 units, remove the office floor space, add an additional 6 hotel bedrooms and introduce 195 serviced apartments. The application also includes an additional 1,971m² of retail floor space (3,225m² total) and the introduction of a Health Club.

Residential Use

- 8.5 The London Plan 2008 sets out a number of policies relating to the provision of housing within the Greater London Area and the London Borough of Tower Hamlets itself. In general these policies require the Borough to provide 3,150 additional dwellings per year for the next years. Coupled with providing these housing units are requirements to provide quality in the design of these houses in order to ensure the quality of the living environments created.
- 8.6 Taking this into account the IPG has identified uses of particular sites within the borough including the subject site, identified as site ID11 on the IPG Proposals Map. Policy IOD22 (Sites Allocation in the Central Sub-Area) states that the site should be developed in line with the following uses:
- Residential (C3)
 - Employment (B1)
 - Public Open Space
 - Retail and Leisure (A2, A3, A4)
- 8.7 The development which has already been permitted by planning permission dated 3 October 2007 (PA/06/02068) approved the mixed use development of the site, including residential use within the phase II portion of the development, now the subject site for this application. It is therefore considered that the retention of the residential use with the additional 55 units would be acceptable in the principle of the land use and would be in accordance with the relevant IPG, UDP and London Plan 2008 policies.

Hotel and Serviced Apartment Use

- 8.8 As with the residential component of the development, the hotel use was incorporated within phase II of the development of the former London Arena site under planning permission dated 3 October 2007 (PA/06/02068). The new application for the amendments to phase II of the design does however introduce the new use of serviced apartments to phase II of the development.
- 8.9 The London Plan 2008 supports visitor accommodation through policy 3D.7 (Visitor Accommodation and facilities) seeking to ensure that London expands as a global tourist destination, providing a potential growth of a further 40,000 net hotel rooms in the period up to 2026. Included in this policy is a directive that Borough's should support the provision of a wide range of tourist accommodation.
- 8.10 Hotels and serviced apartments, short-let accommodation with lettings of less than 90 days, are promoted by Council's IPG policy CP13 (Hotel, Serviced Apartments and Conference Centres) which states "*The Council will support the creation of large-scale hotels, serviced apartments (C1 Use) and conference centres in areas of high public transport accessibility and near to commercial development. The will be particularly focused in the north and central areas of the Isle of Dogs, and the City Fringe.*"
- 8.11 The subject site is located within the Central Sub-Area of the Isle of Dogs and has a high PTAL rating of 5. It is therefore considered that the hotel and serviced apartment uses are acceptable in principle of land use on the site. The UDP does not specifically identify serviced apartments within the policies, however it does support tourist accommodation through saved policy ART7 (Location of Major Hotel Development). This policy states

“subject to the other policies of this plan favourable consideration will normally be given to proposals for major hotel developments within the Central Area Zones, in which the subject site is located.”

- 8.12 It is therefore considered in principle that the mixed land use including hotel and serviced apartments is acceptable would be in accordance with the relevant IPG, UDP and London Plan 2008 policies.

Retail Use

- 8.13 Retail use in phase II of the development of the former London Arena site was provided for under the previous planning permission, dated 3 October 2007 (PA/06/02068). The application for changes to the phase II component of the development introduces an additional 1,971m² of retail uses (A1-5), which would result in a total of 3,225m² in phase II and 4,864m² across the entire development.
- 8.14 Policy IOD20 (Retail and Leisure Uses in the Central Sub-Area) of the IPG supports limited retail uses as potentially appropriate where they help create vibrant mixed-use areas, provided they do not compromise the viability and vitality of the Isle of Dogs Major Centre or the Crossharbour District Centre. Furthermore, policy IOD22 (Site allocations in the Central Sub-Area) list retail (A2, A3 and A4) as a preferred use.
- 8.15 A Retail Assessment Report submitted with the original application for the development on the entire site in 2004 assessed a total of 4,930m² of retail floor space and demonstrated a need for the scale of floor space involved based on the demands generated by the scheme, and that the impact of the proposal, adopting a worst-case approach, would not affect the vitality and viability of either the Isle of Dogs Major Centre or the Crossharbour District Centre. The 2004 scheme was approved with a total of 4,810m² of retail floor space across the entire site in 1996 and the 2006 scheme was approved with a total of 2,892m² of retail floor space in 2007. The proposal to increase the retail floor space would result in a floor space within keeping with that approved in 2006.
- 8.16 Policy RT4 (Retail Development and the Sequential Approach) of the IPG states that *“When considering proposals for retail uses which are not in an existing town centre, account will be taken of :*
- a) Retail need;*
 - b) The sequential approach;*
 - c) The effect on the vitality and viability of nearby town centres;*
 - d) The proximity of any existing or proposed retail development; and*
 - e) Accessibility.*
- 8.17 This is supported by Planning Policy Statement 6 (Planning for Town Centres) which promotes a sequential approach to assessing retail development. The proposed development on the former London Arena site is a residential lead mixed use development. The retail in phase II would be supportive of the residential lead mixed use and would not be considered to significantly impact on the viability and vitality of the Isle of Dogs Major Centre or the nearby Crossharbour District Centre. This is supported by the retail assessment provided to Council previously. The site is highly accessible with a PTAL of 5 and the inclusion of the modest amount of supporting retail would result in a quality and all encompassing mixed use development providing enhanced living conditions for the residents and occupants of the development.
- 8.18 London Plan policies 2A.8 (Town Centres) and 2A.9 (The Suburbs: supporting sustainable communities) also support a sequential approach to retail development. As detailed above, it is considered that the proposed retail use on the site would generally be in accordance with a sequential approach, as it would not impact on the viability and vitality of the town centres, would support the residential lead mixed use scheme, providing facilities to complement the

residential, hotel, serviced apartment and community uses and would be highly accessible to those within the development and from outside the development. Therefore, it is considered that the retail use is in principle and acceptable use within the development.

Health Club

- 8.19 The amended phase II of the development introduces a health club (D2 Use) of 1,126m² floor space. As a community use the provision of the health club is supported by a number of policies in the UDP, IPG and London Plan 2008. Policy ST49 (Social and Community Facilities) of the UDP states that the Council supports and encourages the provision of a full range of social and community facilities in suitable locations to meet the needs of all the residents of the borough. Policy 3A.18 (Protection and Enhancement of Social Infrastructure and Community Facilities) of The London Plan 2008 seeks to ensure that the need for social infrastructure and community facilities are capable of being met whenever possible and that adequate provision for these facilities is made particularly in major areas of new development and regeneration.
- 8.20 Policies IOD 20 (Retail and Leisure Uses in the Central Sub-Area) and SCF1 (Social and Community Facilities) of the Council's IPG also seek to ensure that the provision of community facilities is increased to meet the increased demand of development. Policy IOD20 (Retail and Leisure Uses in the Central Sub-Area) states that *"leisure uses, galleries, and other non-retail facilities are strongly encouraged to locate throughout the Central sub-area in order to animate to the docks and other key movement networks, and to contribute to the creation of a vibrant, mixed-use area."*
- 8.21 It is therefore considered that in principle that the health club use is an acceptable land use within the development as it provides increased community facilities for the proposed residential and worker occupants of the development. In addition this would compliment the community centre use provided as part of phase I of the development of the former London Arena site as a whole.

Loss of Offices

- 8.22 The application for proposed amendments to phase II of the development of the former London Arena site would result in the loss of 25,838m² floor area of office (B1) use from the application approved in October 2007. While the former London Arena site was not an employment use, as such, it did contribute a number of jobs to the area in the terms of support staff associated with the operation of the site. The approved planning permission, dated 3 October 2007 (PA/06/02068), provided for this office component to provide employment on the site. Furthermore, policy IOD22 (Site Allocations in the Central Sub-Area) of the IPG, specifically identifies Employment (B1) as one of the preferred uses of the site. The applicant has provided an Employment Supply Study in order to justify the removal of the office (B1) component of the development from phase II. The independent Employment Supply Study states that:
- 8.23 *"At the Docklands level, particular attention is paid to the office demand/supply balance. It is noted that average take-up (2003-2007) in the sub-area stands at 85,682 sq m pa. Taking into account the churn of office space, it is estimated that actual take-up in Docklands over the next 5 years will be 56,000 sq m pa. By 2012, the Docklands office stock is due to increase by 613,000 sq m (equivalent to nearly 11 years worth of demand), taking stock levels to 2.54 million sq m. Therefore, supply is estimated to outstrip demand by over 330,000 sq m.*
- "Additionally, the proposed Crossharbour scheme is considered to be in a fringe location. The bulk of Docklands lettings occur within the Canary Wharf estate, reflected by the extremely low 2% vacancy rate in the estate. Outside of the estate, the vacancy rate in South Quay is nearly seven times greater at 13.7%. The location of Crossharbour is not considered as good as South Quay and can be referred as being on the outskirts of the*

fringe.

"In conclusion, due to the location of the proposed Crossharbour office space and the large amount of office developments coming forward in the area in the short-term, the loss of office space at Crossharbour would have no discernible negative effect on the area."

- 8.24 Further to the detail of the Employment Supply Study, The London Plan 2008 details a reduced demand for office development from what was previously projected in the 2004 London Plan, stating:
- 8.25 *"The 2004 London Plan made generous provision for future office development to ensure that there is no possibility of constraining growth. Research shows that the 2004 projection is likely to be significantly above the future need. There is scope to consolidate future office development on appropriate, competitive locations in ways that support sustainable development objective and still provide adequate capacity to meet future business requirements. This will provide greater opportunities to address other priority land uses."*
- 8.26 It is therefore considered that given the fringe location of the development site and the evidence provided as to the oversupply of office provision in the Docklands area, it is considered that the removal of the employment use is in principle acceptable.

Housing Provision

Affordable Housing

- 8.27 Policy 3A.9 (Affordable Housing Targets) of the London Plan 2008 states that policies should set an overall target for the amount of affordable housing provision over the plan period in their area, based on an assessment of all housing needs and a realistic assessment of supply. It further states that boroughs should take account of regional and local assessments of need, the Mayor's strategic target for affordable housing provision that 50 per cent of provision should be affordable and, within that, the London-wide objective of 70 per cent social housing and 30 percent intermediate. This policy is supported by policy CP 22 (Affordable Housing) of the Council's IPG which 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.
- 8.28 The applicant is proposing 77 Affordable Housing units in the amended phase II of the development. This would represent a total of 36% Affordable Housing provision by habitable room (36.2% by floor space) across the entire Former London Arena development site. Within the phase II development the affordable housing will be 100% social rented, however across the entire site of the Former London Arena the affordable housing tenure split will be 30% intermediate housing and 70% Social rented. This tenure split would be in accordance with Policy 3A.9 (Affordable Housing Targets) of the London Plan 2008 which has a London-wide objective of 30% intermediate and 70% social rented tenure split.
- 8.29 The scheme is considered consistent with the previously approved development in at least 35% across the entire Former London Arena site is provided as affordable housing. This is considered consistent with policy CP22 (Affordable Housing) of the IPG.
- 8.30 Furthermore the applicant has provided a Financial Toolkit to support the application for the proposed development. The Toolkit supports that the provision of affordable housing provided is acceptable and that if further affordable housing was sort the development would return a greater negative residual value and the development would likely become uneconomical, reducing the accepted profit margins for the developer.

Housing Mix

8.31 Policy HSG2 (Housing Mix) of the IPG specifies the appropriate mix of units to reflect local need and provide balanced and sustainable communities. Family accommodation is identified as a priority reflecting the findings of the Borough's Housing Needs Survey. In terms of family accommodation the policy requires 45% of social rented housing and 25% of Market and Intermediate housing to comprise of family housing (Units with 3 or more bedrooms).

8.32 Within the amended phase II the applicant is proposing 68.8% of the social rented accommodation be provided as family units and 14.6% of the market housing to be family units. Overall the development on the entire Former London Arena site would be as follows:

8.33

Unit Mix					
	Studio	1 Bed	2 Bed	3 Bed	4 Bed
Private Unit No.	240	237	268	64	7
Private Unit %	29.4%	29.0%	32.8%	7.9%	0.9%
Intermediate Unit No.	-	41	58	13	-
Intermediate Unit %	-	36%	52%	12%	-
Social Rented Unit No.	-	14	42	82	45
Social Rented Unit %	-	7%	23%	45%	25%

8.34 While the percentage of private market dwellings does not meet the specified 25% being family dwellings, the number of family dwellings within the social rented component of the development would significantly exceed 45%, being 70% of the social rented units provided. This would be consistent with the approach of addressing the identified need for family housing, particularly within the social rented sector where overcrowding has been identified. Therefore, while the provision of family units fails to meet the 25% requirement over the entire site for intermediate and market housing, the large provision of family housing within the social rented sector would exceed the requirements and therefore the development could be considered generally within the purpose of policy HSG2 (Housing Mix) of the IPG.

Density of the Development

8.35 The proposed development would have a density within phase two of 434 units per hectare or 1128 habitable rooms per hectare. For the development of the formal London Arena site as a whole the proposal would result in a density of 405 units per hectare or 1030.7 habitable rooms per hectare.

8.36 The London Plan 2008 provides a density matrix, setting out acceptable densities in terms of the accessibility of the site to public transport, in order to maximise the potential of sites while ensuring that the development is adequately supported by the transport network. The subject site is located within an area which has a Public Transport Accessibility Level (PTAL) of 5, which the matrix sets out acceptable density levels as 215-405 units per hectare or 650-1100 habitable rooms per hectare. While the density of the proposed application is slightly over the maximum of this range in terms of phase II, the development of the former London Arena site taken as a whole is within the range.

8.37 The Interim Planning Guidance 2007 (IPG) details a number of matters that should be included when assessing the appropriate density. These include the setting of the site, the local context and character, the need to protect and enhance amenity, the housing mix, access to town centres, open space provision, the impact on services and infrastructure and the provisions of other non-residential uses onsite. The IPG provides a density matrix to relate the setting of the site and its location to public transport to density.

8.39 The location of the site within the Central sub-region of the Isle of Dogs and with a PTAL of 5

provides for a density within the range of 650-1100 habitable rooms per hectare according to the matrix. Again the overall development on the former London Arena site as a whole would be within this range. The high quality design, proximity to town centres at Crossharbour District Centre and Isle of Dogs Major Centre, the quality public open space provided, provision of a range of uses and protection and enhancement of amenity support the density being near the top of the range.

- 8.40 It is therefore considered that the proposal is acceptable in terms of policy 3A.3 (Maximising the Potential of Sites) of the London Plan 2008 and policies HSG1 (Determining Residential Density) and IOD19 (Residential Uses in the Central Sub-Area) of the IPG.

Impact on the Amenity of Adjoining Occupiers and the Surrounding Area

Daylight and Sunlight

- 8.41 The applicant has provided a Daylight and Sunlight Report with their application outlining the impact of the development on the daylight and sunlight received by adjoining buildings. The report has assessed the daylight and sunlight levels of the buildings adjoining the proposed development against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991) providing the results of the effect on daylight in terms of the Average Daylight Factor (ADF) test use in the BRE guidelines.
- 8.42 The report details that the existing buildings will continue to receive daylight levels that will meet and exceed the discretionary guidance of the BRE guidelines and the existing dwellings to the north-east and east of the site, at Peninsular Court and Jaguar Building, will not experience adverse impacts in regards to daylight. Daylight analysis for the previously consented buildings in phase I, currently being constructed on site, concluded that after the redevelopment of the site the proposed buildings will have no material daylight impact.
- 8.43 The report also details that there would be no material impact on sunlight reaching existing dwellings north-east and east of the Site or the buildings in phase I of the development currently being constructed on the site. It is therefore concluded that the proposed development would not have a significant effect on the sunlight or daylight received by the surrounding residential developments and the proposal would not impact significantly on the living conditions of any residents.

Privacy

- 8.44 The proposed development has redesigned the buildings of phase II of the consented development and has also resulted in a change of use of those buildings. The impacts of this in terms of privacy are primarily to the buildings within phase I of the development rather than on any other external site. The Council's UDP states that new developments should be designed to ensure that there is sufficient privacy for residents and that a distance of about 18 meters between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people. The new design introduces residential apartments which overlook and are overlooked by the adjacent units in Building 2, the nearest building of the consented scheme.
- 8.45 Given that both building 1 and building 2 have windows of habitable rooms fronting each other at a distance of approximately 13m there would be a component of overlooking and reduced privacy. The previously consented scheme also had this component of overlooking and reduced privacy between the tower block of building 1 and building 2. This component of the scheme would impact on a 12 units in each of the 2 buildings. On balance, as the existing scheme already has this overlooking element and given the expected density of development in the Central Activity Zone, it is considered that the proposed scheme would not significantly increase the overlooking and would maintain privacy level in line with the existing consent scheme.

Noise

- 8.46 Best practice dictates that items of building services plant associated with the new development should be designed to give a cumulative rating level of 10dB below the current prevailing background level at a distance 1m from the nearest residential facades. Compliance will ensure that the impact from any building services plant associated with the development does not increase existing background noise levels and that existing sensitive receptors in the vicinity, such as residential dwellings, would not be significantly impacted upon. A condition of consent should be included to ensure that services plant within the development is designed and constructed to this level.

Construction

- 8.47 Submissions have raised concerns about continued construction effects impacting on the surrounding area. While it is acknowledged that the area is undergoing a number of developments and therefore has caused some disruption, the construction effects of the proposed development will be temporary in nature.
- 8.48 Demolition and construction is already controlled by requirements to adhere to numerous other legislative standards, such as Building Act 1984, Environmental Protection Act (EPA) 1990, Environment Act 1995 and Air Quality Regulations 2000 and Health and Safety at Work Act 1974. However, PPS23 makes provision for the inclusion of conditions of consent to mitigate effects of construction.
- 8.49 It is therefore recommended that if approved a condition of consent is included, which would require the submission of a Construction Management Plan in order to ensure that the best practice examples are followed to avoid, remedy and mitigate the effects of construction.

Vehicle Traffic Movements

- 8.50 The Transport Assessment submitted with the application details the expected number of trips generated by the development. In term of motor vehicle traffic movements the amended phase II scheme would result in 42 fewer peak morning vehicle trips and 30 fewer peak afternoon vehicle trips. It is therefore considered that the proposed development would have a reduced impact on the noise and disruption associated with vehicle movements and result in a reduction to the impact on the surrounding occupiers and area.

Traffic and Servicing Issues

- 8.51 The proposal is a mixed use development involving the provision 421 residential units. Also included is a Hotel C1, 195 Serviced Apartments (Sui Generis), with 3,225m² of A1, A2, A3, A4, A5 and B1, and a Health Club 1,126 m² of D2. The subject site is in an area with a PTAL accessibility rating of 5. The site is considered to have a good level of accessibility to public transport links. The site is adjacent to Cross harbour DLR Station. With regard to this station there are good pedestrian access via the existing footways and proposed pedestrian facilities from the site.

Parking

- 8.52 The applicant has provided for 211 car spaces for the 421 residential units, which is a ratio of 0.5 spaces per unit which would be acceptable and in accordance with policy DEV19 (Parking for Motor Vehicles) of the IPG and London Plan 2008 policies 3C.17 (Tackling congestion and Reducing Traffic) and 3C.23 (Parking Strategy). Within this allocation there should be a provision of disabled parking at 10% of the total number of parking spaces. A condition of consent would adequately ensure that the provision of disabled bays is met.

- 8.53 The proposed hotel and serviced apartment will be provided with 4 car parking spaces, the retail uses 2 spaces and the health club 1 car parking space. These provisions would generally be in accordance with the maximum car parking space requirement in the IPG Planning Standard 3: Parking.
- 8.54 It is therefore considered that the vehicle parking provisions would be in accordance with policies 3C.17 (Tackling congestion and Reducing Traffic) and 3C.23 (Parking Strategy) of London Plan 2008. A S106 legal agreement should be entered into in order that the Traffic Management Order can be amended to exempt occupiers of this site from obtaining parking permits. This will ensure no overflow parking on the public highway.

Cycle Parking

- 8.56 The applicant is proposing a minimum of 274 secure bicycle parking spaces for residents of the development. While this number is lower than the 1 per unit provision required by Planning Standard 3: Parking of the IPG, the applicant is proposing that the bicycle parking provision be monitored by means of the Travel Plan, which would be secured by the S106 agreement, to ensure that a provision of 15% above the demand level for cycle parking is maintained. Flexibility in the form of cycle storage can be achieved by using a mixture of stand types. This would ensure that adequate cycle provision would be maintained onsite for the development and that the development would meet the principle of policy DEV 16 of the IPG and meets policy 3C.22 of the London Plan 2008.
- 8.57 50 cycle storage spaces will be provided at grade within the phase II development for the use of visitors. This would meet the provision for visitor cycling spaces required by Planning Standard 3: Parking and policy DEV16 of the IPG.

Hotel pick-up/drop-off Points

- 8.58 Vehicular access to the central courtyard of the amended phase II development would be limited to only accommodate servicing of retail units, emergency vehicles, taxis and drop-off access. It is therefore considered that the provision of hotel pick-up/drop-off is adequately catered for within the development and that vehicles and coaches picking up or dropping off passengers would not significantly impact on the safety and efficiency of the highway network, as this would take place within the courtyard area.

Deliveries

- 8.59 As with the hotel pick-up/drop-off, deliveries to the development would be able to access the central courtyard area. This would avoid significant conflict with traffic on the highway network and provide a safe and efficient location for deliveries to take place.

Trip Generation

- 8.60 The applicant has provided a Transport Assessment which details the trip generation Phase II of the proposed development as follows:

8.61

Mode	AM Peak		PM Peak	
	In	Out	In	Out
Walk	17	78	66	39
Cycle	2	2	5	4
DLR north	11	113	70	26
DLR south	3	6	6	4
JL west	14	92	56	22
JL east	1	11	6	2
Bus	3	17	12	5

Car Driver	16	15	28	26
Car Passenger	4	6	20	9
Taxi	3	8	9	6
Motorcycle	0	4	4	3
Goods Vehicles	5	4	1	1
Total	79	355	285	149

- 8.62 The amendments from the existing consent scheme for phase II are not considered to result in significant improvements over the existing scheme. The changes would result in a reduction in AM peak trip movements of 371 trips and a reduction in PM peak trip movements of 374 trips. In terms of purely private motor vehicle movements the result would be a reduction of approximately 11 AM peak trips and an increase 9 PM peak trips. It is considered that this would have negligible effects on the highway network.

Public transport capacity

- 8.63 The applicant's Transport Assessment includes sections on the impact of the development on the existing public transport. The Transport Assessment details that the impact of development would be negligible.

Docklands Light Rail

- 8.64 The existing maximum peak hour passenger capacity of the DLR north of Crossharbour is 9,125 per hour per direction (pphd). A Transport and Works Act submission has been approved for the introduction of 3 car trains on the Lewisham to Bank line. The Longer trains will increase the passenger planning capacity of each train from 365 to 547 people. The resultant passenger capacity will be 11,855pphd when the three car trains are introduced on the Lewisham to Bank Line, although there is further scope to increase line capacity by adding 3 car trains on the other routes.
- 8.65 The Phase II application scheme is expected to generate a maximum of 250 trips in the am peak and 191 trips in the PM peak on the DLR. This includes the worst case assumption that all of the Jubilee Line trips would use the DLR to access Canary Wharf London Underground Station. The maximum effect of the proposed development on the DLR line capacity would equate to no more that 1.32% of the total current capacity of the service. Therefore, the development will have a negligible effect on the capacity of the existing DLR service.

London Underground

- 8.66 The Jubilee Line currently has an operational service frequency of 24 trains per hour operating in either direction past Canary Wharf during the peak periods. This equates to a planning capacity of 16,104 pphd and a practical crush capacity of 31,776pphd based on details supplied by London Underground Limited. Following the introduction of the Public Private Partnership (PPP) between London Underground Limited and Tube lines it is planned that, over the next 4 years planned headways are set to decrease to 2 min (30 tphd). Based on London Underground's planning capacity this will result in a capacity of 20,130 pphd or a practical crush capacity of 39,720 pphd.
- 8.67 Phase II of the development proposals will result in a total of 117 AM peak hour and 87 PM peak hour two-way passenger trips on the Jubilee Line forecast to be generated by the development. Trips generated by the proposed development will account for 0.3% or less of the total peak hour current planning passenger capacity of the Jubilee Line and 0.2% or less of the practical crush capacity. The prospects will therefore have a negligible impact on the Jubilee Line.

London Buses

- 8.68 The proposed development is directly served by three bus routes operating along Limeharbour/East Ferry Road and one operating along Manchester Road. The nearest northbound bus stop is on Limeharbour outside Harbour Exchange, less than 2 minutes walk from the application site. As southbound buses terminate at the ASDA superstore, the use of buses in this direction would be minimal. A new Route 135 is under consultation which will have a daytime frequency of 6 buses per hour. The route will operate between Crossharbour Asda via Westferry Road, Canary Wharf, Commercial Street and Liverpool Street.
- 8.69 From the trip generation calculations for Phase II it has been identified that approximately 20 additional bus trips in the AM peak hour and 17 additional two-way bus trips in the PM peak hour are predicted to be generated by the proposed development. The expected number of bus passenger trips generated by the proposed Phase II development equates to no greater than a 1.07% of current bus service capacity and less than 0.98% of future bus service capacity. These effects are minimal and could be adequately accommodated in both the existing and proposed bus services as the highest impact equates to less than 2 additional passengers per bus. Therefore, it is considered that the development proposals will have a negligible impact on bus capacity.

Site-lines

- 8.70 The proposed amendments to phase II of the development result in a new vehicle entrance at the north end of the eastern side of the site onto Limeharbour. The vehicle carriageway will enter and exit the site under the DLR viaduct via split entrances approximately 250m south of the intersection of Limeharbour and Marsh Wall. The separate entrance and exit routes would provide room for queuing on exit and enable clear sightlines both north and south up Limeharbour. The distance of the entrance from the intersection of Limeharbour and Mash Wall would avoid conflict with traffic turning onto Limeharbour and provide sufficient vision distances to allow for safe turning out of the development.

Design and Layout of the Development

Mass and Scale

- 8.71 Assessment of the acceptable mass and scale of development on the site is somewhat dictated by the mass and scale of the buildings approved by previous planning permissions on the site, which must be considered as a material consideration in assessing this application. The previous planning permission, dated 3 October 2007 (PA/06/02068), approved the development of three buildings in the area of the site known as phase II. The current application seeks to change the design of these building. These buildings are known as Building 1 (the tower), Building 8 and Building 9, as shown in Figure 1 above. Phase I, currently under construction includes Building 2, Building 4, Building 5, Building 6 and Building 7.
- 8.72 The existing planning permission provides for Building 1 (the tower) to have a height of 42 storeys (136.7m AOD), Building 8 to have a height of 16 storeys (77.7m AOD) and Building 9 to have a height of 16 storeys (55.7m AOD). It should be noted that the floor heights in Building 8 are reflective of the office use. This application proposes to increase the height of the main tower, Building 1, by a total of 18.1m, the height of Building 8 is decreased by 9.5m and the height of building 9 is increased by 1m. Generally the height of the buildings is consistent with the existing approval, with the proposed increase to the height of Building 1 representing an additional 7% of the consented height.
- 8.73 Changes to the footprint of the all three buildings increase the outdoor space provided for on the site, resulting in decreased building footprints and a softening of the mass of the development at ground level, particularly Buildings 8 and 9.

The change in the height and design of Building 1 results in an increase in the mass of the building at higher levels as unlike the previously approved building, the amended design does not taper off. The changes to the massing of the buildings in phase II is highlighted by the massing diagram below.

8.74 It is considered that as the general massing of the development, being a large landmark tower with two subservient buildings to the east, has been approved under the previous planning permission, dated 3 October 2007 (PA/06/02068), and the proposed amendments do not significantly alter the massing of the development as a whole, that the scale and mass of the development is acceptable.

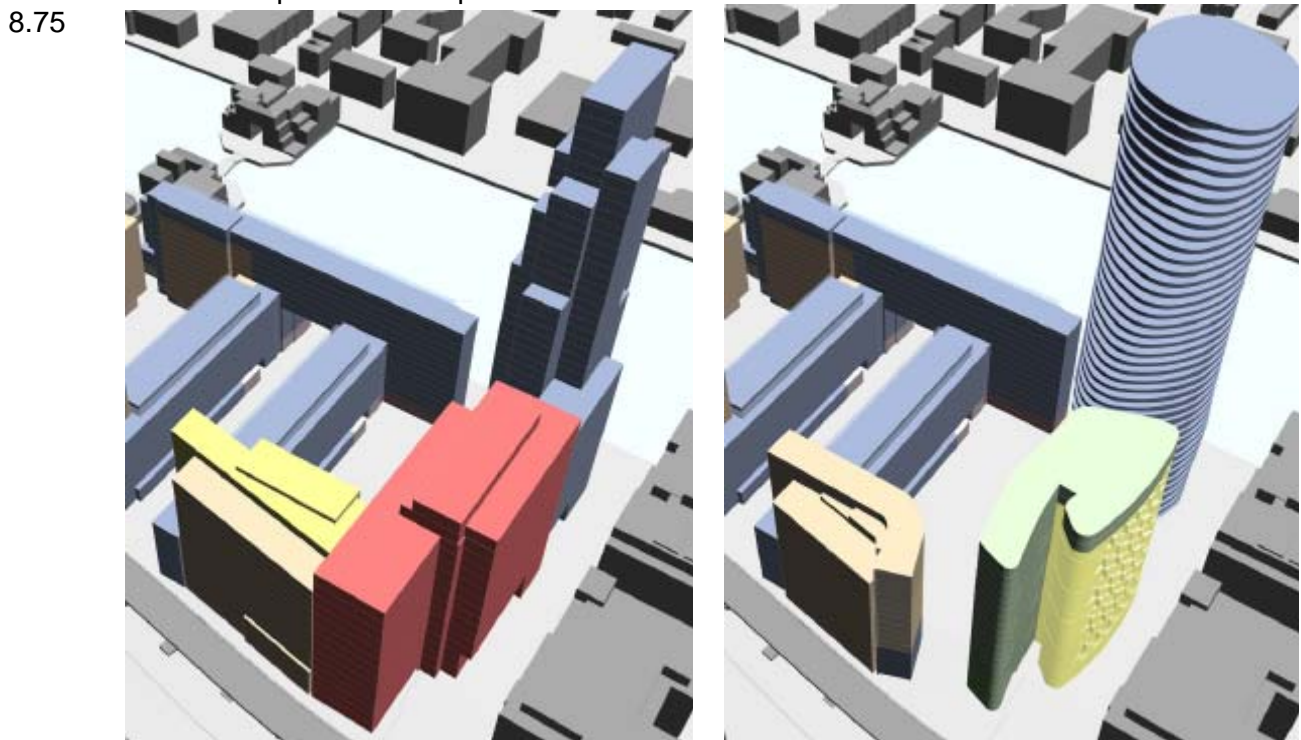


Figure 2 – Showing the approved massing and proposed massing

Appearance

8.76 The proposed amendments to phase II retain and enhance the high quality appearance of the development. The tower building has been redesigned in order to create a landmark building. Architecturally the building is designed to respond to the needs for high rise residential living and develops a system that provides a unique appearance for the tower, through a process of shifting each floor along its vertical axis creating a twisting effect.

8.77 The design of this main tower draws attention and provides a changing view as one view the extent of the building. The use of translucent and light materials provides the allure of light and creates a softer context for the building. The spacious balcony provisions of Building 1 result in a successful expression of the residential function of the building.

8.78 The curved finishes to buildings 8 and 9 provide an entrance to the development from Limeharbour, resulting in smooth flowing appearance on a holistic scale. The facades of these buildings provide interest, due to the curves, balconies and bays on the facades creating texture and avoiding monotony in the façade appearance.

8.79 Overall the high quality of materials is considered to create a quality finish that will enhance the appearance of the buildings. Landscaping of the open space area will soften the mass of the buildings at the ground level when viewed from the immediate context of the development. The pathways and ground floor interactions of the buildings and outdoor

space will provide for a flow through the development enhancing the appearance of the development on a holistic scale adding human scale to the development.

Materials

- 8.80 The materials proposed for the buildings in phase II of the development utilise a number of different finishes and materials, including bricks, metal panels, precast concrete and glass. The extensive use of translucent glass materials throughout the development, particularly on the balconies to Building 1 serves to soften the appearance of the buildings. The materials proposed are considered to be high quality and robust materials, which would add to the appearance of the development. To ensure that the quality of materials it is recommended, that if planning permission is approved, conditions of consent be included to require that the applicant submit samples of the external material. This will ensure that appropriate high quality materials are used in the development, the robustness of the materials and their ability to cope with the environmental conditions.

Internal Amenity

- 8.81 Policy DEV2 (Character and Design) of the IPG and policy HSG 13 (Standard of Converted Dwellings) of the UDP seek to ensure adequate internal living conditions for future occupiers.
- 8.82 The applicant has provided a Daylight and Sunlight Report with their application outlining the daylight and sunlight received by the buildings in phase II of the development and the impact of the buildings on the adjoining buildings in phase I. It has assessed the daylight and sunlight levels of the proposed development against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991) providing the results of the effect on daylight in terms of the tests use in the BRE guidelines.
- 8.83 It is widely accepted that the most appropriate test, given the city centre location, is the Average Daylight Factor (ADF) test, which gives the interior illumination in the rooms taking into account the size of the windows. The tests carried out by the applicant show that the daylight and sunlight received by the habitable rooms of the residential buildings in phase II of the development will meet or exceed the BRE guidelines, providing acceptable sunlight and daylight levels to the future occupants of the development.
- 8.84 Policy HSG 13 (Standard of Converted Dwellings) of the UDP states that all new developments should have adequate provision of internal residential space in order to function effectively. The supporting detail of this policy states that internal design should take account of the criteria in the Supplementary Planning Guidance on Residential Space. The units proposed for the development provide generous living spaces and would result in units meeting or exceeding the overall minimum unit size for the intended occupancy levels. In addition the units have private open space balconies off the living rooms which provide additional living area.
- 8.85 As previously stated, the Council's UDP states that new developments should be designed to ensure that there is sufficient privacy for residents and that a distance of about 18 meters between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people. Within phase II of the development the residential dwelling units are proposed within buildings 1 and 9. These building are separated by a distance well in excess of 18m between facing windows of habitable rooms. Building 8 of the development would consist of serviced apartment, which are not considered to be residential units and therefore would not be habitable room. While the distance between building 2 (in phase I of the development) and building 1 is less that the accepted 18m, the existing consented scheme would also have habitable rooms of building 9 and building 2 facing each other. It is therefore considered that the privacy between habitable rooms within the proposed development is acceptably maintained.

- 8.86 Buildings will be naturally ventilated wherever possible. Each apartment will be provided with continuous mechanical ventilation servicing toilets, bathrooms and kitchen areas. All occupied rooms will be provided with natural fresh air intake points. This will ensure that all living units are sufficiently ventilated.
- 8.87 It is therefore considered that the proposed residential buildings in the amended phase II development would receive adequate sunlight, daylight and ventilation and the size of the units would provide sufficient living space to ensure acceptable internal living amenity.
- 8.88 It is therefore considered that the proposed development would have adequate and acceptable internal amenity and that the development would be in accordance with policies DEV2 (Character and Design) of the IPG and HSG 13 (Standard of Converted Dwellings) of the UDP.

Micro-Environment

- 8.89 Planning guidance contained within the London Plan 2008 places great importance on the creation and maintenance of a high quality environment for London. Policy 4B.10 (Large-scale buildings – design and impact) of the London Plan 2008 requires that *“All large-scale buildings including tall buildings, should be of the highest quality design and in particular: ... be sensitive to their impacts on micro- climates in terms of wind, sun, reflection and over-shadowing”*. Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 (Amenity) of the IPG also identifies microclimate as an important issue stating that:
- “Development is required to protect, and where possible seek to improve, the amenity of surrounding and existing and future residents and building occupants as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should: ...not adversely affect the surrounding microclimate.”*
- 8.90 The applicant has undertaken an assessment of the impact of the proposed development on the microclimate surrounding the buildings. The assessment has focused on the suitability of the Site for desired pedestrian use (i.e. leisure walking at worst, with standing conditions at entrances and in retail areas, and sitting/standing conditions in public realm areas during summer) and the impact relative to that use. Three configurations were assessed in a wind tunnel:
- Configuration 1: Proposed development with the existing surrounding buildings;
 - Configuration 2: Proposed development with the cumulative surrounding buildings (Cumulative Impact Assessment);
 - Configuration 3: Proposed development with the detail mitigation design and cumulative surrounding buildings and mitigations (Residual Impact Assessment).
- 8.91 The tests were conducted on a 1:300 scale model devoid of trees or landscape detail to generate a relatively windy microclimate. The pedestrian level wind microclimate at the Site was quantified and classified in accordance with the widely accepted Lawson Comfort Criteria. The wind conditions around the existing, undeveloped site are considered relatively calm, being in general suitable for standing/entrance use or better even during the windiest season. The prevailing wind direction is south westerly.
- 8.92 The microclimate modelling showed the impact of the proposed development, in the absence of mitigation, is generally negligible. However, there were a few locations on-site where in the absence of mitigation; wind conditions would be moderate to minor adverse. These areas include a number of entrances and localised thoroughfares. The cumulative impact of other known planning applications in the vicinity of the Site make a beneficial contribution to the wind microclimate of the proposed development. Additional development around the Site will increase the shelter on-site and will eliminate many of the adverse impacts identified for the

proposed development. The modelling showed that when mitigation measures introduced in Configuration 3, which consist of the proposed open space and landscaping proposals for the scheme the entrance location on the south side of Building 1 being sheltered by proposed building columns on either side of the entrance, suitable mitigation was provided, achieving standing/entrance conditions at required locations. The residual impact of the proposed development is therefore expected to be negligible to minor beneficial.

- 8.93 It is therefore considered that the proposed development would be acceptable in terms of the impact on microclimate conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site in accordance with London Plan policy 4B.10 (Large-scale buildings – design and impact) and policy DEV1 (Amenity) of the IPG.

Landscaping

- 8.94 Landscaping within the entire Former London Arena site equates to a total of 16,000m² of the 25,500m² site. Within the amended phase II development there is approximately 7,000m² of open space for landscaping. Further, on top of this there is 750m² of Brown Roof Area on Building 9 and 615m² of Green Roof Area on Building 8, which although not accessible to the occupants or public provide habitats for local wildlife, adding to the amenity of the landscaping. The changes to the previously consented scheme proposed in this application allow for an increase of 2,000m² of additional landscaping within the Phase II portion. This landscaping is made up of a mix of and additional 1,000m² of soft landscaping and 1,000m² of hard surface landscaping.
- 8.95 Site permeability will be greatly improved and coordinated within this new proposal. A new at grade east to west link will be provided between Limeharbour and the Millwall Dock edge, enhancing existing pedestrian circulation in the general vicinity. In addition to the enhanced pedestrian circulation route around the site, vehicular entry to the internal courtyard/piazza will be introduced from Limeharbour, between buildings 8 and 9. Vehicular movement will be strictly controlled and be for hotel and tower drop-off only.
- 8.96 The proposed development is considered to greatly enhance the public realm within the development providing an area of quality amenity space that will compliment the quality and design of the buildings. To ensure that the landscaping provided within the development provides acceptable planting and quality materials it is recommended that conditions be included on any granted planning permission that landscape plans and landscape management plans are provided and approved by Council prior to the commencement of construction.
- 8.97 It is therefore considered the proposed development would be in accordance with policy DEV12 (Provision of Landscaping in Development) of the UDP, policies DEV1 (Amenity), DEV2 (Character and Design) and Dev 13 (Landscaping and Tree Preservation) of the IPG and policies 4A.11 (Living Roofs and Walls), 4B.1 (Design Principles for a Compact City) and 4B.10 (Large-Scale Buildings – Design and Impact) of the London Plan 2008.

Play Areas/Amenity Space

- 8.98 The proposed amended phase II scheme has resulted in a total area of landscaping of approximately 7,000m². This represents a 2,000m² increase in the amount of landscaping in the previously consented scheme. 1,000m² of this additional landscaping is provided as soft landscaping. The outdoor amenity space of the development is made up of both shared hard surfaces, with strictly controlled vehicle access, and soft landscaped area.
- 8.99 The proposed child yield of phase II of the development is approximately 136 children, which equates to a requirement of 1,360m² of dedicated play space in accordance with The Mayor of London Supplementary Planning Guidance (Providing for Children and Young People's Play and Informal Recreation), which states "A *minimum of 10 sq m of dedicated playspace*

per child (existing and new provision) is recommended as a basis for assessing existing and future provision – subject to verification in the local play strategy.” The open space identified within phase II of the development for opportunities to play totals approximately 5,350m².

- 8.100 Within the entire development on the Former London Arena site the space identified as opportunities for play equates to 11,500m² and includes formal and informal child play areas. Overall the increased soft landscaping and outdoor amenity space within amended scheme represent a increased opportunity for play space and is considered to be acceptable in terms of policy 3D.13 (Children and Young People’s Play and Informal Recreation Strategies) of the London Plan 2008 and

Views

- 8.101 The site does not fall within a designated Strategic view Consultation Area under the adopted UDP or IPG. The development will introduce a new larger tower (Building 1), designed to be a visible landmark, into the skyline. It is considered that this is acceptable within the Central Area Zone and in the context of the previous planning permission, which permitted a tower of similar height on the site.
- 8.102 The application is supported by a detailed assessment of local and long distance views included within the Environmental Statement. While the proposed development can be seen in the foreground of the view from General Wolfe’s Statue in Greenwich Park towards the Canary Wharf Cluster (shown in Figure 3 below), it is considered that the given the development that has already been consented on the site that the impact of the amendments proposed to phase II within this application would not significantly impact on any views. The proposal is therefore considered in accordance with policy DEV27 of the IPG and policies 4B.10 (Large-scale Buildings – Design and Impact) 4B.16 (London View Management Framework) and 4B.18 (Assessing Development Impact on Designated Views) of the London Plan 2008.

8.103



Figure 3 – Showing the impact of the proposed development on the view towards the Canary Wharf Cluster from General Wolfe's Statue in Greenwich Park

Access

- 8.104 The scheme will yield much needed accommodation including social rented and intermediate affordable housing. The access statement submitted highlights the developer's commitment to provide all accommodation to lifetime homes standards. Most of the units will have relative ease of access to disabled parking bays. 10% of the units provided will be wheelchair accessible design. Conditions of consent can be included on the application to ensure that the provisions are met adequately for mobility impaired persons.
- 8.105 The development would be considered in accordance with policies DEV3 (Accessibility and inclusive design) and HSG9 (Accessible and Adaptable Homes) of the IPG and policy 3A.5 (Housing Choice) of the London Plan 2008

Sustainability

- 8.106 The London Plan 2008 has a number of policies aimed at tackling the increasingly threatening issue of climate change. London is particularly vulnerable to matters of climate change due to its location, population, former development patterns and access to resources. IPG and the policies of the UDP also seek to reduce the impact of development on the environment, promoting sustainable development objectives.

Energy

- 8.107 Policy 4A.3 (Sustainable Design and Construction) of The London Plan 2008 states that boroughs should ensure future developments meet the highest standards of sustainable design and construction, seeking measures that will among other matters will:
- Reduce the carbon dioxide and other omissions that contribute to climate change;
 - Minimise energy use by including passive solar design, natural ventilation and

- vegetation on buildings;
- Supply energy efficiently and incorporate decentralised energy systems and renewable energy; and
- Promote sustainable waste behaviour in new and existing developments, including support for local integrated recycling schemes, CHP and CCHP schemes and other treatment options.

8.108 Policies 4A.4 (Energy Assessment), 4A.5 (Provision of heating and cooling networks) and 4A.6 (Decentralised Energy: Heating, Cooling and Power) of the London Plan 2008 further the requirements for sustainable design and construction, setting out the requirement for an Energy Strategy with principles of using less energy, supplying energy efficiently and using renewable energy; providing for the maximising of opportunities for decentralised energy networks; and requiring applications to demonstrate that the heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Policy 4A.7 (Renewable Energy) of the London Plan goes further on this theme, setting a target for carbon dioxide emissions as a result of onsite renewable energy generation at 20%

8.109 The applicant has provided a Sustainability Statement, Energy Statement and Environmental Impact Assessment in support of the application for the amended development of phase II. The application documents detail that the buildings in phase II of the development have designed with sustainability as one of the major objectives and outline the following passive design features and energy efficiency measures as being incorporated into the design of the buildings to reduce primary energy consumption:

- The three buildings in phase II have been placed around a courtyard and as a result, some of the buildings will face in each of the four compass directions. The architectural design has taken account of this, using appropriate measures to encourage daylight and natural ventilation;
- Glazing is to be selected with consideration for the heat gains and losses during summer and winter while avoiding glare. For the residential uses within the scheme, all habitable rooms will have good levels of natural light with windows sized and located in accordance with Simplified Assessment Procedure (SAP) requirements recommendations;
- Combined Heat and Power (CHP) coupled with a 64 m² thermal storage tank and biomass boilers will provide the majority of hot water and heating service for the proposed development. The remainder of the heating demand will be supplied by high efficient gas boilers;
- U-values for the proposed development meet or exceed the requirements of the building regulations Part L 2006. Robust detailing will reduce air leakage at joints and boundaries between surfaces, improving the overall air tightness of the buildings;
- Low-energy light fittings, combined with daylight and presence detection in the commercial and public (landlord) portions of the proposed development, where applicable, will reduce the amount of time that lights are left on when not strictly required. External lighting will be controlled by a combination of time switches and daylight sensors, as appropriate. These measures will reduce energy wastage and associated CO₂ emissions;
- The residential apartments within Building 1 (Tower) and the hotel rooms and serviced apartments located within Building 8 will be comfort cooled. For comfort cooling it is proposed to use vapour-compression units, using the adjacent Dock water as the heat rejection media rather than the ground. The amount of cooling which can be provided through the use of the dock water is higher than that which could be provided by ground source heat pumps. For the purpose of the proposed development's energy strategy it has been assumed that the dock water system will reduce the CO₂ emissions due to comfort cooling by 70%;
- Buildings will be naturally ventilated wherever possible. Each apartment will be provided with continuous mechanical ventilation serving toilets, bathrooms, and kitchen areas. All occupied rooms will be provided with natural fresh air intake points;
- For the hotel, serviced apartments and retail uses, Building Energy Management

Systems (BEMS) will allow for control with systems defaulting to off, where appropriate, to minimise energy wastage. Each residential unit's heating system will have a time switch and a thermostat to encourage energy efficiency. In addition, units will also be fitted with a heating, cold water service and electricity supply meter to measure and charge for community usage, thus providing the residents a financial incentive to conserve energy and resource usage. Meters will be provided to apportion heat and electricity from the CHP plant or hot water and electricity for the energy centres to other tenants such as the Health Club within the development.

- 8.110 The use of Low and Zero Carbon (LZC) heating systems will reduce CO2 emissions throughout the proposed development's lifetime from a design baseline (that includes passive design and energy efficiency measures) as follow (See Table 4.8):
- a 13% CO2 saving through the use of CHP;
 - a 12% CO2 saving through the use of Bio-diesel boilers and dock-water cooling; and
 - a further potential 13.1% CO2 saving through the use of the thermal store coupled with the CHP.

Collectively the LZC technologies to be employed on-site will reduce the 'design' CO2 emissions by a minimum of 23.4% and a potential maximum of 31.5% for the Site as a whole.

- 8.111 The Council's Energy Efficiency Unit has reviewed the application and concluded that *"the general structure of the energy strategy is reasonable, however further information is required to demonstrate the strategy meets the requirements of the policies set out in the London Plan..."* As such in order to ensure the proposal acceptable in terms of the policy requirements it is recommended, if approved, that the application included conditions of consent, as provided by the Energy Efficiency Unit, to ensure that the development would meet suitable energy efficiency and renewable energy measures. If conditions are included as recommended it is considered that the proposed development would meet policies 4A.3 (Sustainable Design and Construction), 4A.4 (Energy Assessment), 4A.5 (Provision of heating and cooling networks), 4A.6 (Decentralised Energy: Heating, Cooling and Power) and 4A.7 (Renewable Energy) of the London Plan 2008.
- 8.112 It is also considered that the proposal would be consistent with the policy DEV6 (Energy Efficiency and Renewable Energy) of the IPG, in that the proposed renewable energy production onsite exceeds 10% of the sites predicted energy requirements.

Biodiversity

- 8.113 The subject site is currently a construction site devoid of any natural habitat, as it is currently occupied by construction buildings and equipment associated with the construction of phase I of the consented development. The proposed landscape strategy for the development sets out proposals for planting semi-mature trees, incorporating hedging and climbers on suitable vertical faces and to provide green walls. In addition to this the proposal provides for a brown roof space on Building 9 as well as a green (Sedum) roof on Building 8. This follows much the same provision as the existing consented scheme for the area within phase II; however the proposed scheme offers an additional 1,000m² of soft landscaping.
- 8.114 The proposed soft landscaping at ground level and on the brown and green roof tops would comprise approximately 52% of the site area for the proposed phase II scheme, which in the absence of any existing vegetation would provide significant habitat and biodiversity benefits to the site. The submission of a biodiversity strategy is recommended to ensure that this potential is fully realised and this should be secured by way of conditions of consent if the planning permission is granted.
- 8.115 It is therefore considered that the proposed development would be consistent with policy CP31 (Biodiversity) of the IPG and Policy 3D.14 (Biodiversity and Nature Conservation) of the London Plan 2008.

Water

Water run-off

- 8.116 Infiltration based SUDS techniques are limited by the impermeable nature of the geology and the basement car park planned for the Site. Surface attenuation is also restricted by the limited amount of open space available. In this regard a green roof of approximately 613.8 m² in extent and a brown roof of approximately 752.9 m² in extent will be installed on Buildings 8 and 9 respectively and soft landscaping of approximately 3,709 m² developed at ground level. Rainwater harvesting will also be introduced on-site with stored rainwater providing the primary source for irrigation and car washing water supplies.
- 8.117 British Waterways have confirmed that in principle, the existing 11 surface water outfalls along Millwall Inner Dock can be reused to discharge a small percentage of the proposed development's surface water into Millwall Inner Dock.
- 8.118 Collectively, rainwater harvesting combined with the attenuating properties of the proposed green areas and surface drainage to the Millwall Inner Dock, will result in an approximate 33% reduction of surface runoff rates generated by the climate change corrected 1 in 100 year storm. This equates to approximately 209 m³ which means that runoff from the proposed development incorporating climate change will be less than runoff from the previous development.
- 8.119 It is considered that the proposed development maximises the potential of the site, given the constraints of the basement and geology to mitigate water runoff and potential flooding events. Therefore it is considered that the development is in accordance with policies CP37 (Flood Alleviation) and DEV8 (Sustainable Drainage) of the IPG and policies 4A.13 Flood Risk Management) and 4A.14 (Sustainable Drainage) of the London Plan 2008.

Water use

- 8.120 The proposed development will cause an increase in water demand to meet the needs of the new occupants, especially when other consented schemes in the Isle of Dogs are taken into account. These increases will be offset by the adoption of a variety of water-saving devices in the residential Properties and the rainwater harvesting mentioned above. To ensure that the appropriate low flow devices are provided to maximise the mitigation of water usage it is recommended a condition be included on the consent if approved to require the submission of details of water saving techniques within the development.
- 8.121 The proposed development is therefore considered in accordance with policy DEV69 (Efficient Use of Water) of the UDP, policy DEV7 (Water Quality and Conservation) of the IPG and policy 4A.16 of the London Plan 2008.

Construction Waste and Recycling

- 8.122 Demolition of the previous buildings on site has already taken place and was completed in August 2006. The total amount of material that has already been excavated and removed off-site is approximately 80,000m³ under the existing planning permission. A further 20,000m³ will be removed in accordance with the existing planning permission also. Therefore, the waste generated from demolition and excavation and site preparation is somewhat outside the scope of assessment under this consent.
- 8.123 The developer has assessed and stated that the proposed development would result in approximately 9,882m³ waste during construction, over the construction period. This equates to 3,294m³ per year throughout the three year anticipated construction period.

- 8.124 Conditions of consent should require a Site Waste Management Plan to be submitted to ensure that the development is implemented in accordance with the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste. If development is undertaken in accordance with an appropriate Site Waste Management Plan the development would be considered to be in accordance with policy CP39 (Sustainable Waste Management) of the IPG and policy 4A.28 (Construction, excavation and demolition waste) of the London Plan 2008.

Planning Obligations

Financial Contributions

- 8.125 As part of the previous planning permission, dated 3 October 2007 (PA/06/02068), for development on the site a S106 legal agreement was agreed between the Council and the applicant, including financial contribution totalling over £4.4 million. This financial contribution was negotiated in order to provide financial assistance to projects to mitigate the impacts of the development on matters such as transport, highways infrastructure, open space and recreational facilities, public realm, education, healthcare and local employment.
- 8.126 The applicant in negotiation with Council officers has proposed a pro-rata increase in the S106 payment as part of the new application, in order to mitigate the additional impact of the changes to the scheme. This has been supported by a Financial Toolkit provided by the developer.
- 8.127 It should also be noted that the provision of a new community centre within phase I of the development equates to a benefit for uses and the local community and would equate to an additional benefit of approximately £1,600 per unit across the entire development on the Former London Arena Site.

Affordable Housing

- 8.128 Provision within a S106 legal agreement should be made to ensure the provision of the affordable housing in accordance with the application as stated above.

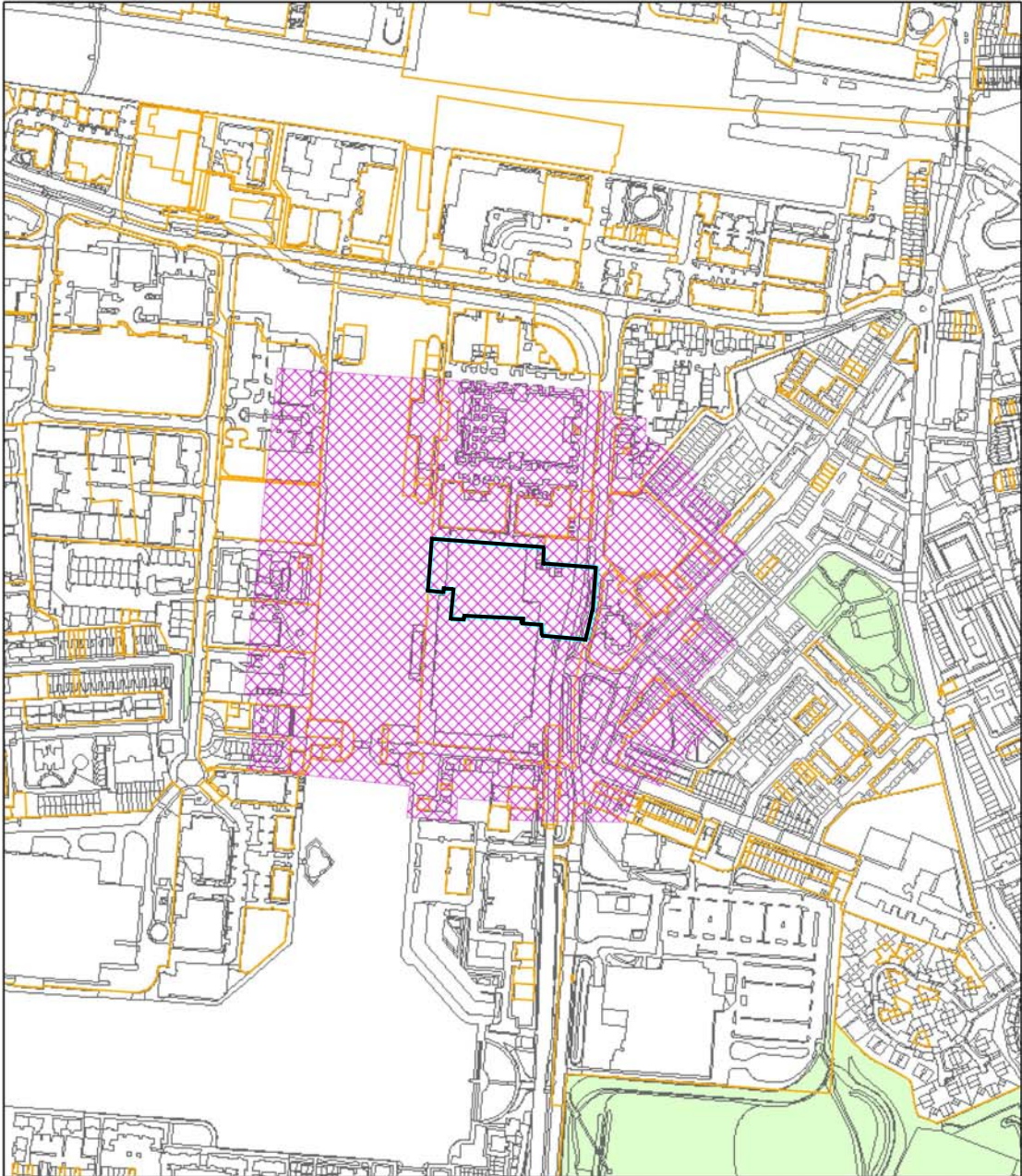
Parking and traffic

- 8.129 The applicant has proposed onsite parking within the basement of the scheme for 218 cars, which is well within the maximum parking requirement. The site is located in the Central Activity Zone, has a high PTAL, and to ensure that there will be no overspill from the development onto the public parking spaces, it is recommended that the applicant be required to enter into a S106 agreement in order that the Traffic Management Order can be amended to exempt occupiers of this site from obtaining parking permits.
- 8.130 The applicant has also proposed the inclusion of highway works for the general improvement to the existing pedestrian network and the introduction of a green man phase at the junction of Marsh Wall and Limeharbour.
- 8.131 The travel plan provision and the links to the provision of secure cycle spaces within the development should be included in the S106 legal agreement.

Conclusions

- 8.132 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.

Planning Application Site Map



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



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