

<b>Committee:</b> Development	<b>Date:</b> 27 August 2008	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Town Planning Application
<b>Case Officer:</b> Rachel McConnell	<b>Ref No:</b> PA/07/03151
	<b>Ward:</b> Millwall (February 2002 onwards)

## 1. APPLICATION DETAILS

<b>Location:</b>	Jubilee Place, Heron Quay, London, E14 4JB
<b>Existing Use:</b>	Car parking
<b>Proposal:</b>	The change of use of existing floorspace comprising service area (2,800 sq.m) and car park (9,684 sq.m) and the removal of existing car park and service floorspace to form Class A floorspace with ancillary service area, storage and mall circulation space, together with other works incidental to the application.
<b>Drawing Nos/Documents:</b>	733-50020 C, 733-50030 C, 733-50200 C, 733-59020 D, 733-59030 D, 733-59200 C, 733-51900 C, Retail Statement (Aug 2007), Transport Assessment (Aug 2007), Design and Access Statement (Oct 2007), Energy Statement (Issue 1), FRA 733-RP251
<b>Applicant:</b>	Heron Quays (RT3) T1 and Heron Quays (RT3) T2 Ltd
<b>Ownership:</b>	Owned by Applicant
<b>Historic Building:</b>	n/a
<b>Conservation Area:</b>	n/a

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

- In principle the proposed provision of retail development is acceptable. This is in accordance with Policy 2A.8 in the London Plan: Spatial Development Strategy for Greater London (Consolidated with Alterations since 2004) and Policy RT4 in the Interim Planning Guidance (2007) which supports and encourages provision of retail and related town centre uses in the Borough's major centres.
- Given the proximity of the development to public transport routes, the reduction in car parking in the Canary Wharf estate is considered acceptable. This is in accordance with policy CP40 in the Interim Planning Guidance (2007) which promotes car free developments and schemes which minimise on site and off-site car parking provision in areas with good access to public transport.

- Given the nature of the proposal and location underground, it will not result in material harm to the amenity of residents. The proposal therefore meets the criteria set out in Policies DEV2 & DEV50 in the Unitary Development Plan and Policies DEV1 and DEV10 in the Interim Planning Guidance which seeks to protect the amenity of residents.

### 3. RECOMMENDATION

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

- A. The prior completion of a **legal agreement** to secure the following planning obligations:
- a) Access to Employment Initiatives
  - b) Local labour in Construction
  - c) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

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

That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informative(s) to secure the following matters:

#### Conditions

1. Standard time limit
2. Construction method statement
3. Service Management Plan
4. Energy condition
5. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

#### Informatives

1. Environment Agency Informative
2. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.2 That, if within 3-months of the date of this committee decision the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated authority to refuse planning permission.

### 4. PROPOSAL AND LOCATION DETAILS

#### Proposal

- 4.1 The change of use of existing floorspace comprising service area (2,800 sq.m) and car park (9,684 sq.m) and the removal of existing car park and service floorspace to form Class A floorspace with ancillary service area, storage and mall circulation space, together with other works incidental to the application.
- 4.2 There are currently 650 car parking spaces in Jubilee Place. The proposal will result in the change of use of 366 car parking spaces. Due to the existing floor to ceiling heights for the car park, the proposal utilises both levels of car parking for a single retail level. Servicing of the new retail will be from the existing dedicated bays which link to the existing retail.

## Site and Surroundings

- 4.3 Jubilee Place is part of the Canary Wharf shopping complex. Jubilee Place is currently configured to provide a single subterranean retail floor running adjacent to the Jubilee Line Station with two levels of parking below. The lower car park level connects to the Jubilee Line with escalators linking the retail to Canary Wharf. The retail level is linked to the ground level above via a central mezzanine level sitting directly below a glazed pavilion.

## 5. POLICY FRAMEWORK

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

### Unitary Development Plan 1998 (as saved September 2007)

Proposals:		Flood Protection Area
		Central Area Zone
		Water Protection Area
Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	CAZ1	Location of Central London Core Activities
	EMP1	Encouraging New Employment Uses
	EMP6	Employing Local People

### Interim Planning Guidance for the purposes of Development Control

Proposals:		Major Centre (Town Centres)
		Flood Risk Area
Core Strategies:	CP1	Creating Sustainable Communities
	CP3	Creating Sustainable Development
	CP5	Supporting Infrastructure
	CP7	Job Creation and Growth
	CP15	Provision of a Range of Shops and Services
	CP37	Flood Alleviation
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A Sustainable Transport Network
Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV5	Sustainable Design
	DEV6	Energy Efficiency and Renewable Energy
	DEV15	Waste and Recyclables Storage
	DEV17	Transport Assessments
	DEV19	Parking for Motor Vehicles
	DEV21	Flood Risk Management
	RT4	Retail Development and the Sequential Approach

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

	2A.1	Sustainability Criteria
	2A.8	Town Centres
	3B.1	Developing London's Economy
	3B.3	Mixed Use Development
	3B.11	Improving Skills and Employment Opportunities for Londoners

3C.1	Integrating transport and development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.24	Parking in Town centres
3D.1	Supporting Town centres
3D.2	Town Centre Development
3D.3	Maintaining and Improving Retail facilities
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy
4A.7	Renewable Energy
4A.12	Flooding
4A.13	Flood risk management
4A.14	Sustainable drainable
4A.18	Water Sewage and Infrastructure
4B.1	Design Principle for a Compact City
4B.5	Creating an inclusive environment
4B.6	Sustainable Design and Construction
6A.4	Priorities in Planning Obligations
6A.5	Planning Obligations

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

PPS1	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPS9	Biodiversity and Geological Conservation
PPS10	Planning for Sustainable Waste Management
PPG13	Transport
PPS22	Renewable Energy
PPS25	Development and Flood Risk

**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

## **6. CONSULTATION RESPONSE**

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

6.2 The following were consulted regarding the application:

#### **LBTH Energy**

- 6.2 - If the application is treated as an existing building, energy policies requiring 20% improvement do not apply.  
 - Advise that a 10% consequential improvement is made.

#### **LBTH Highways**

6.3 Request condition regarding submission of a service management plan.

#### **British Waterways (Statutory Consultee)**

6.4 No comments

#### **Crossrail (Statutory Consultee)**

6.5 No comments

**London Underground Limited (Statutory Consultee)**

6.6 No comments

**London Fire and Emergency Planning Authority (Statutory Consultee)**

6.7 The Authority's policy is to comply with Building Regulations Approved Document B5. Where these requirements cannot be met, individual cases will be assessed and judged on their own merits.

**Docklands Light Railway (Statutory Consultee)**

6.7 No contribution requested as can not be justified given the trips generated.

**Environment Agency (Statutory Consultee)**

6.8 No objection to the proposed development. Advise that prior written consent is required from the Environment Agency for any proposed works affecting or within 16 metres of the dock walls.

**7. LOCAL REPRESENTATION**

7.1 A total of 890 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 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:

- Loss of car parking – existing car parking at capacity at weekend
- Further parking required in future given development of the area

**8. MATERIAL PLANNING CONSIDERATIONS**

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

1. Principle of Development
2. Design and Amenity
3. Parking and Highways
4. Energy and Renewable Technology
5. Other Issues

**Principle of Development**

8.2 Canary Wharf is defined as a Major Centre in the London Plan. Policy 2A.8 in the London Plan provides an over-arching approach to support and regenerate existing town centres. This is in accordance with PPS6: Planning for Town Centres sets out the Governments policy on planning for the future of town centres.

8.3 The adopted UDP (1998) designates the application site within the Central Area Zone which promotes commercial development. The application therefore accords with Policy CAZ1 of the UDP (1998) which seeks to develop the Central Activities Zone in order to foster

London's regional, national and international role

- 8.4 Policy RT4 in the Interim Planning Guidance supports the provision of retail and related town centre uses in the Borough's major centres. Canary Wharf is an established centre which currently incorporates some 55.049sq.m of retail floor space. Given the above, in principle the provision of additional retail development is acceptable and in line with GLA and Council policy which supports and encourages provision of retail and related town centre uses in the Borough's major centres.
- 8.5 A Retail Statement (RS) has been submitted with the application to demonstrate any impact on the surrounding area. The government and Mayor support a policy of new retail provision in existing town centres to ensure a competitive and accessible range of services. The RS and resulting recommendations aim to ensure new retail proposals will provide this, while not causing harm to existing town centres. Canary Wharf RS shows that the type of provision that being mainly comparison goods (occasional items such as clothes, white goods, etc..) at Canary wharf, will have little or no impact on local shopping provision, those being predominantly convenience goods (every day items such as papers, milk, breads etc). The RS also takes into consideration the wider impact on regional centres such as Surrey Quays and Stratford and has concluded that any impact will be dispersed across six identified regional centres.
- 8.6 It is considered that the proposal to extend the retail provision at Canary Wharf is in accordance with the broad principles of local and national policy.

#### **Design and Amenity**

- 8.7 Policy DEV1 in the Unitary Development Plan and DEV2 in the Interim Planning Guidance are concerned with the impact of the design of the development on the character of the Borough. The proposed retail development is located underground and will have little impact on the character of the Canary Wharf complex.
- 8.8 In terms of amenity, given that the proposal is located centrally within the Canary Wharf which is primarily an office location, the proposal will have no significant impact on residential amenity.

#### **Parking and Highways**

- 8.9 PPG13: Transport seeks to establish less reliance than previously existed on private car usage. Policy 3C.1 in the London Plan requires that high trip generating development is located in areas with high level of transport accessibility.
- 8.10 The site is located within an area of very good public transport accessibility (PTAL 5). The site is located approximately 50 metres from the Jubilee Line station which provides connections to the west to London Bridge and Waterloo, terminating at Stanmore. The Jubilee Line terminates at Stratford to the east. The closest DLR station is Heron Quays which is approximately 180 metres away. The area is also well served by local bus routes.
- 8.11 A Transport Assessment (TA) has been submitted with the application in support of the proposal concludes that the majority of new trips on the public transport will be outside the peak morning and evening periods and so there is not increase in capacity problems.
- 8.12 Given the proximity of the development to public transport routes, it is considered that the reduction in car parking is acceptable and in accordance with sustainability objectives. This is in accordance with policy CP40 in the Interim Planning Guidance (2007) which promotes car free developments and schemes which minimise on site and off-site car parking provision in

areas with good access to public transport. LBTH Highways have raised no objection to the loss of car parking.

### **Energy and Renewable Technology**

- 8.13 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan (2008) sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources. The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG Oct 2007. In particular, policy DEV6 requires that:
1. All planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions;
  2. Major developments incorporate renewable energy production to provide at least 20% of the predicted energy requirements on site.
- 8.14 As detailed earlier in this report, the Council's Energy Efficiency department has advised that 10% consequential improvement is made.
- 8.15 In light of the above comments, a condition is to be attached to the planning permission requiring full details of the energy efficiency measures and preferred energy technologies to be submitted and agreed by the local planning authority. The condition also states that the energy technologies should reduce carbon dioxide emissions from the development by at least 10%.

### **Other Issues**

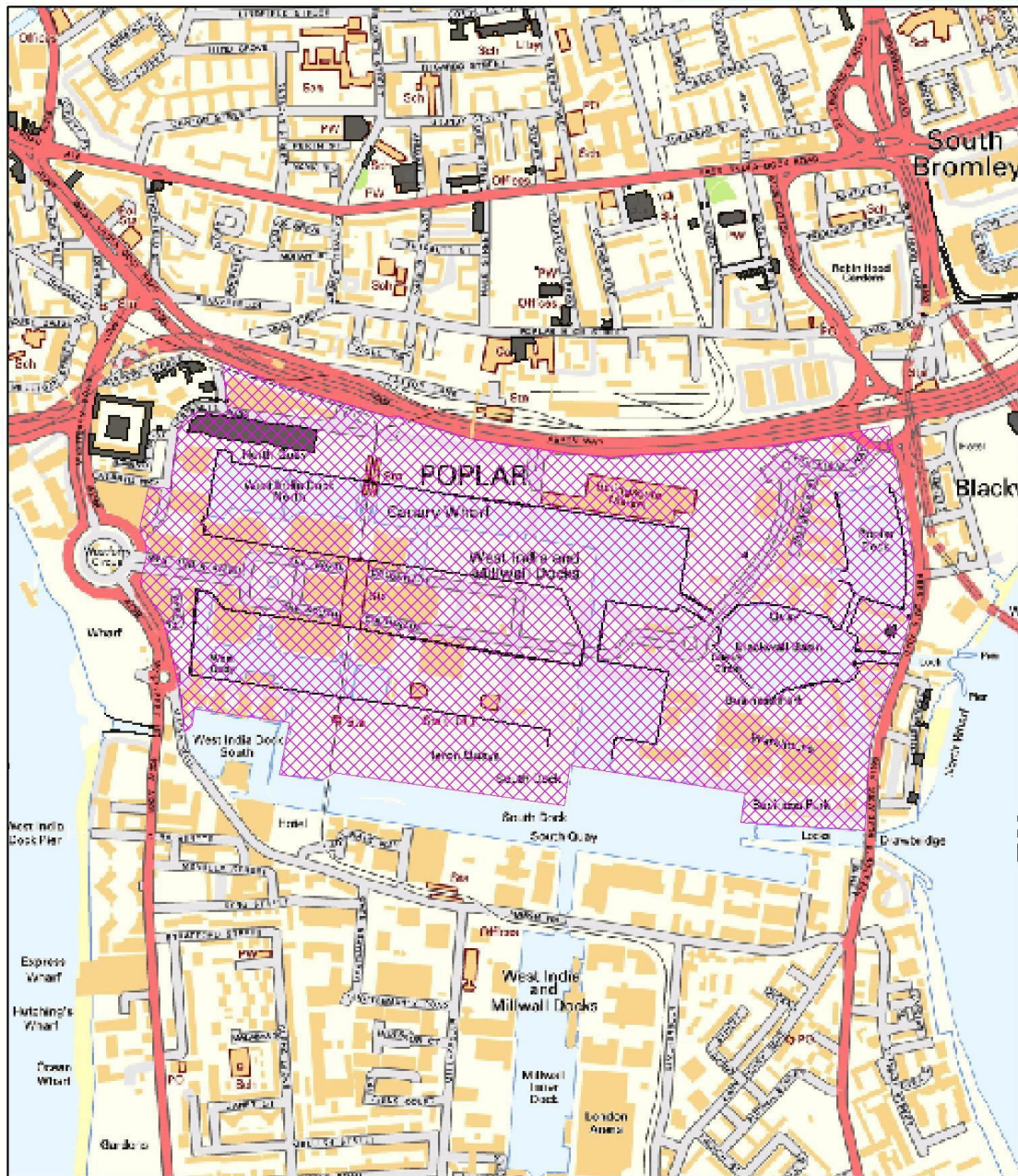
- 8.16 Given the scale of the redevelopment, the provision of employment generating uses as part of the proposed development, and pursuant London Plan policies 3B.1 and 3B.11, the developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal, in both the construction and operational phases of the development. Initiatives to create training and employment opportunities and to utilise the goods and services of SME's and local businesses should be formalised through a Section 106 agreement. The delivery of such initiatives will help to ensure the regeneration benefits of the proposed development are maximised for residents of the local community and that the Economic Development Strategy objective to 'Tackle Barriers to Employment' is supported.

### **Conclusions**

- 8.17 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