

Committee: Strategic Development	Date: 28 August 2008	Classification: Unrestricted	Agenda Item No: 7.x
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Tim Porter		Ref No: PA/08/598	
		Ward(s): Millwall	

1. APPLICATION DETAILS

Location: Newfoundland, Canary Wharf, (Land bounded by Park Place, Westferry Road & Heron Quays Road)

Existing Use: Erection of a 37 storey tower and a part 4/5 storey podium comprising a 150 bedroom Hotel (Class C1) and 78 serviced apartments (Sui Generis), together with ancillary restaurant facilities and servicing and parking areas including a drop off facility; provision of 1,300sqm of retail units (Class A1 to A4) at ground and basement level, a 1,580sqm restaurant (Class A3) at first floor level and 2,310sqm of education and training use (Class D1) at second and part third floor level; construction of basement for retail units (Class A1 to A4) and plant; construction of subterranean pedestrian link to the Jubilee Place retail mall and the Jubilee Line Station; provision of a new publicly accessible open space, dockside walkway and landscaping together with other works incidental to the application.

Drawing Nos: 368-10-001 Rev PL1, 368-10-002 Rev PL1, 368-10-098 Rev PL1, 368-10-100 Rev PL2, 368-10-101 Rev PL1, 368-10-102 Rev PL1, 368-10-103 Rev PL1, 368-10-104 Rev PL1, 368-10-105 Rev PL1, 368-10-106 Rev PL1, 368-10-107 Rev PL1, 368-10-121 Rev PL1, 368-10-122 Rev PL1, 368-10-123 Rev PL1, 368-10-135 Rev PL1, 368-10-137 Rev PL1, 368-10-200 Rev PL1, 368-10-203 Rev PL1, 368-10-300 Rev PL1, 368-10-301 Rev PL1, 368-10-302 Rev PL1, 368-10-303 Rev PL1

- Design and Access Statement (March 2008)
- Planning Statement (March 2008)
- Energy Strategy (April 2008) and Energy Strategy Addendum (July 2008)
- Transport Assessment (March 2008)
- Waste Management Strategy (March 2008)
- Sustainability Statement (March 2008)
- Wind Effects Study (March 2008)
- Visual Impacts Study (March 2008)
- Daylight and Sunlight Report (March 2008)
- Archaeological Desk-based Assessment (March 2008)
- Interim Travel Plan (March 2008)
- Habitat Survey Report (March 2008)
- Flood Risk Assessment (March 2008)
- Hotel and Serviced Apartment Statement (March 2008)
- Statement of Community Involvement (March 2008)
- Environmental Statement (April 2008)
- Environmental Statement Addendum - Volume 6 (May 2008)
- Regulation 19 Response – Volume 7 (June 2008)

Applicant: • Regulation 19 Response – Volume 8 (July 2008)
 South Quay Properties Ltd
Owner: Various
Historic Building: Grade I listed dock wall borders the eastern boundary of the site
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (Consolidated with Alterations since 2004), the London Borough of Tower Hamlets Unitary Development Plan 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, and Government Planning Policy Guidance and has found that:
- 2.2 • The principle of redevelopment of this currently under-utilised Opportunity Area site for a hotel-led scheme will contribute to the strategic target for new hotel accommodation. It will complement Canary Wharf's role as a leading centre of business activity by serving business tourism, and in this respect will support London's world city status. The serviced apartments will provide short-term accommodation for the international business sector. The scheme therefore accords with policies 3D.7 and 5C.1 of the London Plan (Consolidated with Alterations since 2004), ART1 and CAZ1 of the Council's Unitary Development Plan 1998, policies CP13 and EE4 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, and policy IOD15 of the Interim Planning Guidance Isle of Dogs Area Action Plan, which seek to develop and support Canary Wharf's role as a leading centre of business activity within London.
- 2.3 • The retail (Class A1), financial and professional services (Class A2), restaurant and café (Class A3) and drinking establishment (Class A4) are acceptable as they will provide for the needs of the development and demand from surrounding uses, and also present employment in a suitable location. As such, it is in line with policies 3D.1, 3D.3 and 5C.1 of the London Plan (Consolidated with Alterations since 2004), saved policies DEV1 and DEV3 of the Council's Unitary Development Plan 1998 and policies DEV1 and RT4 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control and policies IOD4 and IOD15 of the Isle of Dogs Area Action Plan (2007) which seek to ensure services are provided that meet the needs of the local community and to promote entertainment, food and drink premises and retail in the Isle of Dogs, specifically within the Northern sub-area and along the docksides.
- 2.4 • The training and education centre (Class D1) is considered to accord with policy 3B.11 of the London Plan (Consolidated with Alterations since 2004), saved policy EMP6 of the UDP (1998) and policies CP7 and CP29 and of the Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to improve employment opportunities available for local people by enhancing the training and skills infrastructure.
- 2.5 • The new public realm will enhance pedestrian access and animate the dock edge in accordance with policies 4B.11, 4C.13 and 4C.23 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV48 of the Council's Unitary Development Plan 1998 and policies CP30, DEV2, DEV 3, DEV4 and OSN3 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to protect and promote the vitality, attractiveness and historic interest of the docks, and to ensure that the design of waterside developments integrate successfully with the water space.

- 2.6 • The building height, scale, bulk and design is acceptable. The development is therefore considered to be in line Planning Policy Guidance 15, policies 4B.1, 2, 3, 5, 8, 9, and 10 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2, DEV3, DEV4, DEV 27, CON 1 and CON5 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure tall buildings are of a high quality design and suitably located whilst also seeking to protect and enhance regional and locally important views.
- 2.7 • The proposed development will not have a detrimental impact upon the Grade I listed dock wall and would enhance the historic character and importance, subject to conditions regarding construction methods. As such, the scheme is in line with and policies 4B.11 and 4B.12 of the London Plan (Consolidated with Alterations since 2004) and policy CON1 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to protect listed buildings and structures within the Borough and London respectively.
- 2.8 • Sustainability matters, including energy, are acceptable and in line with policies 4A.3 to 4A.7 of the London Plan (Consolidated with Alterations since 2004) and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to promote sustainable development practices.
- 2.9 • Transport matters, including parking, access and servicing, are acceptable and in line with policy 3C.23 of the London Plan (Consolidated with Alterations since 2004), policies T16, T18 and T19 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure there are no detrimental highways impacts created by the development and to promote sustainable transport options.
- 2.10 • Contributions have been secured towards the provision of social and community infrastructure; tourism facilities, public transport improvements; open space and public realm; Thames path and cycle route improvements, and access to employment for local people 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 (October 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 London Mayor**

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

Financial Contributions

- a) A financial contribution of **£144,449** towards open space improvements. This will fund improvements to the visitor/tourist facilities at Island Gardens for:
 - i. A high quality design cafe/visitor centre/ranger base; and
 - ii. Associated managed public toilets;
- b) Provide a contribution of **£50,000** for public realm improvements within the surrounding area;
- c) Provide a contribution of **£100,000** towards social and community facilities. In line with similar developments elsewhere within the Canary Wharf estate, the

projects/improvements are defined under specific headings within the S106 agreement, these being:

- i. Isle of Dogs Community Foundation (£50,000); and
- ii. Tourism projects (£50,000);
- d) Provide a contribution of **£20,000** towards on-site Docklands Light Railway (DLR) daisy boards;
- e) A financial contribution of **£50,000** towards cycle route improvements within the surrounding area;
- f) A financial contribution of **£50,000** towards access improvements to the Thames Path;
- g) Provide **£144,000** towards TfL Buses improvements; and
- h) Provide **£356,835** towards Employment and Training.

(Total s106 contribution of **£915,284**)

Non-Financial Contributions

- i) TV Reception - mitigation of any impacts on TV Reception;
- j) Publicly Accessible Open Space and Walkways - Maintenance of new publicly accessible open space within the development together with unrestricted public access;
- k) Code of Construction Practice - To mitigate against environmental impacts of construction;
- l) Access to employment - To promote employment of local people during and post construction; and
- m) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

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

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

Conditions

- 1) Time Limit (3 years);
- 2) Particular details of the development:
 - All external materials, including 1:10 scale details for cladding with sample mock-up of the top and ground floor level of the building, glazing, stone cladding, PV's and coloured glass louvered panels;
 - All hard and soft landscaping, including details of brown/green roofs, the installation of bird boxes and bat boxes, and terrestrial habitat creation/enhancements at ground level (including the use of native nectar rich shrubs and trees), planting, finishes, levels, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins;
 - External lighting and security measures, including CCTV; and
 - Details of cycle parking location and design.
- 3) Landscape Management Plan;
- 4) Hours of construction
- 5) Hours of operation of A1 - A4 units;
- 6) Details of location and design of extraction fume vents from the A3 uses;
- 7) Noise control limits;
- 8) Vibration limits;
- 9) Environmental Construction Management Plan, including but not limited to, feasibility study and details for use of the river to transport construction material to and waste

material from the site during construction, a monitoring protocol for bats and black redstarts, impact on dock wall and mitigation, surface water run-off, construction traffic, air quality, noise etc;

- 10) Land contamination assessment (including water pollution potential);
- 11) Green Travel Plan;
- 12) Serviced Apartments Management Plan, ensuring the apartments are managed as short term accommodation for a period no longer than 90 days;
- 13) Service Management Plan;
- 14) A minimum of 10% of the hotel rooms and serviced apartments shall be designed to be wheelchair accessible.
- 15) Risk Assessment, Method Statement and details of mitigation measures, including structural reports and foundation details, to ensure that the Grade 1 listed dock wall (including the structure concealed in the ground behind the face of wall) is unaffected (in consultation with English Heritage);
- 16) Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water (in consultation with British Waterways);
- 17) Details of storage facilities for oils, fuels and chemicals required to prevent pollution of the water environment;
- 18) No solid matter shall be stored within 10 metres of the banks of the docks;
- 19) Programme of archaeological work required (in consultation with English Heritage);
- 20) Full particulars of the following:
 - Surface/ foul water drainage plans/ works; and
 - Surface water control measures.
- 21) Full particulars of the energy efficiency measures and technologies are required to ensure that the final carbon reductions identified in the Energy Strategy Addendum (July 2008) is achieved (in consultation with the GLA);
- 22) Full particulars of the sustainable design and construction strategy to be submitted;
- 23) Full particulars of the dock side foot path to ensure the levels connect with the adjoining footpath to the north.
- 24) Details of the highway works surrounding the site; and
- 25) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) Section 106 agreement required;
- 2) Section 278 agreement required;
- 3) Contact Thames Water;
- 4) Contact London City Airport regarding cranes and aircraft obstacle lighting;
- 5) Contact LBTH Building Control;
- 6) Contact British Waterways;
- 7) English Heritage advice;
- 8) Environmental Health advice;
- 9) London Underground advice;
- 10) Environment Agency Advice;
- 11) Compliance with Code of Construction Practice;
- 12) Contact London Fire & Emergency Planning Authority; and
- 13) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.4 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 planning application proposes the erection of a 37 storey tower and a part 4/5 storey podium comprising the following:
- 150 bedroom Hotel (Class C1) and 78 serviced apartments (Sui Generis), together with ancillary restaurant facilities and servicing and parking areas including a drop off facility;
 - Provision of 1,300sqm of retail units (Class A1 to A4) at ground and basement level;
 - A 1,580sqm restaurant (Class A3) at first floor level; and
 - 2,310sqm of education and training use (Class D1) at second and part third floor level;
 - Construction of basement for retail units (Class A1 to A4), servicing areas and plant;
 - Construction of subterranean pedestrian link to the Jubilee Place retail mall and the Jubilee Line Station; and
 - Provision of a new publicly accessible open space, dockside walkway and landscaping together with other works incidental to the application.
- 4.2 The building will rise to an overall height of 145.6 meters AOD, with a screen extending to 149.9 meters AOD. The podium would be 26.9 meters AOD at the roof of Level 4, extending to 31.3 meters AOD at roof of Level 5. The building comprises a total of 33,151 sqm (GEA) floorspace.
- 4.3 The hotel has been designed for a high quality 'boutique' style operator.
- 4.4 The serviced apartments are self contained (including kitchens and living areas) and provide a form of short term (for a maximum period of 90 days) accommodation, normally servicing business tourism.
- 4.5 The proposal will provide for the creation of new areas of public realm around the building. The form of the lower podium has been cut back to create a new public realm space overlooking the dock to the south of the building, which will be landscaped. In addition, to the east of the building a new dock side pedestrian walkway will be created adjacent to Middle Dock. These spaces will be configured to integrate into the existing network of spaces and public realm in the vicinity.
- 4.6 The development will provide 45 bicycle parking spaces. A taxi drop off zone will be located at ground level and accessed from Park Place. This area will also provide two disabled car parking spaces.

Site and Surroundings

- 4.7 The site is located in the northern part of the Isle of Dogs, on land to the north-east of Heron Quays roundabout. Marsh Wall/Westferry Road and the Heron Quay round-a-bout form the western boundary, with Middle Dock water body to the east. The docks have mooring facilities where there is a residential barge currently moored adjacent to the development. Park Place borders the site to the north and Heron Quays Road to the south.
- 4.8 The application site is approximately 0.26 hectares in area, and is currently used as a private car park and is covered with black asphalt tarmac. The site is planted with 19 semi-mature trees. The site provides parking for approximately 75 cars. The underground Jubilee Line tunnels run east west under the site.
- 4.9 Being located on the western edge of the Canary Wharf estate, the application site is predominantly surrounded by office buildings, with a number of redevelopment sites within the vicinity providing a mix of uses, primarily residential, commercial and retail. To the west, beyond the Heron Quays roundabout, lies the Riverside South site, currently being redeveloped to provide commercial and retail space within two towers of 241m and 191m in height with a lower rise central link building. To the south lies the Heron Quays West

site, which currently comprises office and educational uses in a development of 3-4 storeys (currently known as the red sheds). In March 2008, the Council resolved to grant a part 12 storey, part 21 storey and part 33 storey building comprising Class B1 office, Class A1, A3, A4 and D1 uses. To the north is 1 Park Place, which currently comprises a brick office building between 4-6 storeys. The site was granted permission in 2002 for a 10 storey building comprising 25,000sqm of office floorspace and dockside pedestrian access.

- 4.10 The site is in an accessible location with a public transport accessibility level (PTAL) of 5, where 1 represents the lowest accessibility level and 6 the highest. Canary Wharf underground station on the Jubilee Line is located approximately 460 metres from the site. Heron Quays Road provides access east to Heron Quays DLR station (345 metres). The nearest bus stops are situated on Marsh Wall, Westferry Road, West India Avenue and Westferry Circus Upper Level roundabout. All are within 190 metres to 250 metres, and are served by four bus routes which provide approximately 27 buses per hour in peak periods. The site is also accessible via the Thames Clipper service from the Canary Wharf pier at Westferry Circus, which operates five westbound and four eastbound services during the AM and PM peak periods. The nearest Transport for London Road Network is the A1203 Limehouse Link, approximately 500 metres north west of the site.
- 4.11 In terms of built heritage, the site does not fall within a conservation area, with the closest being the Narrow Street and West India Dock Conservation Areas some 350m to northwest and north respectively, and the Coldharbour Conservation Area approximately 1km to the east. The Dock Wall forming the eastern boundary of the site comprises the dock wall of the former West India Export Dock and is Grade I listed. The site is not within any strategic viewing corridors, lateral assessment areas or background assessment areas of St Paul's Cathedral as identified within the London View Management Framework (GLA, 2007).

Planning History

- 4.12 There does not appear to be any recent planning applications or decisions for the application site.

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:

5.2 Unitary Development Plan 1998 (as saved September 2007)

Proposals:	Flood Protection Area
	Central Area Zone
	Water Protection Area (borders)
	Site of Nature Conservation Importance (borders)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use development
	DEV4	Planning Obligations
	DEV12	Provision of Landscaping in Development
	DEV48	Water Frontage
	DEV50	Noise
	DEV51	Contaminated Land
	DEV55	Development and Waste Disposal
	DEV69	Water Resources
	EMP1	Encouraging New Employment Uses
	EMP6	Employing Local People

CAZ1	Location of Central London Core Activities
T16	Impact of Traffic
T18	Pedestrian Safety and Convenience
T21	Existing Pedestrians Routes
S7	Restaurants
ART7	Hotel Developments
U2	Consultation Within Areas at Risk of Flooding
U3	Flood Defences

5.3 Interim Planning Guidance for the purposes of Development Control

Proposals:		Major Centre Flood Risk Area Blue Ribbon Network (borders) Site of Importance for Nature Conservation (borders)
Core Strategies:	IMP1	Planning Obligations
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP7	Job Creation and Growth
	CP13	Hotels and Serviced Apartments
	CP15	Provision of a Range of Shops
	CP27	Community Facilities
	CP29	Improving Education and Skills
	CP31	Biodiversity
	CP37	Flood Alleviation
	CP33	Site of Nature Conservation Importance
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP41	Integrating Development with Transport
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings
	CP49	Historic Environment
	CP50	Important Views
Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV21	Flood Risk Management
	DEV22	Contaminated Land

DEV27	Tall Buildings
SCF1	Social and Community Facilities
OSN3	Blue Ribbon Network
CON1	Listed Buildings
CON5	Protection and Management of Important Views
IOD2	Transport and movement
IOD4	Education Provision
IOD6	Water Space
IOD7	Flooding
IOD10	Infrastructure and services
IOD13	Employment Uses in the Northern sub-area
IOD15	Retail and Leisure Uses
IOD16	Design and Built Form in the Northern sub-area

5.4 **Spatial Development Strategy for Greater London Consolidated with Alterations Since 2004 (London Plan February 2008)**

2A.1	Sustainability Criteria
3A.18	Protection and enhancement of social infrastructure and community facilities
3B.1	Developing London's economy
3B.9	Tourism Industry
3B.11	Improving Employment Opportunities
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable Transport
3C.23	Parking strategy
3D.1	Supporting town centres
3D.3	Improving retail facilities
3D.7	Visitor Accommodation and Facilities
3D.14	Biodiversity and nature conservation
4A.2	Mitigating climate change
4A.3	Sustainable Design and Construction
4A.4	Energy assessment
4A.6	Decentralised energy: heating, cooling and power
4A.7	Renewable energy
4A.9	Adaptation to climate change
4A.12	Flooding
4A.13	Flood risk management
4A.14	Sustainable drainage
4A.16	Water supply and resources
4A.17	Water quality
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.8	Respect local context and communities
4B.9	Tall buildings - location
4B.10	Large-scale buildings – design & impact
4B.11	London's built heritage
4B.12	Heritage conservation
4B.15	Archaeology
4B.16	London view management framework
4B.17	View management plans
4C.11	Access alongside the Blue Ribbon Network
4C.13	Mooring Facilities on the Blue Ribbon Network
4C.23	Docks

5C.1	The strategic priorities for North East London
5C.3	Opportunity areas in North East London
6A.4	Planning Obligation Priorities

5.5 **Government Planning Policy Guidance/Statements**

PPS1	Delivering Sustainable Development
PPS9	Biodiversity & Conservation
PPG13	Transport
PPG15	Planning & The Historic Environment
PPS22	Renewable Energy
PPS25	Development and Flood Risk

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

- 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 & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

LBTH Cleansing

6.3 The waste management strategy provided is acceptable.

LBTH Ecology

6.4 Requests continued monitoring for black redstarts and bats during construction (should planning consent be agreed) be undertaken and recorded, where black redstarts and bats are known to nest in this area and adjacent surroundings.

6.5 (OFFICER COMMENT: The applicant's ecology survey identified that there was no evidence of nesting bats and Black Redstarts on site. However the applicant has recommended within the ES for a monitoring protocol to be set up throughout the period February to September during construction. This should be conditioned with the scope of the Environmental Construction Management Plan).

6.6 The inclusion of living roofs will provide a beneficial habitat and encourage further migration of other species. When designing the landscaping proposals, the use of nectar rich shrubs and trees for planting will provide a valuable food source for birds and insects. The installation of bird boxes and bat boxes will be a significant improvement than is the case at present.

6.7 (OFFICER COMMENT: The applicant has identified such measures within the ES and will be conditioned accordingly).

6.8 Given the above factors and based on the Environmental Statement, providing the above is adopted, the biodiversity of this area should be enhancement.

LBTH Education

6.9 No comments to be made on this application.

LBTH Employment

- 6.10 A contribution is required towards access to employment initiatives. As this is prime development land in a borough with the lowest Employment rate in the country, the Access to Employment Manager sees no reason why the Council should not use the full Gross External Area in calculating the contribution, valued at £1 per square foot. Accordingly, a contribution of **£356,835** is considered reasonable.

LBTH Energy Efficiency Unit

- 6.11 The outline energy and sustainability strategy is in compliance with policy requirements; however, further details are required. The energy officer however is satisfied that the strategies can be condition accordingly to provide the details before commencement of any building works.

LBTH Environmental Health

Contaminated Land

- 6.12 No objection subject to appropriate conditioning.

Noise

- 6.13 No objection subject to appropriate conditioning.

- 6.14 (Officer Comment: This matter has been addressed in detail under the amenity section of this report).

Sunlight/Daylight

- 6.15 No comment.

- 6.16 (Officer Comment: This matter has been addressed in detail under the amenity section of this report).

Air quality

- 6.17 No comment.

- 6.18 (Officer Comment: This matter has been addressed in detail under the amenity section of this report).

LBTH Highways

- 6.19 The proposed development would neither cause significant impact to the highway network nor to public transport facilities.

- 6.20 It appears from the elevation plan (i.e North Elevation) that the headroom of the service road is inadequate.

- 6.21 (OFFICER COMMENT: The height is approximately 5 metres, which the Cleansing and Highways Departments have both since identified as acceptable).

- 6.22 Recommendation should be made to the developer to provide motorcycle parking spaces on site

- 6.23 (OFFICER COMMENT: According to the IPG, motorcycle parking is not a requirement but an alternative to car parking. In this case, where the scheme is not providing motorcycle

parking, the scheme complies with policy).

- 6.24 The proposed service bay will require vehicles to either reverse in or out to load/unload. Due to the lack of visibility caused by the ground floor layout, this has potential safety implications on pedestrian walking on the streets.
- 6.25 (OFFICER COMMENT: The Highways Department has advised that, whilst a redesign would be the best outcome, given the constraints of the site a Service Management Plan would appropriately address this matter. The scheme has therefore been conditioned appropriately. Further, the applicant has provided schematics that show that a service vehicle can enter and exit the site in a forward gear).
- 6.26 The developer should provide coach parking bay within the site in line with LBTH LDF.
- 6.27 (OFFICER COMMENT: The Highways Department have since confirmed that the service bay could adequately cater for coach parking if required).
- 6.28 The developer should provide cycle parking facilities in line with LBTH policy for hotel uses (Staff: 1/10; Residents 1/15). An additional 5 minimum cycle spaces is required, some of which are to be provided in a secured/covered location for hotel staff.
- 6.29 (OFFICER COMMENT: Given the interim nature of the IPG, where TFL have advised that they support the car free nature of the scheme and the proposed level of cycle parking, the scheme is considered acceptable as outlined later in this report).
- 6.30 The scheme should secure relevant highways works conditions and a s106 contribution towards public realm improvements on Westferry Road corridor, which is from the Southside of the site to West India Dock Road is required.
- 6.31 (OFFICER COMMENT: A section 106 agreement has been secured accordingly).

LBTH Landscape

- 6.32 No objection.

British Broadcasting Corporation (BBC)

- 6.33 No objection. However, it is unclear who is responsible for the implementation of television reception mitigation measures if required following construction of the development.
- 6.34 (OFFICER COMMENT: It is standard process for this matter to be addressed through the s106 agreement).

British Waterways (Statutory Consultee)

- 6.35 British Waterways welcomes the redevelopment of the site and raise no objections. However, they request the imposition of suitably worded conditions to any consent as further animation to the dockside through elevation treatment and positioning of uses, to help add interest from the waterside, is sought.

City of London Corporation

- 6.36 No objection.

Commission for Architecture and the Built Environment (CABE)

- 6.37 No comment.

English Heritage (Statutory Consultee)

- 6.38 The proposed structure would form an important focal point at the western end of the dock. The design appears to have been carefully considered in relation to this key visual role. It is evident from the information submitted as part of the application and from a useful and informative pre application meeting that much thought has gone in to achieving a successful visual relationship with adjacent consented schemes, including Riverside South and Heron Quays West.
- 6.39 It is essential that suitable conditions are placed on any permission requiring structural reports and foundation details to ensure that the structure of the Grade I listed dock wall (including the structure concealed in the ground behind the face of the wall) is unaffected by the proposal and that adequate measures are in place to ensure its protection throughout the duration of the works.
- 6.40 Detailed design in relation to the tower and podium would obviously be absolutely critical. In order to ensure that the level of visual richness indicated in the application drawings is achieved, suitable conditions should be attached to any permission. Any simplification of the details could substantially detract from the success of the scheme.
- 6.41 Design of the key public spaces around the proposed structure is also vitally important, particularly with regard to the relationship of the new hard landscape with the listed dock wall. Again it is important that suitable conditions are attached to any permission.

English Heritage – Archaeology & Built Heritage (Statutory Consultee)

- 6.42 No objections raised, subject to conditions including archaeological mitigation measures and the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

English Partnerships

- 6.43 In order for any s106 agreement related to the scheme to bind English Partnership's interest in part of the application site, they are seeking that arrangements be made to obtain their agreement, which they advise have not been made to date.

Environment Agency (Statutory Consultee)

- 6.44 EA Objected to the proposed development for the following reasons:
- 6.45
- No evidence has been provided that the flood risk Sequential Test has been adequately demonstrated in accordance with PPS25
- 6.46 (OFFICER COMMENT: In response to the submission of further evidence, the EA has since removed their objection regarding this matter)
- 6.47
- A detailed plan is required to show how plant and equipment can be brought from the road to the dock side to enable maintenance and renewal of the flood defences.
- 6.48 (OFFICER COMMENT: In response to the submission of further information, the EA has since removed their objection regarding this matter)
- 6.49 The EA have confirmed that they are satisfied with the information submitted and have no objection to the scheme subject to appropriate planning conditions.

Government Office for London (Statutory Consultee)

6.50 No objection.

Greater London Authority (Statutory Consultee)

6.51 The Deputy Mayor has indicated that the proposed redevelopment of this site to provide a hotel led mixed-use development in Canary Wharf is acceptable in strategic planning policy terms. The design of the proposal is of a high quality and responds well to the surrounding context, which is dominated by existing and planned tall buildings. The impact of the development on strategic views has been subject to qualitative visual assessment and raises no concerns.

6.52 The Deputy Mayor has requested that the applicant further examines the potential to maximise opportunities to integrate this development with West India Dock. The applicant was also requested to provide further detail on the renewable energy contribution and sustainable drainage system. In addition, TFL raised issues in respect of the trip generation assessment that will need to be addressed and section 106 contributions to buses and walking routes are sought.

6.53 (OFFICER COMMENT: These issues have been addressed in the body of the report below. In summary, the applicant has worked extensively with the GLA to address their concerns and it is understood that these issues have been adequately addressed).

Greenwich Society

6.54 Where the proposed development would be dwarfed by the much higher developments of such surrounding proposed new buildings of the Heron Quays and the Riverside South developments, the Greenwich Society raise no objection.

London Borough of Greenwich

6.55 No objection.

London Borough of Southwark

6.56 No comment.

London City Airport (Statutory Consultee)

6.57 No objections, subject to informative regarding aircraft obstacle lighting and cranes during construction.

London Fire and Emergency Planning Authority (Statutory Consultee)

6.58 No objection.

London Underground Ltd (Statutory Consultee)

6.59 No objection subject to appropriate condition.

Metropolitan Police

6.60 No comment.

Natural England (Statutory Consultee)

6.61 Overall they are satisfied that any ecological issues associated with the site are being

handled effectively. With respect to the ecological enhancements put forward as part of the development including brown roofs, bird and bat boxes and terrestrial and aquatic habitat creation/enhancement, these elements should be secured by means of planning conditions and obligations as appropriate.

National Air Traffic Services (Statutory Consultee)

6.62 No safeguarding objection.

Port of London Authority (Statutory Consultee)

6.63 No objections. PLA recommend that details of use of the waterways for the transportation of construction materials to and waste materials from the site be conditioned appropriately.

Thames Water Utilities

6.64 No objection was raised regarding sewerage and water supply infrastructure capacity to service the development. Recommended a number of conditions and informatives to ensure that foul and/ or surface water discharge from the site and water pressure is appropriately addressed.

The Inland Waterways Association

6.65 No objection.

Transport for London (TfL) (Statutory Consultee)

6.66 TfL comments are addressed within the body of the Deputy Mayors Stage 1 response as raised above. As such, TfL comments have been addressed in detail within the Highways section of this report.

7. LOCAL REPRESENTATION

7.1 A total of 361 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: Objecting: 0 Supporting: 0
No of petitions received: 0

8. MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Design
- Amenity
- Highways
- Other

Land Use

Hotel and Serviced Apartments

8.2 On a strategic level, the Isle of Dogs, in which the application site is located, is identified

within the London Plan as an Opportunity Area within the North-East London sub region. Policy 5C.1 seeks to promote the sub-regions contribution to Londons world city role, especially in relation to the Isle of Dogs.

- 8.3 According to the London Plan, tourism is seen as a key growth industry for London. To accommodate this growth, policy 3D.7 specifies a target of 40,000 net additional hotel bedrooms by 2026. The policy identifies Central Activities Zones (CAZ) and Opportunity Areas as priority locations for new hotel accommodation and seeks to maximise densities. Policy 3D.7 also supports a wide range of tourist accommodation, such as serviced apartments.
- 8.4 According to policy ART7 and CAZ1 of the Unitary Development Plan (UDP), the Council will normally give favourable consideration to major hotel developments within the Central Area Zone (CAZ). In addition to this, policy CP13 of the Interim Planning Guidance October 2007 (IPG) states that large scale hotel developments and serviced apartments will be supported in areas of high public transport accessibility and close proximity to commercial development, such as the Canary Wharf major retail centre, business and conference facilities and public transport.
- 8.5 According to the supporting information to policy EE4 of the IPG, serviced apartments are able to provide short term accommodation for the international business sector which operates in the north and central parts of the Isle of Dogs and CAZ, specifically servicing business tourism. According to supporting information to policy CP13 of the IPG, serviced apartment are serviced and therefore are not a form of permanent housing. Also policy makes it clear that serviced apartments should have similar impacts to hotels, which are more suited to employment areas.
- 8.6 Policy IOD15 of the Isle of Dogs Area Action Plan (IDAAP) states tourism uses, in particular the development of business tourism, will be promoted in and around Canary Wharf and the northern sub-area to take full advantage of opportunities arising out of the 2012 Olympic and Paralympics games.
- 8.7 This part of the Isle of Dogs is not well served by hotels in general and the development will provide immediate access to the heart of the Canary Wharf financial district. The Canary Wharf Group estimates that there is an annual demand for over-night accommodation of the type proposed of the order of at least 50,000 places. At 150 rooms and 78 serviced apartments, the proposed accommodation will meet a significant component of this economic need.
- 8.8 The Newfoundland proposal will create a significant number of jobs that will help to sustain the local economy. It is expected that approximately 300 people will be employed once the development is completed, with a proportion of these jobs accommodated in the retail and class D1 uses. The development will therefore make a contribution towards meeting the employment potential of the Isle of Dogs. As such the proposal accords with the Council's employment policies and the Mayors aspirations for job growth within the isle of Dogs Opportunity Area. The provision of hotel rooms and serviced apartments in this location is supported by the London Plan and local policy objectives for tourism and for continuing London's role as a World City. The uses proposed will all contribute towards the attractiveness of Canary Wharf as a business hub by developing it as a lively and animated place through out the day and evening not only on weekdays but during the weekend.
- 8.9 The Mayors Stage 1 report states:

"The principle of redevelopment of this currently under-utilised Opportunity Area site for a hotel-led scheme accords with strategic planning policy and will contribute to the strategic target for new hotel accommodation. It will complement Canary Wharf's role as a leading centre of business activity by serving business tourism, and in this

respect will support London's world city status. The serviced apartments will provide short-term accommodation for the international business sector. In order to ensure that the intended planning function of the serviced apartments is maintained in perpetuity, the Council should impose a condition or a clause in the section 106 agreement which limits the length of stay by individual occupiers to no more than 90 consecutive days".

- 8.10 In conclusion, the provision of hotel accommodation and serviced apartments (with ancillary facilities') in this location is supported.

Retail and Education and Training uses

- 8.11 London Plan policies 3D.1 and 3D.3 seek to encourage retail and related uses in town centre and to maintain and improve retail facilities. Map 5C.1 identifies the network of strategically designated town centres in the north east London sub-region, in which Canary Wharf is designated as a major centre. The allocation includes the application site.

- 8.12 The site lies outside the core retail area of the Major Centre therefore the retail allocation will respond more to the daily needs of the work force and the amenity of the Middle Dock as an attractive location for restaurants and cafes. The quantum and configuration of the retail space in the basement of the building is an appropriate extension of the subterranean retail malls of the Canary Wharf Estate. Also, the retail space at ground level will help to animate the dock edge.

- 8.13 The Mayors Stage 1 report states:

"In addition to the proposed hotel and education and training floorspace, the scheme includes 2,880sq.m. of new retail and restaurant floorspace. In line with Canary Wharf's designation as a major centre, the expansion of retail provision in this highly accessible location is generally supported in strategic planning terms".

- 8.14 The A1 to A4 uses are acceptable in principle as they will support and improve provision in the range of shopping in the Major Centre, provide for the needs of the development and also present employment opportunities in a suitable location. As such, it is in line with London Plan and Council policies.

- 8.15 The provision of an education and training centre is also considered acceptable particularly where the London Development Authority has advised that they welcome the provision of education and training space within the development, which will enhance the training and skills infrastructure available locally. This is inline with the Council's Community Plan's objective of ensuring a better place for learning, achievement and leisure.

Design

Height, Mass and Scale

- 8.16 Policy 4B.8 of the London Plan states that tall buildings will be promoted where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. Policy 4B.9 of the London Plan (February 2008) provides detailed guidance on the design and impact of such large scale buildings, and requires that these be of the highest quality of design.

- 8.17 Policy DEV6 of the UDP specifies that high buildings may be acceptable subject to considerations of design, siting, the character of the locality and their effect on views. Considerations include, overshadowing in terms of adjoining properties, creation of areas subject to wind turbulence, and effect on television and radio interference.

- 8.18 Policies CP1, CP48 and DEV27 of the IPG October 2007 states that the Council will, in principle, support the development of tall buildings, subject to the proposed development satisfying a wide range of criteria.
- 8.19 Good design is central to all the objectives of the London Plan. Chapter 4B of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at high quality design, which incorporate the principles of good design. These principles are also reflected in policies DEV1 and 2 of the UDP and the IPG.
- 8.20 Policies DEV1 and DEV2 of the UDP and policy CP4 of the IPG October 2007 state that the Council will ensure development create buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings
- 8.21 Policy IOD16 of the Isle of Dogs AAP (IPG, 2007) states, inter alia, that the Northern sub-area will continue to be a location for tall buildings and new tall buildings should help to consolidate this cluster and provide new landmarks consistent with the national and international role and function of the area. It also goes on to state that building heights will respect and complement the dominance of One Canada Square and heights should progressively reduce from this central landmark through to the periphery of the Northern sub-area.
- 8.22 The site located between West India Middle Dock and Westferry road is a key dockside location. It sits on east – west axis of Canary Wharf complex which is defined by the Jubilee Gardens, station exits and Middle Dock. The continuous open space and element of sky space is reflected in each building on its edge. Westferry Road itself is a busy though route and recent consent of Riverside South, Heron Quays West and 22 Marsh Wall, has resulted in interesting cluster of tall buildings around the site.
- 8.23 The proposal was discussed at pre-application stage. The applicants have responded to all of the Council's Design Officer's comments and the result is a refined and well considered design which responds to surrounding consented building and context. There is emphasis on quality public realm, accessible and visually delightful dockside edge which form first four storeys or base of the building. The hotel tower has been set towards the north to allow views of Riverside South in an effort to maintain the 'sky space' currently experienced west from Jubilee Park and west plaza.
- 8.24 Architecturally it is a visually distinctive building with its use of coloured glass, grey stone cladding and triple height void space framing the entrance. It includes a slender tower with elegant proportions and a distinct southern elevation which will be visible more prominently in the local context. The townscape impact analysis demonstrates that the proposal would not have any negative impacts on the townscape and would compliment the Canary Wharf cluster. The height is not significant enough to raise any concerns for London wider strategic views and would be masked by silhouettes of Riverside South and Heron Quays. The GLA has confirmed that the proposal does not raise any concerns in relation to strategic views.
- 8.25 The GLA stage 1 report states:

"The proposed development reflects a considered thought process and responds well to the surrounding context, constraints and opportunities. In terms of massing and scale, the proposed structure is well proportioned and the disposition of mass on the site represents a successful approach that relates to the surrounding built environment whilst maximising views into and out of the site"

The approach to the facades and external appearance incorporate high quality

materials and detailing that ensure a rich visual composition and complement to the surrounding developments; the framing device for the podium element echoes the approach to the pavilion building at the Heron Quays West scheme opposite, and provides an effective structural device to allow the building to meet the ground in an appropriate manner”.

- 8.26 Policy DEV27 of the IPG (October 2007) provides criteria that applications for tall buildings must satisfy. Considering the form, massing, height and overall design against the requirements of the aforementioned policy, the proposal is considered to be in accordance with the policy as follows:
- The scheme is of a high quality design;
 - the development creates an acceptable landmark building to the edge of the Canary Wharf Estate, invigorating the Middle Dock and complementing the existing tall buildings;
 - it contributes to an interesting skyline, from all angles and at night time;
 - the site is not within a strategic view corridor;
 - the site is not within a local view corridor and would not impact adversely on local landmarks;
 - the scheme provides adequate, high quality and usable amenity space;
 - the scheme enhances the movement of people, including disabled users, through the public realm area whilst securing high standard of safety and security for future users of the development;
 - the scheme meets the Council’s requirements in terms of micro-climate;
 - demonstrates consideration of sustainability throughout the lifetime of the development, including the achievement of high standards of energy efficiency, sustainable design, construction and resource management;
 - the impact on biodiversity will not be detrimental;
 - the mix of uses proposed are considered appropriate and will contribute positively to the social and economic vitality of the surrounding area;
 - the site is located in an area with good public transport accessibility;
 - takes into account the transport capacity of the area and includes an appropriate S106 contribution towards transport infrastructure, to ensure the proposal will not have an adverse impact on transport infrastructure and transport services;
 - conforms with Civil Aviation requirements; and
 - will not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.
- 8.27 It must be noted that a separate planning application is currently being assessed by the Council for a development on the site to the north at the site at 1 Park Place for the erection of a 45 storey (202.67m high) building containing 119,693 square metres of office floorspace and ground floor retail (418 sq.m) and restaurant uses (634 sq.m). The application also proposes to activate the site edge facing onto West India dock through the introduction of a new public space. Further to this, approval was recently granted on 1 Park Place for the erection of a new building providing basement, lower ground, ground and 10 storeys of offices comprising 25,643sq metres of floor space with associated landscaping, car parking, servicing and plant.
- 8.28 The separation distance between the proposed development and the above developments is relatively the same at approximately 8 metres. Whilst it is acknowledged that this separation distance is relatively close, the applicant has provided a visual assessment examining the cumulative impact of these schemes upon the townscape and views, which was found to be acceptable.
- 8.29 Within the glass dominated environs of Canary Wharf, the building will be a positive addition as a legible marker with hotel use. Elevations are ordered carefully and materials reflect clarity of thinking for its proportions and aspect. In light of supporting comments received from the GLA and the Council’s Design Department regarding the form, height,

massing and design of the development, and subject to conditions to ensure high quality detailing of the development is achieved, it is considered that the proposal is acceptable in design terms and accords with the abovementioned policy and guidance set out in the London Plan (2008) and IPG (2007).

Heritage Issues

- 8.30 PPG15 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a listed building to have special regard to the preservation of the setting of the listed building as the setting is often an important part of the building's character.
- 8.31 Policy 4B.11 of the London Plan seeks to protect and enhance London's historic environment. Furthermore, Policy 4B.12 states that Boroughs should ensure the protection and enhancement of historic assets based on an understanding of their special character.
- 8.32 Policy CON1 of the IPG October 2007 states that planning permission will not be granted for development which would have an adverse impact upon the setting of the listed building.
- 8.33 As detailed above, the application site is not located within a conservation area. The nearest Conservation Areas are located approximately 300 to 350 metres away to the north of the site. It is not considered that the Conservation Areas would be adversely affected by the proposal.
- 8.34 Whilst the application site borders a Grade 1 listed dock wall, the applicant has advised that no physical works are proposed to the structure. The proposed development is expected to enhance the setting of the listed dock wall by the high quality finishes used and the enhanced waterside setting.
- 8.35 English Heritage and the Council's Design & Conservation Department have raised no objections to the proposed works, subject to the imposition of conditions. Furthermore, the aforementioned bodies have raised no objections with regard to the proposed buildings' impact upon the setting of the listed structure. As such, the proposal is considered to be appropriate and in accordance with PPG15, the London Plan and the Council's Interim Planning Guidance (2007).

Blue Ribbon Network

- 8.36 The middle dock, which borders the eastern boundary of the site, forms part of the Blue Ribbon Network. Policies 4C.11 and 4C.23 of the London Plan, DEV48 of the UDP and OSN3 of the IPG seek to protect and promote the vitality, attractiveness and historic interest of the docks, and to ensure that the design of waterside developments integrate successfully with the water space.
- 8.37 The orientation, layout and design of the building will ensure that the building will become a landmark within the middle dock. It is considered that this application significantly improves the Blue Ribbon Network by providing a new pedestrian footway adjacent to Middle Dock. The ground floor retail use adjacent to the dock will further animate this part of Middle Dock, as well as enabling greater enjoyment of the dock as part of the Blue Ribbon Network.
- 8.38 The GLA has advised that whilst these measures are welcomed in line with the objectives of Blue Ribbon Network policies, they are disappointed that the applicant has not sought to provide opportunities for recreational use of the water itself. It is to be noted however that the applicant does not have any control of the water space in Middle Dock. The water space is owned by British Waterways. In respect of Blue Ribbon Network policies, a

contribution towards "access improvements to the Thames Path" has been secured. The policies are considered to have been adequately addressed by the applicant and as such, the GLA's concern on this matter is not considered to be a sustainable reason for refusal.

- 8.39 In accordance with policy 4C.13, existing mooring facilities on the Blue Ribbon Network are to be protected and improved. There is currently a residential barge, named MV Josephine, which is moored on the dock adjacent to the eastern boundary of the site. The applicant has advised that this boat is currently on a 1 year contract from the 1st January 2008, which they consider to be a temporary mooring. However, in the interests of policy 4C.13 of the London Plan and the residential nature of the mooring, any impact upon the mooring must be considered.
- 8.40 Where the application site is currently undeveloped, it is acknowledged that the proposed development may result in increased amenity impacts upon the mooring such as a loss of sunlight/daylight, overshadowing, microclimate, loss of privacy and noise. However, the current setting of the dock and associated impacts are consistent with tall buildings, particularly given the latest approval of Heron Quays West to the south of the site. Further, London Plan policies seek to animate the dock edges. As such, it would be difficult to refuse the scheme based on this impact. Also, it must be noted that both British Waterways and the GLA have not objected to the scheme on this matter. British Waterways has requested specific conditions to be imposed to protect the setting of the canal and to protect the interests of future residents. These have been conditioned appropriately to this report.
- 8.41 Overall, it is considered that the development responds well to the Blue Ribbon Network policies. A planning condition is recommended, reserving details of the design and layout of proposed dock side pedestrian walkway to ensure that its design and provision would not detract from the use and enjoyment of the adjoining water environment.

Accessibility and Inclusive Design

- 8.42 Policy 3D.7 of the London Plan identifies that the Council should support an increase and the quality of fully wheelchair accessible accommodation. Further, paragraph 4.38 of policy CP13 of the IPG highlights that there is a shortage of accessible hotel accommodation in London. It identifies the English Tourist Council's National Accessible Standard as best practice to make hotel accommodation more accessible. All new hotel developments are required to meet the National Accessible Standard.
- 8.43 In line with Building Regulations Part M requirements, a minimum of 5% of the hotel rooms and serviced apartments are required to be wheelchair accessible. There is no direct planning policy on the minimum provision of wheelchair accessible units for hotel and serviced apartments. The applicant was originally seeking to comply with the minimum building regulations, however the GLA raised concern regarding the shortage of wheelchair accessible hotel rooms in London. As such the applicant has now agreed to provide a total of 10% wheelchair accessible units.
- 8.44 With respect to the design and access statement, the GLA Stage 1 report states:

"The design and access statement demonstrates that careful attention has been paid to ensuring that the development will be fully accessible to all users. Measures include designing out the need for ramps, ensuring step-free access to all levels and providing two on-site blue badge holder parking spaces. These are welcome in line with London Plan policy 4B.5".

Safety and Security

- 8.45 In accordance with DEV1 of the UDP 1998 and DEV4 of the IPG, all development is

required to consider the safety and security of development, without compromising the achievement of good design and inclusive environments. British Waterways has requested the provision of CCTV along the canal via planning condition. Where the Metropolitan Police has raised no objection to the scheme, and where the ground floor area controlled and overlooked by hotel reception and commercial uses, the safety and security of the scheme is considered acceptable.

Amenity

- 8.46 According to paragraph 4.37 of policy CP13 of the IPG, hotel and serviced apartments must fit into their surroundings and should not harm the environment by reason of noise, disturbance, traffic generation or exacerbation of parking problems, or detract from the character of the area. Notwithstanding this, the IPG states that such facilities are more preferable in town centres and locations with good access to public transport, away from established residential areas to ensure any impacts are minimal.
- 8.47 Policy DEV2 of the UDP and policy DEV1 of the IPG October 2007 state that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm.
- 8.48 In terms of amenity, the applicant provided an Environmental Statement which addressed a wide range of issues, such as daylight/sunlight, air quality, wind, noise and vibration.

Sunlight/Daylight

- 8.49 Policy 4B.10 of the London plan requires all large scale buildings, including tall buildings, to be sensitive to their impact on micro-climates in terms of sunlight, daylight and overshadowing.
- 8.50 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.51 Policy DEV1 of the Interim Planning Guidance states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.
- 8.52 The applicant submitted a Daylight and Sunlight report which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.
- 8.53 The method for assessment of daylight, sunlight and overshadowing matters is set out in the Building Research Establishment (BRE) Handbook. As stated in the BRE guidance "*guidelines may be used for houses and any non-domestic buildings where daylight is required*". However, in accordance with the guidance, and with best practice, where there is no guidance on the acceptable level for non-domestic buildings, commercial buildings are usually assumed not to require sunlight, and as such, is not included within the assessment (this consideration also extends to the proposed office development at 1 Park Place).

a. Surrounding Daylight/Sunlight

- 8.54 The majority of properties included in the assessment would meet the BRE guidelines for

daylight with the Newfoundland development in place. However there would be very small reductions to some levels within 1 – 9 Chandlers Mews and 11 – 85 Anchorage Point. These currently receive relatively low levels of daylight and are located approximately 300 meters to the south. Given the urban context, the effect is considered negligible.

- 8.55 Regarding sunlight, the majority of properties included in the assessment would meet the BRE guidelines with the Newfoundland development in place. However, at Berkeley Tower and Hanover House six out of 55 windows would marginally exceed the BRE guidelines. All of these comply with the total amount of Annual Probable Sunlight House (APSH) and would suffer imperceptible losses of winter sun and the effects are considered to be negligible.
- 8.56 On balance, it is acknowledged that there will be a loss of daylight/sunlight to a small number of existing neighbouring residential buildings as a result of the proposal. It is also acknowledged that the urban character of the area and the flexibility and suburban basis of the BRE guidelines, some impact on daylight and sunlight is expected to occur in such locations. Indeed, it can be argued that the amount and quality of light received is not untypical in an urban environment and therefore difficult to refuse on these grounds.
- 8.57 National, strategic and local planning policy of relevance to the sites redevelopment encourages the development of higher density developments and schemes which maximise the use of accessible sites. Given that the majority of the habitable rooms surrounding the site comply with the BRE daylight/sunlight guideline levels, it is unlikely that the loss of daylight and sunlight would justify refusal of this scheme and its noted benefits. On this basis, the proposal can be supported.

b. Internal Daylight Assessment

- 8.58 In order to assess the Daylight within the serviced apartments of the proposed development a vertical sky component (VSC) façade analysis was conducted. This gives a good indication as to the levels of daylight that falls on the façades of the proposed scheme when placed within the context of its surroundings.
- 8.59 According to paragraph 4.39 of IPG policy CP13, serviced apartments are not a form of permanent housing and therefore are considered to be non-domestic buildings. As mentioned above, there are no standards given in the BRE to determine acceptable levels for non-domestic buildings. None-the-less, the applicant's analysis has shown that three out of the four facades would receive an excellent level (VSC above 27%) and the western façade received a good level of daylight (VSC of 24.3%) when taking into consideration if planning permission is granted for the proposed 1 Park Place scheme. The northern façade however will experience poor levels of daylight as a result of the proposed 1 Park Place development. To mitigate against this, the applicant has advised that measures such as increased window sizes and careful planning of room layouts could overcome this impact.
- 8.60 Due to the height and location of the serviced apartments within the development, there are very few obstructions. Given the urban context, and the lack of guidance for non-domestic buildings, the internal daylight is considered acceptable.

c. Overshadow

- 8.61 The BRE report advises that for an amenity area to appear adequately sunlit throughout the year no more than two-fifths and preferably no more than one-quarter of such garden or amenity areas should be prevented by buildings from receiving any sun at all on 21st of March.
- 8.62 The applicant's assessment confirms that the amenity areas surrounding the site will

experience minimal permanent overshadow that is well below the permitted limits indicated within the BRE guideline.

- 8.63 Further, whilst there will be transient shadow caused by the development, the impact upon surrounding development (including the proposed 1 Park Place development) is considered to be minimal given the impact caused by surrounding existing and approved developments.

Air Quality

- 8.64 In order to mitigate any potential impacts during the construction phase, a Construction Environmental Management Plan (CEMP) will be conditioned setting out measures to be applied throughout the construction phase, including dust mitigation measures.
- 8.65 During the operational phase, the scheme is generally car free, Non-the-less, the scheme will be conditioned to provide a Green Travel plan which will encourage the use of sustainable transport modes. This will further reduce the impact of the development in terms of both greenhouse gases and pollutants.

Wind

- 8.66 Although there is no national or regional planning policy guidance in relation to wind assessments, Policy 4B.10 of the London plan requires all large scale buildings, including tall buildings, to be sensitive to their impact on micro-climates in terms of wind.
- 8.67 Similarly, there is no specific UDP policy relating to wind, but this is addressed in respect of micro-climate in the IPG policies DEV1, DEV5 and DEV27.
- 8.68 Within the submitted Environmental Statement, the applicant undertook a wind assessment, in order to assess the impact of the proposal upon the local microclimate, using wind tunnel tests. The report concludes that the pedestrian comfort and safety levels are appropriate for intended use with no mitigation measures necessary.
- 8.69 Further, the applicant has considered the cumulative impact that would arise if planning permission was granted for the proposed development at 1 Park Place, particularly given the close separation distance. The applicants assessment confirms that changes to comfort levels resulting from the proposed 1 Park Place development at most locations are negligible except 3 locations along the northern and eastern boundaries of the site. Notwithstanding, all locations would remain within acceptable comfort and safety levels and therefore no mitigation measures necessary are considered necessary.

Noise and Vibration

- 8.70 PPG24 provides national planning guidance regarding the impact of noise, which is identified as a material consideration in the determination of planning applications. It advises that wherever practicable, noise sensitive developments should be separated from major sources of noise. When separation is not possible, local planning authorities should consider whether it is practicable to control or reduce noise levels or to mitigate the impact of noise through conditions.
- 8.71 The London Plan seeks to reduce noise, by minimising the existing and potential adverse impacts of noise on, from, or in the vicinity of development proposals (Policy 4A.20). Policy DEV50 of the UDP states that the Council will consider the level of noise generated from developments.
- 8.72 Within the submitted Environmental Statement, the applicant undertook a noise assessment. The Council's Environmental Health officer had no objection to the scheme

subject to appropriate noise and vibration conditions. The scheme is therefore considered acceptable.

Privacy/ Overlooking

- 8.73 Issues of privacy/overlooking are to be considered in line with Policy DEV2 of the UDP, where new developments should be designed to ensure that there is sufficient privacy for residents. A distance of about 18 metres (60 feet) between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people. This figure is generally applied as a guideline depending on the design and layout concerned and is interpreted as a perpendicular projection from the face of the habitable room window.
- 8.74 As mentioned above, the proposed Hotel/ Serviced Apartments are not a form of permanent housing and therefore are considered to be non-domestic buildings. Where there are no habitable rooms adjacent to the site, there are no privacy concerns raised by the proposed development. Whilst it is acknowledged that the setback distance from the proposed 1 Park Place development to the north is relatively small, the scheme has been designed to maximise views to the west, south and east.

Transport & Highways

Access

- 8.75 Policy T16 of the UDP and policies DEV17, DEV18 and DEV19 of the IPG October 2007 require new development to take into account the operational requirements of the proposed use and the impact (Transport Assessment) of the traffic that is likely to be generated. In addition, policy objectives seek to ensure that the design minimizes possible impacts on existing road networks, reduces car usage and, where necessary, provides detailed mitigation measures, to enable the development to be acceptable in planning terms.
- 8.76 The application site takes advantage of being in a highly accessible location well served by public transport. As mentioned above, Canary Wharf underground station on the Jubilee Line is located approximately 460 metres from the site. Heron Quays Road provides access east to Heron Quays DLR station (345 metres). The nearest bus stops are situated on Marsh Wall, Westferry Road, West India Avenue and Westferry Circus Upper Level roundabout. All are within 190 metres to 250 metres, and are served by four bus routes which provide approximately 27 buses per hour in peak periods. The site is also accessible via the Thames Clipper service from the Canary Wharf pier at Westferry Circus, which operates five westbound and four eastbound services during the AM and PM peak periods. The nearest Transport for London Road Network is the A1203 Limehouse Link, approximately 500 metres north west of the site.
- 8.77 The development will also bring forward significant improvements to the pedestrian environment around the site, and at basement level, in accordance with the London Plan and Council policy to improve pedestrian access.
- 8.78 With respect to public transport, the applicants Transport Assessment indicates that the number of trips on the Docklands Light Railway and underground would be low and that there will not therefore be a significant impact. For buses, the number of trips will also be relatively low but in combination with other planned developments in the area will have an impact on capacity. In accordance with TfL's requests, a contribution has been secured to mitigate the impact on the bus network.
- 8.79 TfL welcomes that the assessment is accompanied by a travel plan. This will be secured by planning condition in order to manage travel demand. The applicant has also agreed to the installation of DAISY boards in order to provide real time travel information.

8.80 Vehicular access to the site for taxis and visitor drop-off and pick-up would be provided at ground level off Park Place.

Car and Cycle Parking

8.81 In line with London Plan policy 3C.1 the developer seeks to reduce the need to travel by car. Measures to achieve this include: a car free development (only two disabled spaces are provided); 45 cycle parking spaces; improved pedestrian facilities; and appropriate travel planning. The development is not expected to generate significant numbers of motorcycle trips and no on-site parking provision is proposed. Canary Wharf provides on-street motorcycle bays at various locations across the estate.

8.82 In view of the site's high public transport accessibility level, TfL welcomes the car free nature of the scheme. Also, cycle parking has been provided in accordance with TfL standards.

Servicing and Refuse Provisions

8.83 The applicant has provided a waste management strategy which details that waste produced in the buildings will be consolidated at ground level, where waste and recyclables will be transported by road to suitable waste transfer and recycling storage. The Council's Cleansing Department have commented positively upon the waste management strategy.

8.84 Further, the Transport Assessment sets out the strategy for deliveries and servicing at the proposed development, which provides off-street servicing at ground level. The proposed service bay to the north of the site has been designed to ensure that all vehicle reversing movements are contained to within the site boundary. The design allows for service vehicles to enter and exit the site in a forward gear.

8.85 The Highways Department have raised concern that due to the lack of visibility caused by the ground floor layout, the turning area has potential safety implications to pedestrian walking on the streets. The Highways Department has advised that given the constraints of the site a Service Management Plan should be conditioned to appropriately address this matter.

Other Planning Issues

Energy and Renewable Technology

8.86 The consolidated London Plan (2008) energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible. Policy 4A.7 adopts a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

8.87 According to policy DEV6 of the IPG, 10% of new development's energy is to come from renewable energy generated on site with a reduction of 20% of emissions.

8.88 The carbon emissions associated with the development's energy demand break down as follows:

1	Electricity (for cooling)	52%
2	Electricity (other than cooling)	32%
3	Gas (for CHP and boilers to provide hot water and space	16%

Energy efficient design

- 8.89 A series of passive design and energy efficient design measures has been described and figures drawn from building regulations modelling work indicate a 15% reduction over baseline requirements.

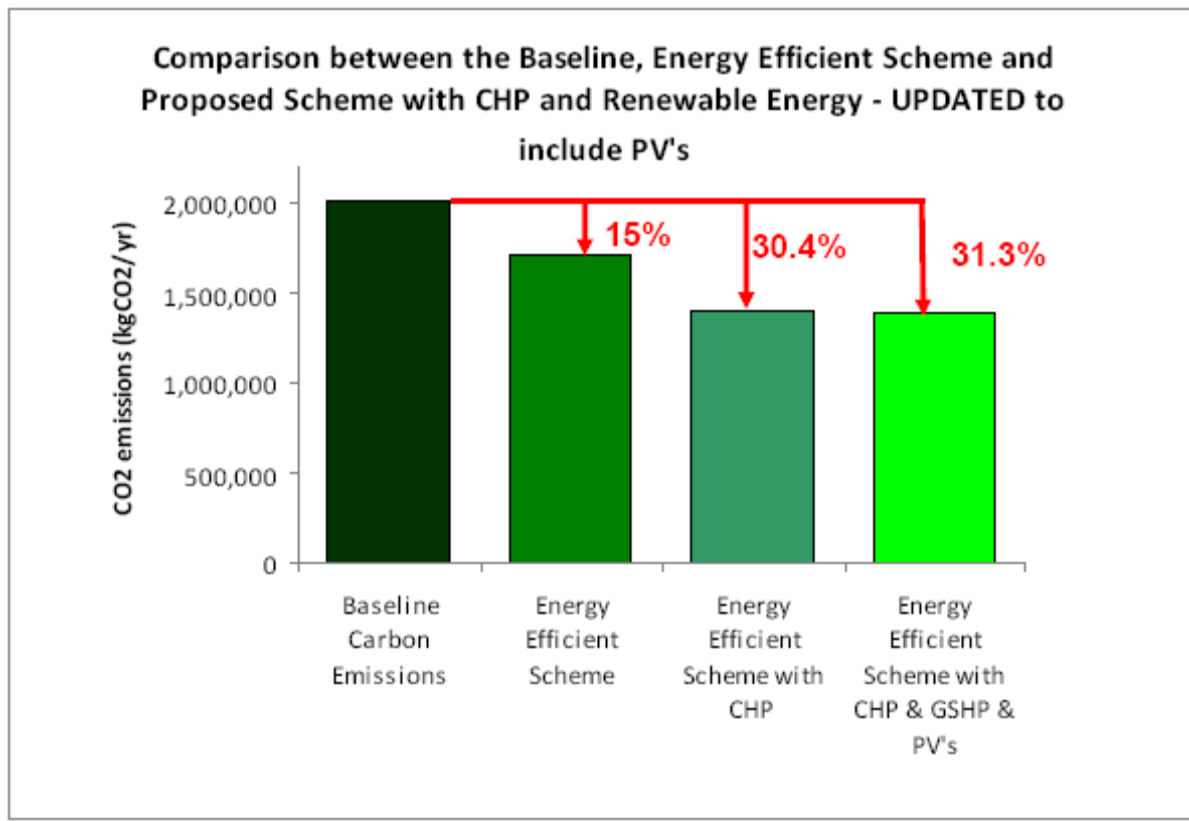
Heating and cooling

- 8.90 In accordance with London Plan policy 4A.5, heating and cooling to all uses within the building will be supplied from a single energy centre. A 135kWe combined heat and power (CHP) unit is proposed to provide the base hot water load and will reduce the development's carbon dioxide emissions by an estimated 15.4%.

Renewable energy

- 8.91 The energy strategy recognises that the CHP severely hinders the inclusion of any heat generating renewable technologies such as biomass heating where all technologies are competing for the same base-load heating requirements, especially where the CHP has been maximised.
- 8.92 As such, in respect of renewable energy technologies, a small ground source heat pump is proposed. This will reduce carbon dioxide emissions by an additional 0.6%. Following feedback from the GLA on the submitted energy strategy for the Newfoundland Development the strategy has been revised to include 250sqm of photo voltaic (PV's) panels as an additional renewable technology to that originally being proposed. The PV's are to be integrated within the building's southern façade (vertically mounted). The final arrangement of the PV's will be detailed by the design team during the next stage of design.
- 8.93 The overall carbon savings relative to the baseline carbon emissions have increased by 0.3% and now provide an overall reduction of 31.3% against the Part L 2006 baseline scheme. In accordance with the London Plan, the total carbon savings are shown below.

8.94



8.95 Whilst the contribution from renewable energy technologies is nominal, the applicant has provided justification for the non-compliance in line with London Plan policy 4A.7. Where the proposed development will reduce carbon emissions by an estimated 31.3% beyond minimum building regulations requirements the scheme is considered acceptable. A condition is to be attached to the planning permission requiring full design details of the energy efficiency measures and preferred energy technologies to be submitted and agreed by the local planning authority prior to commencement of development.

Sustainable design and construction

8.96 Policy 4A.3 of the London Plan requires all development proposals to include a statement on the potential implications of the development on sustainable design and construction principles. This is also reflected within the relevant policies of the IPG.

8.97 In accordance with London Plan policy, the application includes a sustainability statement which specifically addresses the Mayor's essential and preferred standards for sustainable design and construction. A range of sustainability measures are proposed to be incorporated into the scheme, including the use of water efficient appliances, rainwater recycling, and a commitment that at least 10% of the total value of materials used in construction will be derived from recycled and reused content. In accordance with London Plan policy 4A.11, living roofs will be provided on levels four and five of the podium which will be conditioned appropriately.

8.98 Whilst the scheme includes measures to ensure at least 50% attenuation of the undeveloped site's surface water run-off at peak times, the GLA have raised concern where the applicant has dismissed the potential for incorporating a sustainable urban drainage system (SUDS) in accordance with policy 4A.14.

8.99 The applicant has advised that, given the location of the development adjacent to the Dock and listed dock wall and the existing road network to the north and west of the site, the constrained footprint of the development renders any SUDS solution impractical where there is no external ground floor surface area to be utilised. Where the scheme seeks to

address the surface water run-off from the building, and subject to appropriate ground level surface water run-off conditions, a reason for refusal based on policy 4A.14 is not considered to be sustainable.

Flooding

- 8.100 Policy U3 of the UDP and policy DEV21 of the IPG October 2007 states that the Council (in consultation with the Environment Agency) will seek appropriate flood protection where the redevelopment of existing developed areas is permitted in areas at risk from flooding.
- 8.101 The site is located within a Flood Risk area. The Environment Agency was originally objecting to the scheme where no evidence has been provided that the flood risk Sequential Test has been adequately demonstrated in accordance with PPS25. In response to the submission of further evidence, the EA has since removed their objection regarding this matter and the scheme is considered acceptable.

Biodiversity

- 8.102 The subject site borders the Middle Dock, which is designated as a Water Protection Area and a site of nature conservation importance. Furthermore, the site contains a small number of semi-mature trees.
- 8.103 The applicant's ecology survey identified that there was no evidence of nesting bats and Black Redstarts on site. However the applicant has recommended within the ES for a monitoring protocol to be set up throughout the period February to September during construction. This is to be implemented within the scope of the Environmental Construction Management Plan condition imposed.
- 8.104 The applicant is also proposing the inclusion of living roofs which will provide a beneficial habitat and encourage further migration of other species. When designing the landscaping proposals, habitat creation should be encouraged at both roof and ground level through the use of nectar rich shrubs and trees for planting which will provide a valuable food source for birds and insects. The installation of bird boxes and bat boxes will be a significant improvement than is the case at present and has been conditioned appropriately.
- 8.105 Natural England, Environment Agency and the Council's ecology officer have not objected to the schemes impact upon biodiversity both on-site and in the dock.

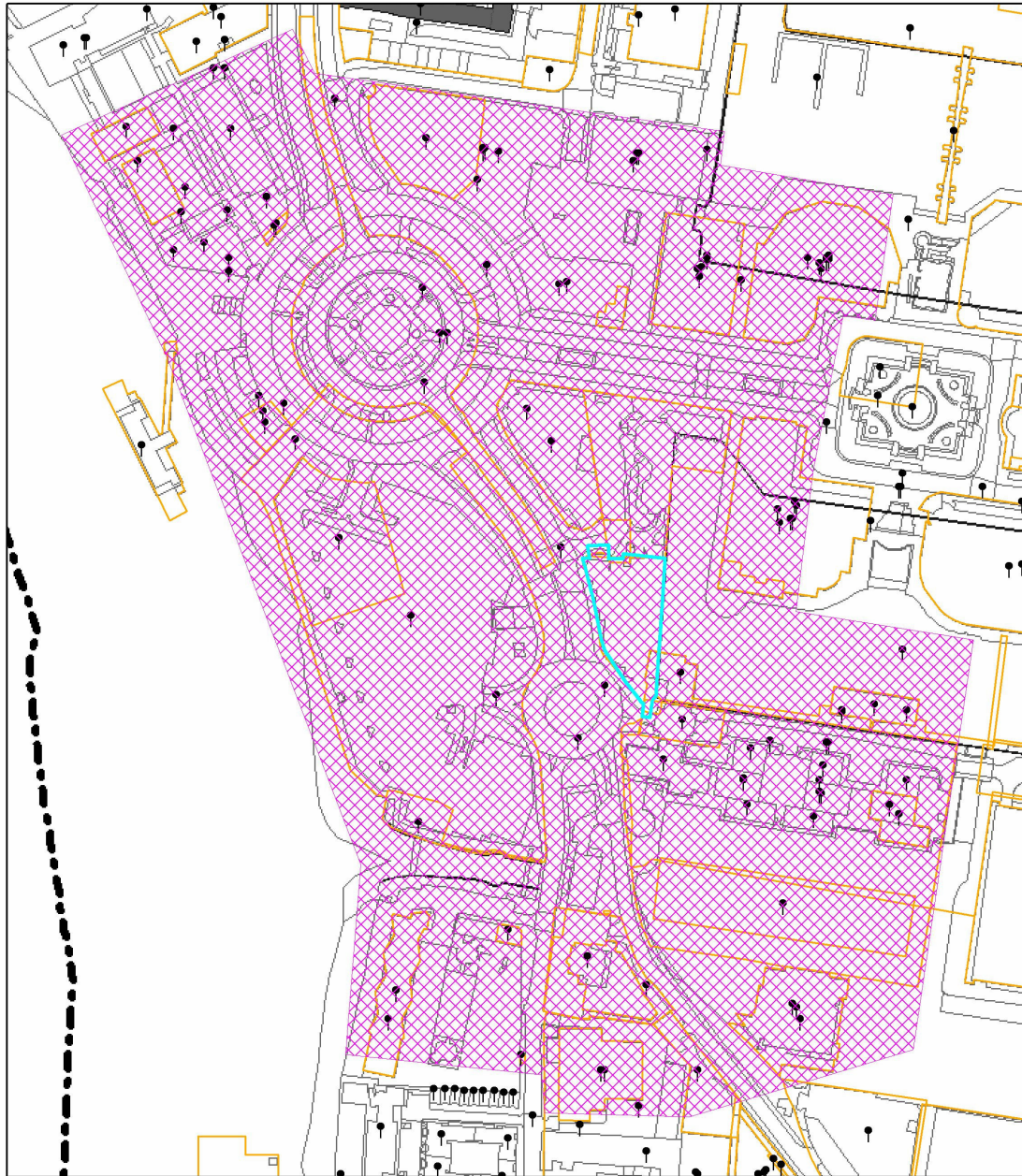
Environmental Statement

- 8.106 The Environmental Statement (ES) and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Bureau Veritas. Mitigation measures required are to be implemented through conditions and/ or Section 106 obligations.
- 8.107 Upon Council's request, the applicant submitted a further addendum that considered the cumulative impacts that may arise if both the proposed Newfoundland development and the proposed commercial development at 1 Park Place were approved. Where relevant, the assessment also considers particular impacts that each development may have upon each other. This assessment was considered to be satisfactory by Bureau Veritas.

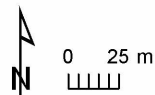
9.0 Conclusions

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

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

Newfoundland, Canary Wharf, London