

**STRATEGIC DEVELOPMENT COMMITTEE 9 JUNE 2021
UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL**

Agenda item no	Reference no	Location	Proposal / Title
7.1	PA/19/02534	Asda – Crossharbour District Centre, 151 East Ferry Road, London, E14 3BT	<p>A hybrid planning application (part detailed, part outline) for the demolition of existing buildings and the comprehensive, mixed-use, re-development of the site, comprising a maximum of 218,991sqm (GEA) of floorspace.</p> <p>Full details are submitted for 526 residential units (Class C3), flexible commercial floorspace, including a new foodstore (17,087sqm GIA - A1-A4/B1), a primary school (D1), community uses (D1), public bus parking and a site wide basement, with associated uses as part of the development including car parking (up to 410 spaces), cycle parking, and an energy centre. Building heights would range between a maximum of 17.4m AOD (3 storeys above ground level) and 60m AOD (15 storeys above ground level). Creation of new vehicular and pedestrian access and public realm works, including all ground floor hard and soft landscaping and other works incidental to the proposals, including a programme of interim works (which include a temporary multi-storey car park with 349 car parking spaces and a temporary access lobby to the retail foodstore).</p> <p>Outline permission (with layout, scale, appearance and landscaping at upper levels being reserved) is sought for up to 111,137sqm GEA above podium level, comprising of between 1217 and 1446 residential units (C3), with associated private and communal podium amenity and landscaping, within four buildings with maximum heights ranging between up to 45.850m (AOD)/12 storeys and up to 115.50m (AOD)/32 storeys. [The application is accompanied by an Environmental Statement]</p>

1. Additional Representations

1.1 18 further letters of representation have been in objection received up until midnight on June 8th 2021.

1.2 The additional responses are summarised as below:

Land use

- Deeply concerned about the impact of the development on Island Health with 13,000 residents currently registered and planned to increase to 15,000 in 2022
- The new GP surgery in Wood Wharf would mainly be for residents of that development
- Proposal doesn't meet the infrastructure requirements of the site allocation which specifies reprovision of the health centre along with the new community/local presence facility
- Proposal would put pressure on schools, early years childcare and other local services, such as health and dental service, which are already oversubscribed in the area
- There should also be a hospital and a secondary school on the site

Design and heritage

- The proposed height of the buildings will be intrusive and overshadow the adjacent Mudchute Farm and Millwall Park, which is the main green space on the Isle of Dogs.
- Amenities for children's play are inadequate
- Cubitt Town Library is a local landmark and it is unclear how it will be integrated sensitively
- Appallingly enormous
- The development creates its own cluster when viewed from a number of angles and locations, contrary to the Local Plan
- Density calculation has been undertaken incorrectly as non-residential floorspace has been included in the site area and the proposal should therefore be subject to an Infrastructure Impact Assessment
- Play Street in close proximity to Friars Mead will lead to anti-social behaviour such as dangerous car racing and late night antics

Transport

- The DLR is already overcrowded and development will place additional pressures
- Removal of petrol station will be a huge inconvenience
- Cars will be stranded on the street as people run out of petrol near the site when they realise the petrol station is gone
- Parking impact on the local streets from the 88 three bed or larger social rent properties entitled to street parking permits under the Councils Permit Transfer Scheme has not been considered

Other

- Environmental Statement includes no research or evidence
- Concerns with new sewage line
- The effects of tall buildings on the bird population are not fully understood
- No real benefits to the community
- Significant impact on wildlife
- Negative impact on local water pressure
- Sunlight and daylight contrary to policy
- Not enough fresh water
- Carbon footprint will be enormous
- Not enough open space
- Report does not include an Equalities Impact Assessment in relation to not re-providing the health centre which is at the end of its life
- Neighbourhood Plan has been ignored
- Development has not done enough to mitigate the impact on the farm and more work needs to be done to demonstrate that it won't have an adverse impact

Officer response

- 1.3 New issues which have not already been covered in the committee report will be responded to below.
- 1.4 In relation to the Island Health Centre, in August 2018 Cabinet agreed to the allocation of £985,839 of S106 monies to NHS Tower Hamlets Clinical Commissioning Group (CCG) to deliver increased capacity, access and service

provision to the Island Health Centre. This will deliver a refurbished, modern and expanded, fully equipped modern health facility with 4 additional GP consulting rooms and capacity for an additional 5,472 registered patients which will also provide up to 28k new patient appointments. From discussions with the LBTH Infrastructure team, it is understood that this project has been given the 'go-ahead' to proceed, so it benefits from a Project Initiation Document that has been authorised.

- 1.5 Further to the above, it is noted that the Island Health site is effectively safeguarded by the proposed development. It is considered that redevelopment of the Island Health site would not be prejudiced by the proposed development. Continued vehicular access to the Island Health car park is also to be safeguarded as part of the application. Generally, health impacts are covered by CIL and this could also be spent to further improve the health centre either through LIF funding or the Council's own capital projects programmes.
- 1.6 The committee report includes an overall Equalities and Human Rights section at Para. 7.326 but this is not specifically linked to the health centre given that the health centre is not being lost as part of the proposal and its retention is considered to satisfy the site allocation aims. Nevertheless, the proposal includes two community uses (school and community) which could potentially be used to provide additional health facilities if this became a priority for the Council.
- 1.7 The Isle of Dogs Neighbourhood Forum have submitted a representation which asserts that the applicant should need to submit an Infrastructure Impact Assessment as the density of the proposed development exceeds 1,100 hr/ha, in accordance with policy D1 of the Neighbourhood Plan (adopted on 19 May 2021). The density calculation within the committee report has been carried out and is stated to be 1,055 hr/ha. This density calculation was carried out as an initial threshold calculation of habitable rooms per hectare. The objector asserts that the density calculation should be a more precise measurement, discounting non-residential floorspace including the school site to arrive at a net residential density figure.
- 1.8 The Isle of Dogs Neighbourhood Plan itself does not address the residential density methodology. It is accepted that the net residential density figure is standard under the superseded 2016 version of the London Plan. The current

2021 adopted version of the London Plan does not use the density matrix in relation to hr/ha to assess developments.

- 1.9 In this respect there is a difference in the approaches that have been taken for this point. The relevance of this difference is that under the gross residential density calculation, policy D1 does not require an Infrastructure Impact Assessment. With a net residential density calculation, policy D1 does apply, with a higher density figure and an Infrastructure Assessment to be submitted by the applicant.
- 1.10 Notwithstanding this difference, it is important to note that infrastructure delivery and impacts are a fundamental part of the application submission and the assessment of the proposal, which has been addressed in the committee report. Overall the proposal is considered to meet the aspirations of the Site Allocation in regard to land use requirements, infrastructure requirements and design principles. In relation to infrastructure requirements specifically, this is achieved by delivery of the school site, community hub site and by safeguarding the health centre site and allowing its project of expansion to go ahead unfettered. For clarity, the health centre site is not within the application site boundary, however it does fall within the Site Allocation boundary along with other land to the south of Glengall Grove and also land to the west of East Ferry Road.
- 1.11 Further to the above, in respect of infrastructure impacts, it is considered that conditions and planning obligations would mitigate the proposed development sufficiently. It is considered that the infrastructure impacts have been fully assessed within the committee report. Notwithstanding the above, on 8 June 2021, the applicant submitted a response to the Isle of Dogs Neighbourhood Forum's representation which includes an overview assessment of the infrastructure impact of the development.
- 1.12 With regard to transport, significant financial and non-financial contributions have been secured to deliver improvements to the local DLR, bus, cycle and pedestrian network. Provision of a phased development will also allow DLR capacity upgrades to be delivered which would help to mitigate such impacts. With regard to energy, the proposal would be carbon neutral through on-site measures and financial contributions and would facilitate connection to the Barkantine District Heating Network. With regard to water, Thames Water have specified conditions to be applied, subject to approval, in order to alleviate any concerns identified. Sustainable drainage proposals are also considered to be acceptable and in

accordance with the Isle of Dogs and South Poplar Integrated Water Management Plan (IWMP) along with conditions to be secured, subject to approval.

1.13 With regard to waste, the sitewide waste strategy is considered to be acceptable. With regard to social impacts, the development would deliver a primary school site, community hub and significant public realm including public play space. The submitted Health Impact Assessment was also deemed to be acceptable. In regard to green space, the proposed public open space provision and landscaping plan is deemed to be acceptable, delivering a net biodiversity uplift and the 0.4 Urban Greening Factor guidance score. Financial contributions towards Mudchute Park would also be significant and along with conditions would mitigate potential impacts. In addition to the above, the proposal would be liable to pay approximately £38.3m Community Infrastructure Levy, subject to approval.

1.15 With regard to policy D2 of the Neighbourhood Plan which states that developments over 1,100 hr/ha should conform to paragraphs 1.3.51 to 1.3.52 of the GLA's Housing SPG, this is covered as follows:

"1.3.51 – In appropriate circumstances, it may be acceptable for a particular scheme to exceed the ranges in the density matrix, providing important qualitative concerns are suitably addressed. However, to be supported, schemes which exceed the ranges in the matrix must be of a high design quality and should be tested against the following considerations:

- *the factors outlined in Policy 3.4, including local context and character, public transport capacity and the design principles set out in Chapter 7 of the London Plan;*

Officer response: Matters of design and heritage have been assessed and deemed to be acceptable.

- *the location of a site in relation to existing and planned public transport connectivity (PTAL), social infrastructure provision and other local amenities and services;*

Officer response: The site is generally considered to benefit from good public transport accessibility (including PTAL scores reaching 4 (good) and 5 (very good). As a redeveloped town centre, many local amenities and services would be provided on-site through the commercial and community offer.

Infrastructure provision has been covered in more detail earlier in this report and in the committee report.

- *the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and, in particular, accord with the housing quality standards set out in Part 2 of this SPG;*

Officer response: The proposal is considered to achieve a high standard of residential accommodation in accordance with the Development Plan.

- *a scheme's overall contribution to local 'place making', including where appropriate the need for 'place shielding';*

Officer response: Matters of design and heritage have been assessed and deemed to be acceptable. The proposal is considered to step down in height, scale and massing adequately in relation to neighbouring residential buildings.

- *depending on their particular characteristics, the potential for large sites to define their own setting and accommodate higher densities;*

Officer response: As a redeveloped District Town Centre with distinctive architectural style and layout, the proposal is considered to define its own character setting which aids in accommodating the higher density.

- *the residential mix and dwelling types proposed in a scheme, taking into account factors such as children's play space provision, school capacity and location;*

Officer response: The housing unit mix has been deemed as acceptable with sufficient public and private play space and provision of a primary school.

- *the need for the appropriate management and design of refuse/food waste/recycling and cycle parking facilities; and*

Office response: The proposal is considered to be acceptable in relation to waste and cycle parking facilities.

- *whether proposals are in the types of accessible locations the London Plan considers appropriate for higher density development (eg. town centres, opportunity areas, intensification areas, surplus industrial land, and other large sites)."*

Officer response: As a District Town Centre redevelopment, and designated Site Allocation, located within an Opportunity Area, the application site is considered to be an optimum location for higher density development.

1.16 "1.3.52 – *Where these considerations are satisfactorily addressed, the London Plan provides sufficient flexibility for such higher density schemes to be supported. It should, however, be recognised that this is not an exhaustive list and other more*

local or site specific factors may also be given appropriate weight, taking into account the particular characteristics of a proposed development and its impact on the surrounding area.”

Officer response: As these considerations are considered to be satisfactorily addressed, in the view of officers, the London Plan provides sufficient flexibility for higher density schemes to be supported at the application site. Notwithstanding the above, it should also be reiterated that the current London Plan removed the prescriptive density matrix figures.

2. Additional drawings and documents recommended for approval not listed in the previous SDC report

Schedule of documents

Waste Management Strategy (006) by WSP dated 05/2021

3. Clarifications and Corrections

- 3.1 As part of continued Employment and Enterprise based discussions, the applicant has now agreed to provide 20 end-user opportunities, to be secured by S106 legal agreement, subject to approval. These opportunities could take the form of apprenticeships or jobs and replaces the single end-user phase apprenticeship identified in the main report.
- 3.2 In the Executive Summary of the committee report, the sentence, ‘However adverse impacts would stem from the necessary sewer realignment which would involve construction works on part of the park,’ should be amended to ‘However adverse impacts would stem from increased visitor usage and the necessary sewer realignment which would involve construction works on part of the park.’ Furthermore the following sentence, ‘Overall it has been concluded that the on-site and off-site mitigation and additional habitat creation would create a net biodiversity gain and would outweigh any potential harm from overshadowing,’ should read, ‘Overall it has been concluded that the on-site and off-site mitigation including additional habitat creation would create a net biodiversity gain and would outweigh any potential harm.’

- 3.3 Paragraph 4.5 should read 'A total of 104 letters of representation have been received in general objection, including 4 from local councillors. 4 petitions have been received. An online (SurveyMonkey.co.uk) petition consisting of 182 in objection, 31 in support and 31 undecided, along with other comments, has been received. An online petition (Change.org) is currently live (consisting of 591 in objection) however for the sake of completeness it is noted that the cover photograph for this petition shows the withdrawn 2017 application and not the current application. A petition of 282 in objection has been received mainly in relation to the scale of development proposed. A petition from Cubitt Town School of 33 in objection has been received in relation to the potential of a new, competing school. 1 letter of general support has been received.'
- 3.4 Paragraph 5.11 reads 'The tenure split within the rented is 65:35 in favour of rented.' This should read 'The tenure split within the affordable provision is 65:35 in favour of rented.'
- 3.5 Point (j) of paragraph 8.3 should read 'Mudchute Park sewer works land reinstatement and biodiversity plan including detailed ecological survey of these areas and development of a restoration strategy.' Subsequently Condition 43 of paragraph 8.6 should be deleted. Condition 48 of paragraph 8.6 should read 'Agree monitoring methodology for habitats and key species groups, including birds, bats and invertebrates, and commence monitoring at least one year before work within or immediately adjacent to Mudchute Park commences.'
- 3.6 Paragraph 6.3 of the committee report refers to the refers to the 'Isle of Dogs Neighbourhood Plan 2019-2031 Referendum Version (2020).' This should refer to the 'Isle of Dogs Neighbourhood Plan 2019-2031 Adopted Version (2021).' Paragraph 6.5 of the committee report refers to the 'Draft Planning Obligations (2020)' SPD. This should refer to the 'Planning Obligations (2021)' SPD.
- 3.7 Paragraph 7.83 of the committee report refers to a site area of '5.5ha' but this should be amended to refer to '4.5ha.'
- 3.8 For the sake of completeness, it is noted that Councillors Kahar Chowdhury, Sabina Akhtar, Tarik Khan, Abdul C. Mukit and Val Whitehead attended a virtual briefing presentation of the scheme on Wednesday 2 June at 6pm arranged by officers. A factual presentation of the scheme was provided by the scheme architects and the scheme planning consultant was available for potential clarifications. This was considered

necessary in order to give appropriate background to the scheme considering its size and complexity.

- 3.9 For the sake of completeness, it is noted that Councillors Kahar Chowdhury, Sabina Akhtar, Tarik Khan and Val Whitehead attended a site visit to the application site on Thursday 3 June at 6pm with officers present. This was considered necessary in order to give appropriate background to the scheme considering its size and complexity.
- 3.10 The applicant has offered to provide additional landscaping improvements to the area of green space to the east of the site boundary in order to increase the visual separation with Friars Mead. The programme of works would be secured by condition (in consultation with residents of Friars Mead), subject to approval.

4. Recommendation

- 4.1 The committee are invited to note the additional representations and clarifications. There are no changes proposed to the officer recommendation to grant planning permission.