

**STRATEGIC DEVELOPMENT COMMITTEE 23 SEPTEMBER 2021
UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL**

Agenda item no	Reference no	Location	Proposal / Title
4.1	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/D2), 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. Site Visit

- 1.1 Committee Members undertook a site visit at Asda Crossharbour on Monday 13th September.

2. Additional Representations

- 2.1 16 further letters of representation (including updates of previous representations) have been received in objection up until midnight on 22nd September 2021. An online petition (Change.org) started 3 months ago is currently live (consisting of 500 in objection as of midnight on 22nd September 2021).
- 2.2 The additional responses in objection are summarised as below:

Land use

- Removal of the petrol station is unacceptable
- No significant improvements to infrastructure to sustain the vastly growing population
- Although there is a primary school, there is no secondary school or doctor's surgery
- Play Street could be a magnet for ASB with noise of balls bouncing
- Lack of need for District Centre as proposed. Locals would prefer leisure facilities, affordable shops, community centres, schools, green spaces and play areas
- Town centre does not support independent providers
- Removing the only supermarket which serves the community
- No plan for increased numbers of pupils when local schools are already beyond capacity
- Appreciate housing targets but there is plenty of land elsewhere

Design and heritage

- The scale of the project is too big for the Isle of Dogs
- Height at 32 storeys is another concern to the overdeveloped Isle of Dogs
- High rises are slowly spreading to the southern parts of the Isle where there are still open spaces with natural light

- Overwhelming scale allowing development to be seen across London
- Not in character with surrounding low rise development
- The flood protection bund would be encroached to the north by the school site and should be protected
- Would interrupt the majestic view of the tall towers of Canary Wharf
- Direct access from Friars Mead should be maintained, and it appears that access from 33 would be lost
- Urban Forest located in the wrong place and not big enough
- High rise social housing didn't work after the 1960s
- Contrary to the principles of tall building clusters
- Cumulative impact on Mudchute Park of other surrounding developments not taken into consideration

Amenity

- Significant sunlight and daylight impacts to surrounding windows, gardens and residents
- Condemning people to live in dark, unhealthy housing conditions
- Proposal does not meet BRE guidelines
- Roof overhangs on Friars Mead houses should not be counted in terms of justifying daylight and sunlight impacts
- Daylight and sunlight impacts on bedrooms should not be less important than impacts on living rooms
- Missed opportunity not to visit every property affected
- Properties on Glengall Grove will also be adversely impacted
- Overbearing impact on surrounding low rise residences, Mudchute Farm and Cubitt Town Infant and Primary School

Other

- The Isle of Dogs is full
- Too many adverse impacts
- Long list of conditions
- Extra housing will create a negative impact on water pressure
- Thames Water require conditions
- DLR does not have capacity to accommodate significant new developments
- No plan to cope with increased impact on transport network

- Need more homes for families
- None of the new builds are affordable and are impacting house prices on the Isle
- Developers have decreased their offer of affordable housing
- Affordable housing not compliant and not enough affordable rented in Phase 1
- Ghetto of affordable housing with lack of integration
- None of the funding that accompanies new builds is being spent
- Adverse impact on nature and biodiversity
- Use Council money to protect islanders from stabbings and assaults in the street everyday now
- Increased risk of fires along with water shortages
- In 2017 SDC rejected a large number of planning applications on the Isle of Dogs which were all lost at appeal. However the application can still be refused for a number of reasons
- Isle of Dogs Neighbourhood Plan not fully taken into consideration and Infrastructure Impact Assessment does not entirely fit the objectives of the Plan

2.3 It is considered that the above issues have been addressed either in the 9th June 2021 committee and update reports and/or in the 23rd September 2021 committee report and/or in the main body of this report. In terms of the comment on the large number of conditions, these are commonplace in major strategic applications. Conditions are secured in order to ensure that the development is acceptable and must be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects.

2.4 11 further letters of representation (including updates of previous representations) have been received in support up until midnight on 22nd September 2021.

2.5 The additional responses in support are summarised as below:

- There is a critical need for housing in Tower Hamlets
- The development delivers a high volume of large family homes together with a huge number of jobs
- The public realm offer will be a welcome change to the current car park

- Creates a District Centre which is high quality
- Application will benefit local residents and wider community in the Isle of Dogs
- Asda site needs redevelopment and this application will improve the area, putting the site to better use
- The car park is not in good use at the moment
- Will create opportunities for the local economy
- Lease for pharmacy to continue in new development has been agreed so objection withdrawn, and support given for safeguarding this important local facility

2.6 It is considered that the above issues have been addressed either in the 9th June 2021 committee and update reports and/or in the 23rd September 2021 committee report and/or in the main body of this report.

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

Schedule of documents

- Letter from Ashbourne Beech Ltd dated 17/09/2021

4. Amendments, Clarifications and Corrections

3.1 Following continued discussions between the applicant and officers, on 17th September 2021, the applicant increased the affordable housing offer from 25% to 27%. Details of the improved offer were included in a letter from Ashbourne Beech. It was detailed that the number of affordable homes would increase from 370 to 380, with the affordable tenure mix remaining at 65% affordable rented/ 35% intermediate. Furthermore, it was clarified that the additional 10 affordable residential units would be split between phases 2 and 3 of the Outline component.

3.2 Members should be aware that LBTH officers, the applicant and the GLA are in agreement that the initial affordable housing offer of 16.5% represents the maximum reasonable provision. Officers secured an increase from 16.5% to 25% in January 2020 and were subsequently satisfied that the overall suite of public benefits for the scheme

was acceptable. It should be understood that any affordable housing offer proposed above the maximum reasonable provision is done so by the applicant on a commercial basis, taking into consideration financial risk of the agreed financial viability deficit (which was in excess of minus £80m at the 25% offer) and the potential for growth in profits over the years which could cover this deficit.

- .3.3 It should also be understood that if the application were to be refused on the grounds of affordable housing when LBTH officers and the GLA have agreed that the maximum reasonable provision has been proposed, at appeal stage, it would be within the applicant's gift to reduce the affordable housing to 16.5% which was already agreed to be the maximum reasonable provision.
- 3.4 In light of the above, it is considered that the increase in affordable housing to 27% is considered to be a public benefit, taking into consideration that this is in excess of the 16.5% maximum reasonable provision. Furthermore, the overall housing provision needs to be understood within the framework of the adverse Housing Delivery Test result in 2020 which activates 11(d), footnote 8 of the NPPF referred to as the 'tilted balance' or the 'presumption in favour of sustainable development,' further detailed in the initial committee report.
- 3.5 An updated Thames Water consultee response has been received today. This demonstrates a clear improvement on the position at the previous committee. Through clarifications provided by the applicant, Thames Water now confirm that in terms of Wastewater, there would be enough Foul Water sewerage network infrastructure capacity and Surface Water network infrastructure capacity for both the Detailed and Outline components of the application. However a pre-commencement condition would still be required to ensure water network upgrades for the Detailed and Outline components, and piling method statements for the Outline component, subject to approval.
- 3.6 Following discussions with LBTH Flood and Water Management Officer, it has been agreed that a compliance condition should be included in order to ensure that the bund to the east of the application site adjacent to Friars Mead is maintained.
- 3.7 In relation to ensuring access and potential landscaping improvements to the buffer for Friars Mead neighbours directly adjacent to the site, officers recommend that a pre-occupation condition is required to secure final details of this, subject to approval.

3.8 Paragraph 3.43 of the SDC deferral report refers to tunnelling works beneath Mudchute Park in relation to the Barnfield Sewer diversion. The applicant has subsequently abandoned this method as it has not been tested in accordance with the Environmental Impact Assessment.

5. 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.

UPDATE REPORT, STRATEGIC DEVELOPMENT COMMITTEE. 23rd September 2021

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5.1	PA/20/01421 and PA/20/1412	North Quay, Aspen Way, London, E14	<p>Application for OUTLINE (Ref PA/20/01421) planning permission (all matters reserved) for the redevelopment of the North Quay site for mixed use comprising:</p> <ul style="list-style-type: none"> • Demolition of existing buildings and structures; • Erection of buildings and construction of basements; • The following uses: <ul style="list-style-type: none"> - Business floorspace (B1) - Hotel/ Serviced Apartments (C1) - Residential (C3) - Co-Living (C4/Sui Generis) - Student Housing (Sui Generis) - Retail (A1-A5) - Community and Leisure (D1 and D2) - Other Sui Generis Uses <p>- Associated infrastructure, including a new deck over part of the existing dock;</p> <p>- Creation of streets, open spaces, hard and soft landscaping and public realm;</p> <p>- Creation of new vehicular accesses and associated works to Aspen Way, Upper Bank Street, Hertsmere Road and underneath Delta Junction;</p> <p>- Connections to the Aspen Way Footbridge and Crossrail Place (Canary Wharf Crossrail Station);</p> <p>- Car, motorcycle, bicycle parking spaces, servicing;</p> <p>- Utilities including energy centres and electricity substation(s); and</p> <p>- Other minor works incidental to the proposed development.</p> <p>LISTED BUILDING APPLICATION (Ref: PA/20/01412) Stabilisation of listed quay wall and associated/remedial works, as well as demolition/removal of the false quay in connection with the erection of a mixed-use development.</p>
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1. Site Visit

1.1 Committee Members undertook a site visit at North Quay on Monday 13th September.

2. Other points and clarifications

2.1 The applicant would like it noted that for drainage it is proposed to discharge at the greenfield runoff rate with a 40% allowance for climate change. Full details would be secured by condition.

- 2.2 The list of conditions should include conditions securing a Radar Mitigation Scheme and a restriction on work above 70m until this is implemented, as requested by NATS.
- 2.3 4,645sqm of affordable workspace is proposed rather than 4,545sqm.
- 2.4 For the listed building application plans, only drawing 19141-00-07-401 is for Approval, with the other as existing or indicative.
- 2.5 For condition 4 (p.64) the figure should read 150,000sqm, not 150,00sqm'.
- 2.6 The off-site play space on contribution detailed in the report would be £200,300 towards new play space for older children near Bartlett Park, approximately 700m from the development site.