

<b>Committee:</b> Strategic Development	<b>Date:</b> 21 July 2014	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Planning and Listed Building Consent applications
<b>Case Officer:</b> Robert Lancaster	<b>Ref No:</b> PA/13/02966 AND PA/13/02967
	<b>Ward:</b> Blackwall and Cubitt Town Ward and Canary Wharf Ward

## 1. APPLICATION DETAILS

**Location:** Land known as “Wood Wharf”, Preston’s Road, London, E14 9SF.

### Summary descriptions:

#### Outline Planning Application

Outline application (all matters reserved) for mixed-use redevelopment of the site known as “Wood Wharf” comprising:

- Demolition of existing buildings and structures, including dwellings at Lovegrove Walk;
- The erection of buildings, including tall buildings and basements, comprising:
  - Residential units ( Use Class C3);
  - Hotel (C1);
  - Business floorspace (B1);
  - Retail (A1-A5);
  - Community and Leisure (D1 and D2); and,
  - Sui Generis uses.
- Associated infrastructure, including the creation of structures in Blackwall Basin, Graving Dock, and South Dock;
- Streets, open spaces, landscaping and public realm;
- Bridge links;
- Car, motorcycle and bicycle parking spaces and servicing spaces;
- Utilities including energy centres and electricity substation(s); and,
- Other works incidental to the proposed development.

AND

#### Listed Building Consent Application

Listed Building Consent sought for demolition of and alteration to listed dock walls including the course of the wall to the Blackwall Basin and the East Quay of the Export Dock and Middle Cut between the Export Dock and the South Dock.

## **Drawing Numbers and Documents for approval:**

### Outline Planning Application

WWMP\_PP\_001 Planning Application Area; WWMP\_PP\_002 Demolition; WWMP\_PP\_003 Development Zones - Ground Level & Above; WWMP\_PP\_004 Rev A Access and Circulation Routes; WWMP\_PP\_005 Open Space Areas; WWMP\_PP\_006 Development Zones & Uses Below Ground; WWMP\_PP\_007 Ground level Uses - Frontages & Water spaces only; WWMP\_PP\_008 Upper Ground Level Uses - Frontages only; WWMP\_PP\_009 Rev A Upper Floor Uses; WWMP\_PP\_010 Development Plots and Maximum Heights; WWMP\_PP\_011 New land/Structures into dock; WWMP\_PP\_012 Existing Site Levels; WWMP\_PP\_013 Proposed Site Levels; Revised Design Guidelines (dated May 2014); Revised Development Specification (dated May 2014); and, Issue Ref: 28.02.2014 Project: Wood Wharf Schedule of Applicant's Responses to Comments Received on Flood Risk and Biodiversity.

AND

### Listed Building Consent Application

WWMP-MA-07-130 Indicative Scheme Dock Edge Sections Key Plan; WWMP-MA-07-400 Indicative Scheme Dock Edge Sections Existing Section AA; WWMP-MA-07-401 Indicative Scheme Dock Edge Sections Proposed Section AA; WWMP-MA-07-402 Indicative Scheme Dock Edge Sections Existing Section BB; WWMP-MA-07-403 Indicative Scheme Dock Edge Sections Proposed Section BB; WWMP-MA-07-404 Indicative Scheme Dock Edge Sections Existing Section CC; WWMP-MA-07-405 Indicative Scheme Dock Edge Sections Proposed Section CC; WWMP-MA-07-406 Indicative Scheme Dock Edge Sections Existing Section DD; WWMP-MA-07-407 Indicative Scheme Dock Edge Sections Proposed Section DD; WWMP-MA-07-408 Indicative Scheme Dock Edge Sections Existing Section EE; WWMP-MA-07-409 Indicative Scheme Dock Edge Sections Proposed Section EE; WWMP-MA-07-410 Indicative Scheme Dock Edge Sections Existing Section FF; WWMP-MA-07-411 Indicative Scheme Dock Edge Sections Proposed Section FF; WWMP-MA-07-412 Indicative Scheme Dock Edge Sections Existing Section GG; WWMP-MA-07-413 Indicative Scheme Dock Edge Sections Proposed Section GG; WWMP-MA-07-414 Indicative Scheme Dock Edge Sections Existing Section HH; WWMP-MA-07-415 Indicative Scheme Dock Edge Sections Proposed Section HH.

## **Supporting Documents:**

### Outline Planning Application

Planning Statement; Design and Access Statement Volumes 1-4; Heritage Assessment; Revised Development Phasing (dated May 2014); Environmental Statement; Environmental Visual Impact Study; Environmental Statement Non-Technical Summary; Transport Assessment; Draft Travel Plan Framework; Draft Residential Travel Plan; Affordable Housing Statement; Retail Assessment; Regeneration Statement; Energy Strategy; Sustainability Strategy; Revised Utilities Statement (dated May 2014); Waste Strategy; Flood Risk Assessment; Aviation Safeguarding Assessment; Estate Management Strategy; Telecommunications Impact Assessment; Tree Report; Statement of Community Involvement;

Archaeological Desk-Based Assessment Revised February 2014; and, Deposit Modelling February 2014.

### *Addendums*

Cover Letter (dated 16 May 2014); Addendum Design and Access Statement Volumes 1-4 (dated May 2014); Addendum Environmental Statement (dated May 2014); Addendum Environmental Statement Non-Technical Summary (dated May 2014); Transport Addendum (dated May 2014); Addendum Affordable Housing Statement (dated May 2014); Addendum Retail Assessment (dated May 2014); Addendum Regeneration Statement (dated May 2014); Addendum Energy Strategy (dated May 2014).

AND

### Listed Building Consent Application

Planning Statement; Design and Access Statement Volumes 1-2; Heritage Assessment; Structural Summary in Support of Works to Blackwall Basin.

**Applicant:** CWG (Wood Wharf Two) Ltd  
**Listed Building:** Grade 1 Listed Dock Wall  
**Conservation Area:** Coldharbour Conservation Area

## **2. EXECUTIVE SUMMARY**

- 2.1 The application was advertised as a Departure from the Plan. However, during the assessment of the application, officers are now confident that the application does not depart from the Development Plan, when read as a whole. The local planning authority has considered the particular circumstances of this application against the Development Plan and other material considerations as set out in this report and recommends approval of planning permission and listed building consent.
- 2.2 The application seeks outline permission with all matters reserved (a “permission in principle”) for a mixed-use high density development with a number of tall buildings. This would accord with the Local Plan’s Site Allocation for Wood Wharf. The Development Specification proposes a maximum floorspace cap of 728,880sqm (GIA). The development seeks permission principally for residential and office uses. The Development proposes a range of 1,700 to 3,610 homes and 165,000sqm (GIA) to 350,000sqm (GIA) of office floorspace. Additionally, a range of other uses including retail, leisure, hotel and community floorspace are proposed. Alongside this outline application, a Listed Building Consent application has been submitted for partial demolition and alteration to listed dock walls.
- 2.3 The development would be ‘controlled’ by three key documents: The Parameter Plans, the Development Specification and the Design Guidelines. These control documents define the ‘what’, the ‘where’ the ‘how much’ and the design language of the development. Alongside these three control documents, an Indicative Scheme has been submitted. This Scheme is not submitted for approval as such, rather it demonstrates one way in which the development may come forward in accordance with the parameters, specifications and guidelines within the control documents.
- 2.4 The Design Guidelines ensure that high quality architecture and place-making will be central to the detailed design development. The development will result in less than

substantial harm to heritage assets. However, the public benefits of the scheme including heritage related benefits significantly outweigh these effects.

- 2.5 The development would provide 25% affordable housing by habitable room on site, 80% of which would be affordable rent and 20% intermediate. Applying these percentages to the indicative scheme would result in 2,053 habitable rooms (604 affordable homes). 1637 habitable rooms (444 homes) of which would be affordable rent and 416 habitable rooms (160 homes) would be intermediate housing. The affordable rent homes will come forward at the Council's preferred 'POD' rent levels, subject to indexation. In addition, a review mechanism will be secured to provide a commuted sum up to the equivalent of an additional 15% affordable housing by habitable room, depending on the financial performance of the development over time.
- 2.6 Alongside the affordable housing, the development provides for a health facility and an Idea Store in accordance with the Site Allocation. The Council's NHS partners have advised that the health facility would be of sufficient size (up to 9 GP's) to be their main facility on the eastern side of the Isle of Dogs serving the wider area beyond the site.
- 2.7 In respect of education, and in recognition of the pressure on primary school places in the Isle of Dogs, physical provision on-site has been prioritised. The development provides for a two form of entry (420 pupils) primary school. This can be located within the same Development Zone as the Leisure Centre (see paragraph 2.8) and the school would be able to use the Leisure Centre's sports hall.
- 2.8 The development provides for a privately-run Leisure Centre. The membership and pay-as-you-play prices for the sports hall and cricket nets will be commensurate with Council facilities for Tower Hamlets residents and sports clubs. Discounted costs and membership arrangements for LBTH residents who have disabilities, full-time students and senior citizens will be secured.
- 2.9 The Development Specification secures, as a minimum, 25,000 square metres of publicly accessible open space. A Public Access Plan will be secured through the s106 to ensure full public access.
- 2.10 Alongside the provision for in-kind community delivery discussed above, provision for contributions will be secured in accordance with the formulae and guidance contained within the Council's Planning Obligations SPD. Applying the formulae to the Indicative Scheme would result in approximately £27.5m of contributions. The exact level of contributions will be subject to variation, within the parameters of the SPD, as detailed design comes forward at reserved matters stages. It is noteworthy, however, that the transport-related contributions are fixed. The transport contributions total £10.72m and include £5.25m will be secured towards running bus capacity and infrastructure, £2.5m for remodelling Preston's Road Roundabout, £1.5m will be secured towards other off-site highway improvements and £500,000 towards pedestrian improvements.
- 2.11 The development is expected to result in a construction workforce peaking at 2,000 jobs. Once fully complete, the Indicative development would be expected to have a workforce of 16,330(net) mainly within the office blocks. The applicant advises that development is expected to result in £61.1m of additional spending in the local economy from new households and employees.

- 2.12 The development will seek to ensure that 20% of the construction workforce is local and 20% of contracts will be placed with local companies. The development will provide apprenticeships for Tower Hamlets residents for both the construction and end-user phases and the applicant will provide work placements for Tower Hamlets students.
- 2.13 Officers consider this development would rejuvenate this strategically important, but currently under-utilised, brownfield site. It would have a highly significant impact in providing the homes, in particular affordable homes, the Borough needs along with a very significant range of jobs and social infrastructure and expanded shopping opportunities to meet the needs of the local community. The development would create a mixed and balanced community that would integrate into the local community and assist in spreading the benefits of this globally significant location into the surrounding area. Officers recommend these applications for approval.

### 3. RECOMMENDATION

3.1 That the Strategic Development Committee resolves to:

(a) **GRANT** planning permission subject to:

- A Any direction/call-in by The London Mayor
- B The prior completion of a legal agreement to secure the following planning obligations:

3.2 As this is an outline planning application (i.e. a permission in principle) with flexibility within set parameters, the exact financial contributions will vary dependent on the nature of the detailed elements of the development as they come forward and will be calculated in accordance with the formulae contained within Tower Hamlets Planning Obligations SPD (2012) and other relevant guidance and policies. Officers are confident, in the context of this application, that the formulae represent a robust approach to mitigating the harm of the development and consequently are necessary and accord with the CIL Regulation 122 Duty. The following figures provide a guide to the likely quanta of obligations based on the Indicative Scheme. However, for the avoidance of doubt these actual amounts will not themselves be set out in the agreement. It is noteworthy, however, that the transport, streetscene and heritage-related contributions are fixed i.e. they will not vary regardless of the nature of the detailed elements as they come forward.

#### 3.3 Financial Obligations

Indicative

- A contribution of £4,244,363.60 towards enterprise & employment
- A contribution of £2,118,080 towards leisure facilities
- A contribution of £88,005 towards sustainable transport
- A contribution of £5,440,064.94 towards public open space
- A contribution of £4,059,000 towards off-setting carbon emissions

## Fixed

- A contribution of £100,000 towards Heritage works (renovating the three cranes on the northern quayside of South Dock)
- A contribution of £116,376 towards streetscene improvements
- A contribution of £10,720,000 towards transport improvements including £5m towards buses, £2.5m towards Preston's Road Roundabout, £1.5m towards off-site highway improvement works, £500,000 towards pedestrian works, £500,000 towards modelling, £420,000 towards cycle hubs, £250,000 towards bus infrastructure and £50,000 towards travel plan monitoring
- A capped contribution up to £81,500 towards Navigational Safety

Total: £26,967,389.54

- A 2% contribution of the total above towards the planning obligations monitoring fee. This equates to £539,347.79 for the Indicative Scheme

**Overall Total: £27,506,737.33**

- An estimated combined contribution from the "top-up" Crossrail contribution and Mayoral CIL of approximately £61m

### 3.4 Non-Financial Obligations

- 25% on-site affordable housing by habitable room at a ratio of 80% affordable rent and 20% intermediate housing
  - For the Indicative Scheme this would equate to 1,637 Affordable Rent habitable rooms (444 Affordable Rent Units) (126 x 1-beds and, 123 x 2-beds, 132 x 3-beds, 39 x 4-beds, 24 x 5-beds at Tower Hamlets preferred 'POD' rent levels, subject to indexation up to RPI+0.5% per annum); and, 416 Intermediate habitable rooms (160 intermediate product units) (80 x 1-beds, 64 x 2-beds and 16 x 3-beds)
- Review Mechanism for up to an additional 15% affordable housing by habitable room by way of commuted sum
- Provision of a 2 Form of Entry (420 pupils) primary school to shell and core – circa 2,770sqm GIA for a 125 year lease. In the absence of physical delivery, a financial contribution would be made in accordance with the Planning Obligations SPD. A financial contribution for the Indicative Scheme would be £6.72m
- Provision of 1,076sqm Health facility (9 GPs) to shell-and-core for a 25 year lease. In the absence of physical delivery, a financial contribution would be made in accordance with the Planning Obligations SPD. A financial contribution for the Indicative Scheme would be £4.78m
- Provision of Idea Store 1,050sqm (NIA) and an option for a further 100sqm (NIA) to shell-and-core for a lease up to 2041. In the absence of physical delivery, a financial contribution would be made in accordance with the

Planning Obligations SPD. A financial contribution for the Indicative Scheme would be £1.09m

- Leisure Facility; on-site facility with provision for the school to access the Sport England compliant Sports Hall and prices commensurate to LBTH leisure centres for Tower Hamlets residents. In the absence of physical delivery, an additional financial contribution would be made in accordance with the Planning Obligations SPD. An additional financial contribution for the Indicative Scheme would be £2.29m
- Enterprise, Employment, Apprentice, Training and End User Engagement Strategy (seek to achieve 20% Local Procurement; 20% Local Labour in Construction; 20% end phase local jobs)
- Parking Permit-free development
- Travel Plans
- Land safeguarded for two on-site Barclays Cycle Hire Docking Stations
- Electronic Vehicle Charging Units (20% active : 20% passive)
- Car Clubs
- Safeguard and maintenance of on-site public realm and highways
- Public Art Strategy and confirmation that the value of on-site public art will be no less than £500,000
- 400sqm of reed beds in the docks
- 5,000sqm of biodiverse roofs on or off site
- 90sqm of tern rafts within the docks
- Strategy for providing affordable retail space for local independent retailers
- Assistance in delivering bridge(s) over South Quay
- Mitigation of Radio and Television signal effects
- Any minor amendments or other planning obligation(s) considered by the Corporate Director Development & Renewal should be secured having regard to Regulation 122 of the CIL Regulations.

3.5 That the Corporate Director Development & Renewal and the Service Head – Legal Services are delegated power to negotiate and complete the legal agreement indicated above acting within normal delegated authority.

3.6 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

3.7 CONDITIONS & INFORMATIVES

## **Implementation Conditions**

- 1) Time limit:
  - 3 years for 1<sup>st</sup> reserved matter
  - Development starts in either five years or two years after approval of 1<sup>st</sup> Reserved Matter whichever is later
  - No reserved matters applications after 15 years
  - Commencement of each reserved matters 2 years after approval

## **Parameters, Approved Drawings and Documents**

- 1) Development to be carried out in accordance with the Parameter Plans, Development Specification and Design Guidelines
- 2) Development to be carried out in accordance with:
  - a. Archaeology Framework Strategy
  - b. Flood Risk Assessment & associated material
  - c. Energy Strategy, including appropriate mitigation of energy centre emissions

## **Phasing**

- 1) The 1500<sup>th</sup> residential unit shall not be occupied until such time as 40,000sqm of Class B1 Office space has been made available for occupation.

## **Construction**

- 1) Hours of work to be agreed for each construction phase
- 2) Hours of use and mitigation for the 40t excavators
- 3) Approval required for piling methodology
- 4) Ground-borne vibration should not exceed 1.0mm/s ppv at residential properties and 3.0mm/s ppv at commercial properties
- 5) Noise emissions condition
- 6) Compliance with LBTH CoCP
- 7) Considerate Contractors Scheme
- 8) Freight Considerate Scheme
- 9) Mitigation of pollutants from construction phase entering dock system for water quality purposes
- 10) General mitigation measures e.g. screening etc.
- 11) Demolition and Construction Site Waste Management Plan(s)
- 12) Co-ordination with Crossrail
- 13) Demolition and Construction Environmental Management Plans
- 14) Construction Logistics Plan

## **Reserved Matters**

- 1) Prior to commencement of building works details of the following to be approved:
  - a. Scale;
  - b. Layout;
  - c. Access;
  - d. Landscaping; and,
  - e. Appearance

## **Strategies**

- 1) Drainage works
- 2) Water supply infrastructure
- 3) Contamination Plan
- 4) Cultural Heritage Strategy
- 5) Nature and Ecology Plan
- 6) Utilities (diversions and decommissioning) Plan
- 7) Landscaping Plan
- 8) Sustainability Plan
- 9) Security Management Plan
- 10) Estate Management Plan
- 11) Waterside Management and Maintenance Plan
- 12) Scheme of Highways Improvements
- 13) Open and amenity space and child play space strategy(ies)
- 14) Waste Management Plan
- 15) Access Plan
- 16) Aviation Safeguarding Assessment
- 17) Telecommunications / Electronic Interference Strategies
- 18) Pollution Prevention and Action Plan
- 19) Car Parking Management Plan
- 20) Deliveries and Servicing Plan
- 21) Air Quality Plan

## **Conditions relating to each reserved matters application (insofar as they are relevant to that application)**

- 1) Construction Phasing Statement to demonstrate effects are no greater than that assessed within ES
- 2) Equalisation Statement to demonstrate compliance with Parameters, approved drawings and Documents
- 3) Illustrative Build-Out/Reconciliation Plan, i.e. an updated masterplan if reserved matters applications deviate from the Indicative Scheme
- 4) Details to be approved to demonstrate compliance with Strategies
- 5) Wind Microclimate Assessment and Mitigation
- 6) Transport Strategy
- 7) Piling and foundation risk assessment
- 8) Air conditioning units / plant – details of appearance
- 9) Ventilation of smells and fumes
- 10) Locations of entrances, entry systems / means of access
- 11) Sunlight, daylight, overshadowing, light pollution and solar glare assessment
- 12) External materials
- 13) External lighting
- 14) Rooftop strategy/design
- 15) Construction of storage facilities for oils, fuels and chemicals
- 16) Affordable Housing Statement
- 17) Private Housing Statement (mix etc)
- 18) Details of highways, footways, lampposts, street furniture etc
- 19) 10% wheelchair adaptable / accessible residential units (distribution, levels, size)
- 20) 10% wheelchair accessible hotel rooms (distribution, levels, size) and investigation of Changing Places facility
- 21) Aircraft obstacle lighting on towers
- 22) Shopfront, signage and security and hours of use for retail/D1/D2 uses
- 23) Details of cycle lifts - speed/convenience etc.

- 24) Cofferdam Works
- 25) Emergency Vehicle Access Plan
- 26) Zone N security arrangements
- 27) No entrance security arrangements other than provided for by condition 26

### **Compliance conditions**

- 1) BS6472 shall not exceed “low probability of adverse comment (vibration)
- 2) Above grade floorspace shall be no more than 608,355sqm (GIA)
- 3) Odour to meet DEFRA guidance for commercial kitchens
- 4) Internal noise insulation
- 5) All residential units to meet lifetime homes standards
- 6) All residential units to be no smaller than London Plan standards
- 7) Safeguarding for future connection to district heat network
- 8) No primary residential use of any part of Development Plots E3, G4, G6 or G10 or ground, mezzanine or lower floors of any other development plots that have not been tested in the ES and ES addendum unless it can demonstrated that no significant daylight or sunlight effects would occur in that part of the development plot, provided that this restriction does not apply to any ancillary residential uses in that part of the Development Plot.
- 9) Noise including ground-borne and structural-borne noise. (LAeq 35dB for all plant combined) (LAm<sub>ax</sub>(f)35 dB for all sensitive receptors (resi, school, health, crèche/nursery)
- 10) The effects on Lovegrove Walk shall be no greater than that assessed in the ES
- 11) Lifts in operation prior to occupation
- 12) The developer not to affect navigability of Bellmouth Passage during operation of development

Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

### 3.8 Informatives:

- s106 planning obligation
- s278 agreement.
- Positive working with applicant

Any other informative(s) considered necessary by the Corporate Director Development & Renewal

- 3.9 That, if within 6 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

### Listed Building Consent Application

- 3.10 That the Strategic Development Committee resolves to **GRANT** Listed Building Consent subject to the following conditions:

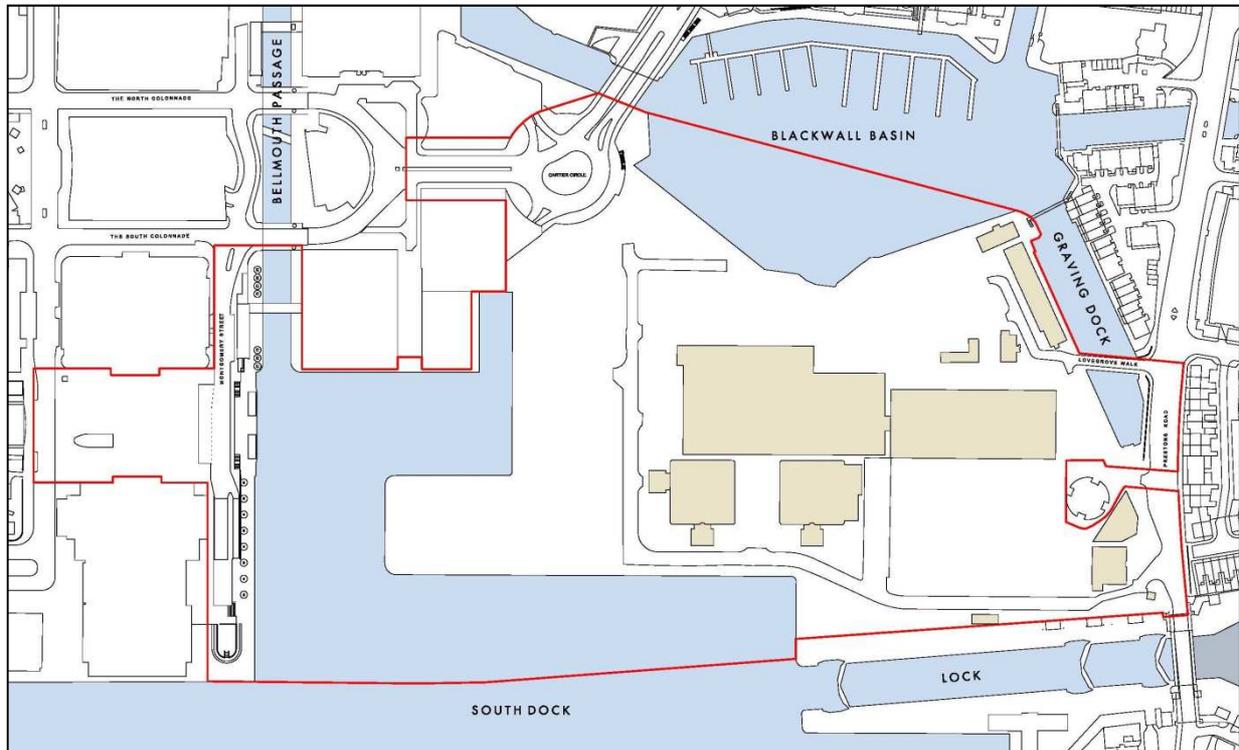
1. Time Limit
2. In accordance with Plans
3. Contract for replacement works
4. Programme for ensuring the safety and stability of the building fabric.
5. Details of landscaping and surface treatments.

6. Programme of building recording and analysis.
7. Retention and recording of any hidden historic features
8. Details of openings in retained dock walls
9. Repair of retained listed dock walls to conservation standard
10. Re-use of salvaged masonry

## 4 PROPOSAL AND LOCATION DETAILS

### Site

- 4.1 The application site is situated in the northern part of the Isle of Dogs containing an area of land known as Wood Wharf. The site occupies an area of 13.6 Hectares (Ha), including 9.4Ha of landmass and 4.2Ha of waterspace. It includes Cartier Circle and Montgomery Square to the north-west and west respectively.
- 4.2 The site lies immediately to the east of the Canary Wharf Estate and to the west of Preston's Road. Blackwall Basin defines the northern boundary of the site with the River Thames' locks and South Dock forming the southern boundary. The application site is shown in figure 1 below:



**Figure 1. Site Location Plan**

- 4.3 That part of the site which comprises existing land at Wood Wharf has been previously developed and comprises a mix of low-rise, poor quality, light industrial, office and warehouse units along with 29 residential properties on Lovegrove Walk. The commercial buildings have an existing floorspace of circa 16,691 square metres (sqm) of Gross Internal Area (GIA). The following uses are currently accommodated:
  - A Cable and Wireless telecommunications hub;
  - Large shed-style storage building mostly taking temporary/short term lets;
  - Three office buildings including a data centre;

- A circa 3,000sqm temporary sports facility called 'Play on Sport';
  - Temporary external storage yard.
- 4.4 The western side of the site has been temporarily landscaped for use by the public and for events as permitted by Planning Permission PA/13/02974.
- 4.5 A small section of the site is also located within the Coldharbour Conservation Area which was designated by LBTH in December 1975 (with the boundary amended to include part of the site in 2008). The following designated Heritage Assets also form part of the site:
- Part of Blackwall Basin (Grade I listed structure); and,
  - Part of the East Quay of the Export Dock and Middle Cut between the Export Dock and the South Dock (Grade I listed structure).
- 4.6 The application site includes approximately 4.2Ha area of open water with a dock operating level between 3.8m to 4.23m AOD.
- 4.7 The site is broadly level (circa 5m AOD) with the exception of Cartier Circle to the north-west of the site which rises up to 7m higher than the remainder of the site. There are no direct links with the Canary Wharf Estate except via a set of privately owned and temporary pedestrian steps leading down from Cartier Circle and a temporary pedestrian pontoon bridge. The north east of the site (Lovegrove Walk) is also accessed by vehicle and foot from a private road leading off Preston's Road.
- 4.8 The Wood Wharf site has a Public Transport Accessibility Level (PTAL) of 3 to 4, which is moderate to good. The PTAL improves from east to west across the site. There are a number of modes of public transport in the vicinity including the London Underground Limited services (LUL), Docklands Light Railway (DLR) and buses. The nearest underground station to the site is the Jubilee Line station at Canary Wharf which is, using the existing road network, approximately 550m from the centre of the site. There are three DLR stations within one kilometre of the site, Blackwall to the north and Canary Wharf and Heron Quays to the west. There are six TfL bus services and one dedicated night bus which serves the site including the D3, D6, D7, D8 135, 277 and the N550. These bus routes provide access to the Isle of Dogs and the wider area. Crossrail is scheduled to be operational by 2018 and the Canary Wharf Crossrail station is to the north of the Canary Wharf Estate.
- 4.9 The Jubilee Line runs, west-east, under the centre of the site with a vent shaft marking its location on the eastern side of the site. The shaft is the circular building to the south of Graving Dock which is not within the red line site boundary but is bounded on three sides by the red line.

## **Surroundings**

- 4.10 The Isle of Dogs has experienced rapid growth in the past 15 years and continues to do so. One Canada Square (Canary Wharf Tower) is the focal point of the Canary Wharf estate comprising a landmark building at 50 storeys (244m AOD). Canary Wharf comprises offices and retail malls and is a thriving financial and business district as well as a major town centre. The area has become a place which is recognised globally as a focus for banking and business services and is recognised as playing a major role in enhancing London's position in the global economy.

- 4.11 The remainder of the Isle of Dogs is primarily residential, comprising both traditional older properties as well as new developments, whilst also having substantial office floorspace.
- 4.12 The nearest residential properties outside the site are located to the east of the site on Lancaster Drive and Preston's Road and residential moorings on the northern (opposite) side of Blackwall Basin. There are also properties over 100m away on the opposite side of South Dock and on the far side of Blackwall Basin.
- 4.13 There are a number of designated and non-designated heritage assets in the vicinity of the site. Some of the principal assets include the balance of Coldharbour Conservation Area located immediately to the east of the application site. There are a number of listed buildings in the Coldharbour Conservation Area and generally located on the Thames waterfront. Within the Environmental Statement the following surrounding conservation areas were identified as of particular relevance:
- Navel Row;
  - St Mathius Church, Poplar;
  - All Saints Church, Poplar;
  - West India Dock;
  - St Frideswide's;
  - Balfron Tower; and,
  - Lansbury.
- 4.14 The impact on the listed buildings closest to the site boundary have been assessed within the ES and are listed below:
- Poplar Dock, original eastern part, Preston's Road (Grade II);
  - The Gun Public House, Coldharbour (Grade II);
  - Blackwall River Police Station, Coldharbour (Grade II);
  - 5 & 7 Coldharbour (Grade II);
  - 3 Coldharbour (Grade II);
  - Isle House, 1 Coldharbour (Grade II);
  - Bridge House, 26 Preston's Road (Grade II);
  - 15 Coldharbour (Grade II);
  - Accumulator Tower, Preston's Road (east) (Grade II); and,
  - Accumulator Tower, Poplar Dock (west) (Grade II).
- 4.15 There are three cranes, unlisted but of historical interest, located beside South Dock, which are understood to have been relocated from elsewhere in the docks.
- 4.16 There are no locally listed buildings within 500m of the site.
- 4.17 The surrounding area may be described in more detail as follows:

West

- 4.18 To the west of the site is the Canary Wharf Estate. The varying scaled office buildings range from low to medium rise 10 to 15 storey buildings up to 50 storey tower buildings providing 1.2 million sq. ft. in a single building. The Canary Wharf retail malls are situated below ground level, and provide the closest food and retail shopping to the site, within a 5 minute walking distance from Cartier Circle. These comprise the Canary Wharf Major Town Centre.

North

- 4.19 Billingsgate Fish Market comprises a shed located alongside the DLR and across from the HSBC tower at North Quay. Proposals may come forward in the future to redevelop Billingsgate Market. Poplar Dock and Blackwall Basin are located to the north of the site.
- 4.20 Poplar Dock to the north of Blackwall Basin has been redeveloped into an eight storey residential apartment development. On its south western end, adjacent to Trafalgar Way a high-rise residential tower is located. In both basins, houseboats and barges are accessed by private boardwalks. On the east and to the north-east there is the historic Graving Dock situated between Lancaster Drive and Lovegrove Walk both characterised by two and three storey private terraced houses, and the old lock into Blackwall Basin; this has been closed to access by boat from the River Thames by the construction of a fixed bridge on Preston's Road. These developments were part of the original residential developments constructed around the time of the dissolution of the LDDC, in the mid to late 1990's. By water, Blackwall Basin and Poplar Dock are accessed from South Dock via Bellmouth Passage.
- 4.21 There is a small cluster of tall residential buildings to the north-east of the site along Blackwall way, including New Providence Wharf (part 44 storey residential led development).

#### East

- 4.22 Coldharbour Conservation Area western boundary is located on the eastern edge of the site and contains mainly residential properties and Grade II listed buildings including the Gun Public House.

#### South

- 4.23 Manchester Road, to the south, across the working lock that connects the River Thames with South Dock is lined with two storey Victorian houses. Their back gardens are adjacent to the Sea Scout facilities housed in a building that looks west across the length of South Dock. Across South Dock a range of residential and office buildings vary in height from 6 to 15 storeys. The lock, which the blue lifting bridge crosses, is the only access into the Isle of Dogs lock system for boats and other vessels. A permanent security barrier and fence line has to be maintained separating the site from the lock along the southern edge. Within this restricted area there are three existing dock cranes, of historic interest referred to earlier.

### **Designations**

- 4.24 The site is within the London Plan's Isle of Dogs Opportunity Area which recognises it as a strategically significant part of London's world city offer for financial, media and business services. The designation identifies that by 2031 the area could accommodate an additional 110,000 jobs as well as a minimum of 10,000 new homes. The Opportunity Area designation also sets out that the Canary Wharf Major Town Centre, which includes the majority of the application site, has the potential to develop into a Metropolitan Centre and serve a wider catchment, with its expanding retail offer complemented by a broader range of civic, leisure and other town centre uses. The Isle of Dogs Opportunity Area also constitutes part of the Central Activities Zone for the purposes of office policies.
- 4.25 The site is allocated within the Council's Local Plan as Site Allocation 16. The allocation envisages a high-rise, mixed-use development of the site with a strategic

residential component, substantial jobs growth and provision of an Idea Store and a health facility. Development of the site should also provide a range of publicly accessible open spaces, create new walking and cycling routes and, if possible, include a district heating facility.

- 4.26 The westernmost part of the site is identified as an Area of Regeneration in the London Plan and as part of the Council's Local Plan's Preferred Office Location. The area adjoining to the east, on the opposite side of Preston's Road, is identified as a Thames Policy Area while the areas adjacent to the north and south form part of the Isle of Dogs Activity Area.
- 4.27 The site includes parts of 2 Sites of Importance for Nature Conservation (SINCs). Blackwall Basin is a Borough Grade 1 SINC, which includes an area of open mosaic habitat to the south of the basin. South Dock is part of Borough Grade 2 SINC. Both are principally of importance for the regular presence of breeding and overwintering birds.
- 4.28 The site includes or is bound in parts by the London Plan's Blue Ribbon Network and the Local Plan's Green Grid.
- 4.29 The site is within an Environment Agency designated Flood Zone 3a - land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year, ignoring the presence of defences.
- 4.30 The site, as with the whole Borough, is within Air Quality Management Area.
- 4.31 The site is within the London City Airport Safeguarding Zone.
- 4.32 The site is within the Crossrail Safeguarding Area as well as Crossrail SPG Charging Zone.
- 4.33 The nearest road within Transport for London's Road Network (TLRN) is Aspen Way. The nearest LBTH adopted highway is Preston's Road.
- 4.34 Northumberland Wharf to the north-east of the site is a 'Safeguarded Wharf' safeguarded within the London Plan.
- 4.35 The site is within the London Plan Views Management Framework (LVMF), of particular relevance is the view from the General Wolfe Statue in Greenwich Park.
- 4.36 The application site includes the Grade I listed Blackwall Basin with its quay walls, and the Grade I listed quay walls of the Import and Export Docks in the western part of the site.
- 4.37 The eastern and south-eastern edges of the application site are located within the Coldharbour Conservation Area which stretches to the east and south, covering the area between Preston's Road, Blackwall Basin and the River Thames.

## **Proposal**

- 4.38 The applicant seeks outline permission (all matters reserved) for a comprehensive mixed-use redevelopment of the site for a series of buildings including tall buildings for up to 350,000sqm (GIA) of office floorspace and up to 3,610 residential units along with a range of other uses but in any event the total floorspace would not

exceed 728,880sqm (GIA). The proposal would be “controlled” through the use of the three principal documents, as follows:

- Parameter Plans – these define, inter alia, where buildings, roads and open space may arrive on the site, the distribution of uses across the site and maximum heights and maximum footprints (length and width) of each development plot.
- Development Specification – this document sets out a written account of the parameter plans and details, inter alia, the floorspace specifications for the proposed land uses, minimum and maximum vehicle parking and minimum cycle parking and open space, the range of dwelling mix for each tenure and unit type and areas of new land and moorings.
- Design Guidelines – The purpose of this document is to determine a design language for the Masterplan and to establish a robust framework for its development that encourages high quality and rich diversity. Any future reserved matters applications for the development of any of the Development Zones defined in the Parameter Plans or open spaces between them will be required to accord with the Design Guidelines, unless there is a good and justified reason to depart from them.

4.39 The matters reserved for later determination are:

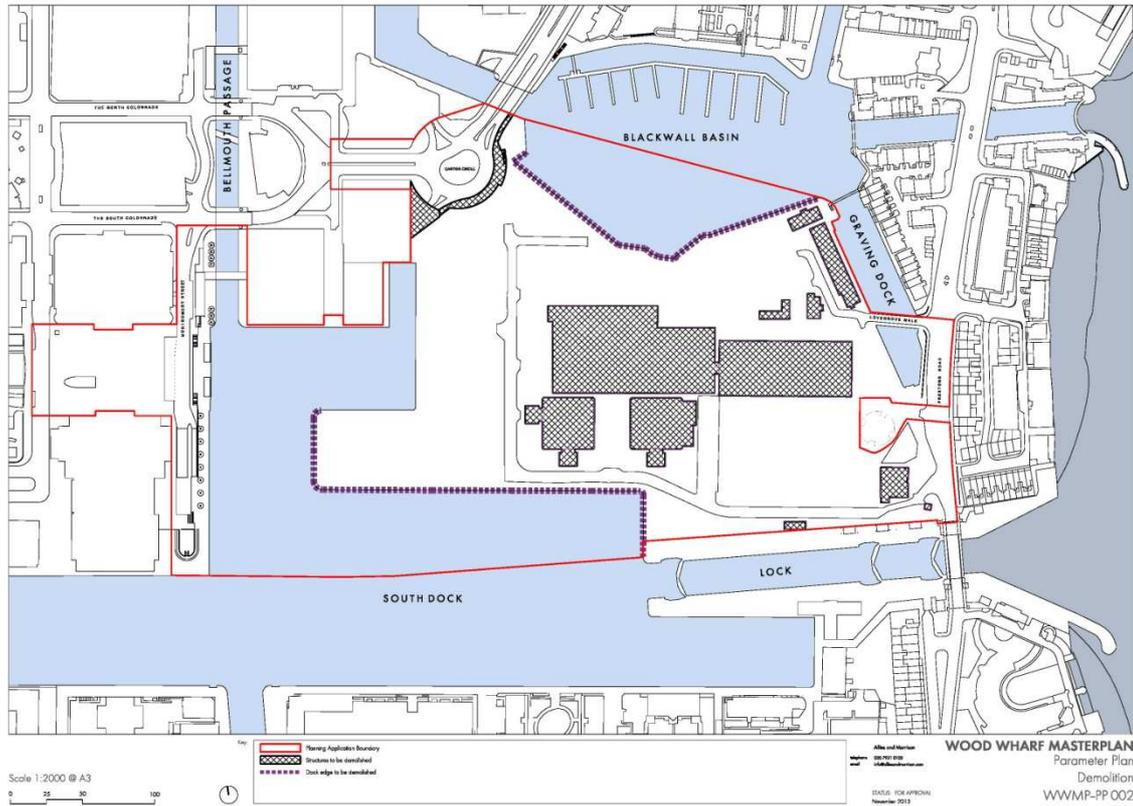
- Access - the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding highway network;
- Layout - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;
- Scale - means the height, width and length of each building proposed within the development in relation to its surroundings;
- Appearance - the aspects of the development which determine the visual impression the development makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; and,
- Landscaping - the treatment of land other than buildings for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated, including soft and hard landscaping, earthworks, public art and boundary treatment.

4.40 Accordingly, outline planning permission may be understood as ‘permission in principle’ with the detail being assessed through the five reserved matters and any conditions and s106 obligations attached to the permission, subject to the limitations within the three control documents.

4.41 Permission is also sought for Listed Building Consent for works, including alteration and demolition of sections of the grade I Listed walls to Blackwall Basin and the East Quay of the Export Dock and Middle Cut between the Export Dock and the South Dock to facilitate the proposed redevelopment of Wood Wharf.

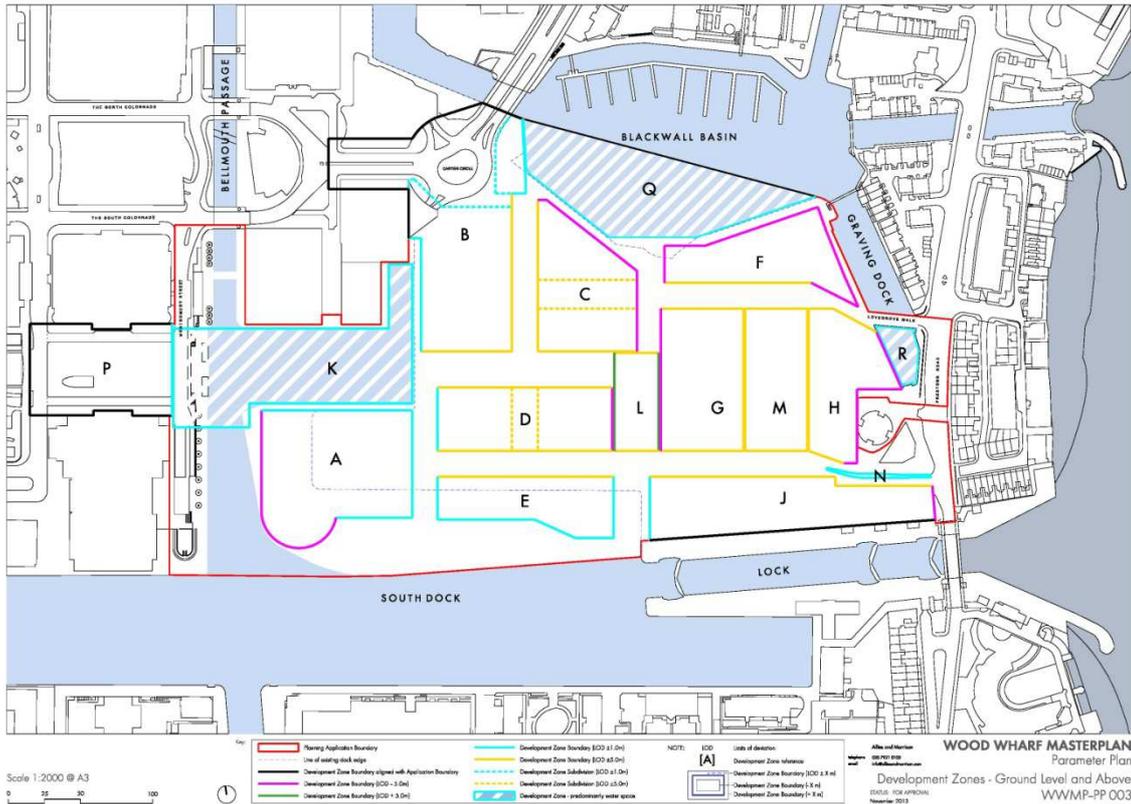
4.42 The proposed development is described in more detail below:

4.43 Parameter Plan 002 below shows the existing buildings and structures to be demolished. Figure 4 shows the extent of demolition and alteration to listed and unlisted dock walls.



**Figure 2: Parameter Plan 002**





**Figure 4: Parameter Plan 003**

4.45 Parameter Plan PP004 Rev A identifies a number of vehicular and pedestrian accesses/egresses to/from the site. To the west a vehicular & pedestrian bridge will connect Wood Wharf with Montgomery Square on the Canary Wharf Estate. A pedestrian bridge, just to the south of the main bridge will connect to the lower levels of Montgomery Street dockside pedestrian walkway. The proposed development allows for vehicular access from Cartier Circle to the north and from Preston’s Road to the south east of the site. There is a further vehicular egress to Preston’s Road adjacent to Graving Dock. There are number of secondary and tertiary roads throughout the site. There are limits of deviation for these routes to reflect the limits of deviation for the Developments Zones described in PP003. Continuous pedestrian access will be secured along virtually all of the water’s edge. A potential pedestrian connection to the existing Canary Wharf retail centre may be created through Development Zone ‘B’.

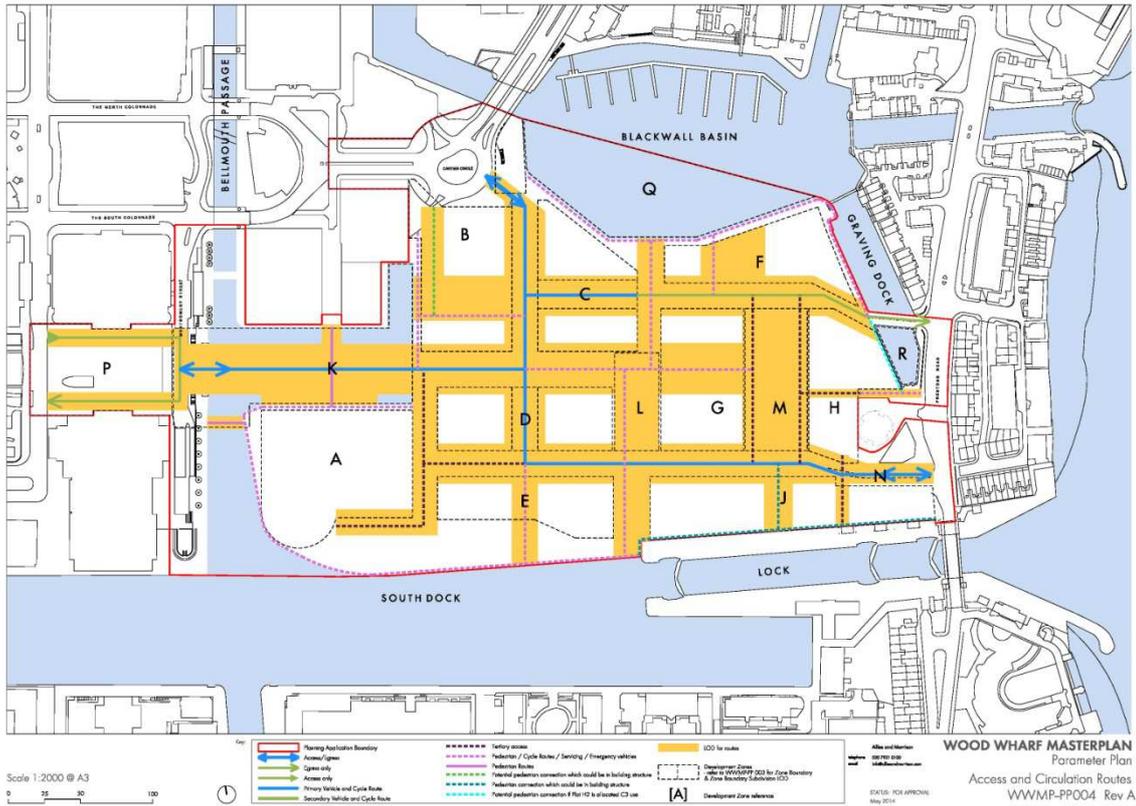
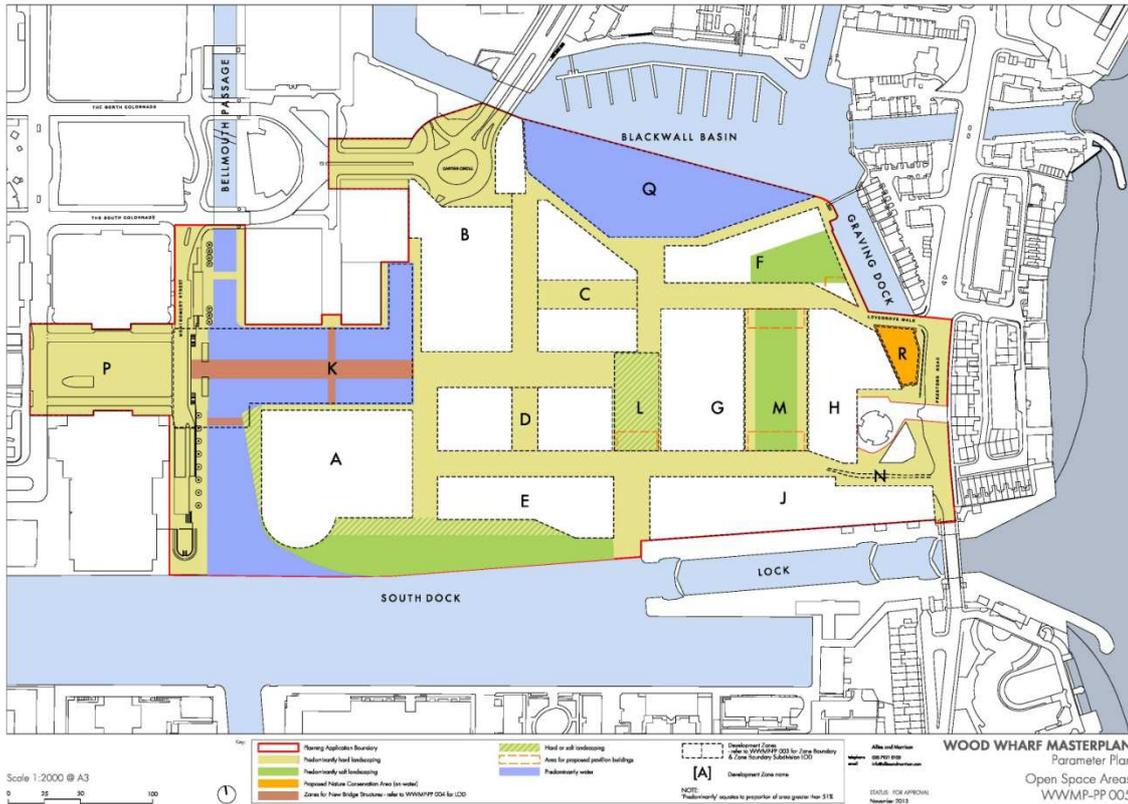


Figure 5: Parameter Plan 004

4.46 The Parameter Plan below PP005 identifies the main Parks and Squares, in particular these are 'East Park' in Development Zone M and part of F, 'South Dock Park' to the south of zones A & E and Junction Square in Zone L.



**Figure 6: Parameter Plan 005**

4.47 Parameter Plan 007 shows the proposed ground level uses and identifies that retail uses will dominate around the central 'High Street': the southern façades of Zones B and C, the western façade of Zone G and the northern edge of Zone D. The ground floors of the remaining zones are 'any permitted use' to allow for a mix of residential and retail uses, lobbies and other appropriate uses. Development Zone K has been described as 'water square' and allows for retail and leisure uses, these are likely to be floating bars and restaurants. Zone Q would contain pontoons and moorings for residential barges.

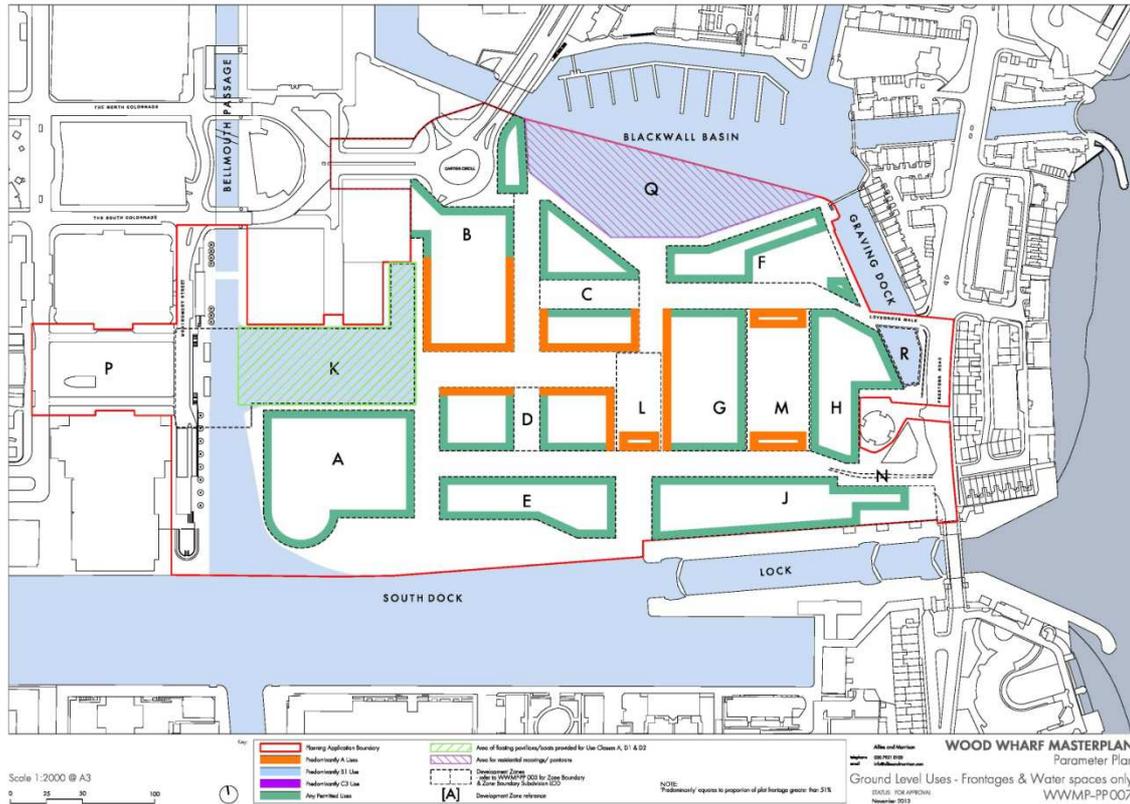


Figure 7: Parameter Plan 007

4.48 The amount of floorspace sought is up to 728,880sqm (GIA) within 16 Development Zones containing 42 Development Plots. The proposed land uses are set out below in Table 2 of the Development Specification and show the dominant land uses would be residential and offices. The social infrastructure delivery is explained elsewhere in the report:

Land Use	Minimum Floorspace (GIA)	Maximum Floorspace (GIA)/Units
<b>Ground and above</b>		
Retail (A1-A5)	15,000sq m	27,500sq m
Business (B1)	165,000sq m	350,000sq m
Hotel (C1)	No Minimum	350 bedrooms
Residential (C3)	1,700 residential units	3,610 residential units
Community (D1)	No minimum	No maximum* **
Leisure (D2)	No minimum	No maximum **
<b>Below Ground</b>		
A1-A5, D1 and D2	No minimum	7,500sq m
Ancillary floorspace comprising Business, Back of	No minimum	No maximum **

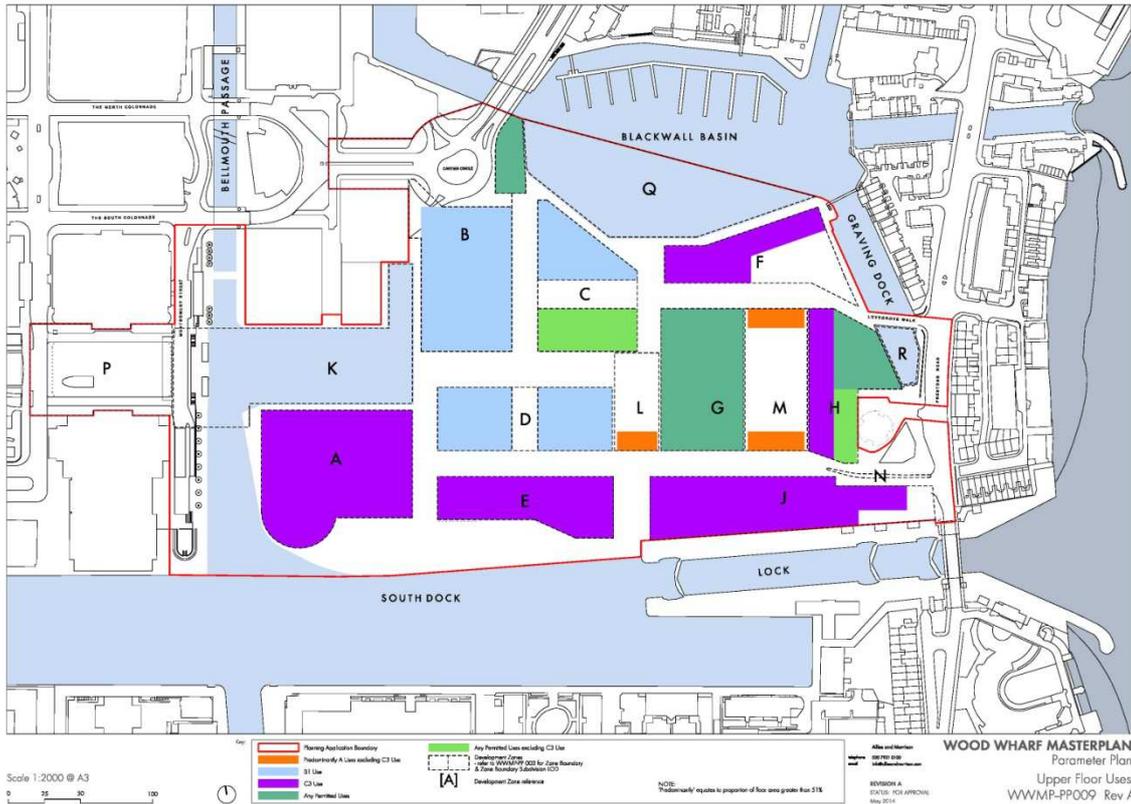
House, Enclosed Plant, Storage, Servicing, Car and Cycle Parking Areas, Energy Centres, Electricity Sub Stations etc.		
<b>Ground and above and Below Ground</b>		
Other permitted Sui Generis uses limited to Residential Moorings, Serviced Apartments, Private Members Clubs, Conference Centres, Theatres, and Laundrettes (unless otherwise agreed with the Local Planning Authority)	No minimum	No maximum **

*\*There is a recognition that a development of this size will need to deliver some social infrastructure and this will be subject to negotiation.*

*\*\* The absolute maximum is determined by the total floorspace less the aggregate of the minimum floorspaces in Table 2.*

**Figure 8: Table 2 of Development Specification**

- 4.49 The distribution of uses is shown in Parameter Plan 009 Rev A below. As can be seen from the plan, office uses are generally to be located in the north-western section of the site, closest to Canary Wharf. Residential uses are generally to be located along the South Dock edge, on the eastern side of the site by Preston's Road and in the north-eastern side by Blackwall Basin. In the centre of the site the 'G' Development Plots have a flexible use which may have a number of potential uses and allow for community infrastructure such as a health facility and Idea Store, whilst also capable of providing residential and/or commercial floorspace.



**Figure 9: Parameter Plan 009**

4.50 Parameter Plan 010 and Development Specification Table 5 show the maximum heights of the Development Plots. The highlighted plots show the buildings above 90m AOD (Above Ordinance Datum). These taller Development Plots are mainly located along the southern edge facing onto South Dock, on the north and western side of the site near Canary Wharf and Blackwall Basin. There is a general reduction in heights from east to west, with the tallest Development Plot on the south-western edge of the site at 211.50m AOD.

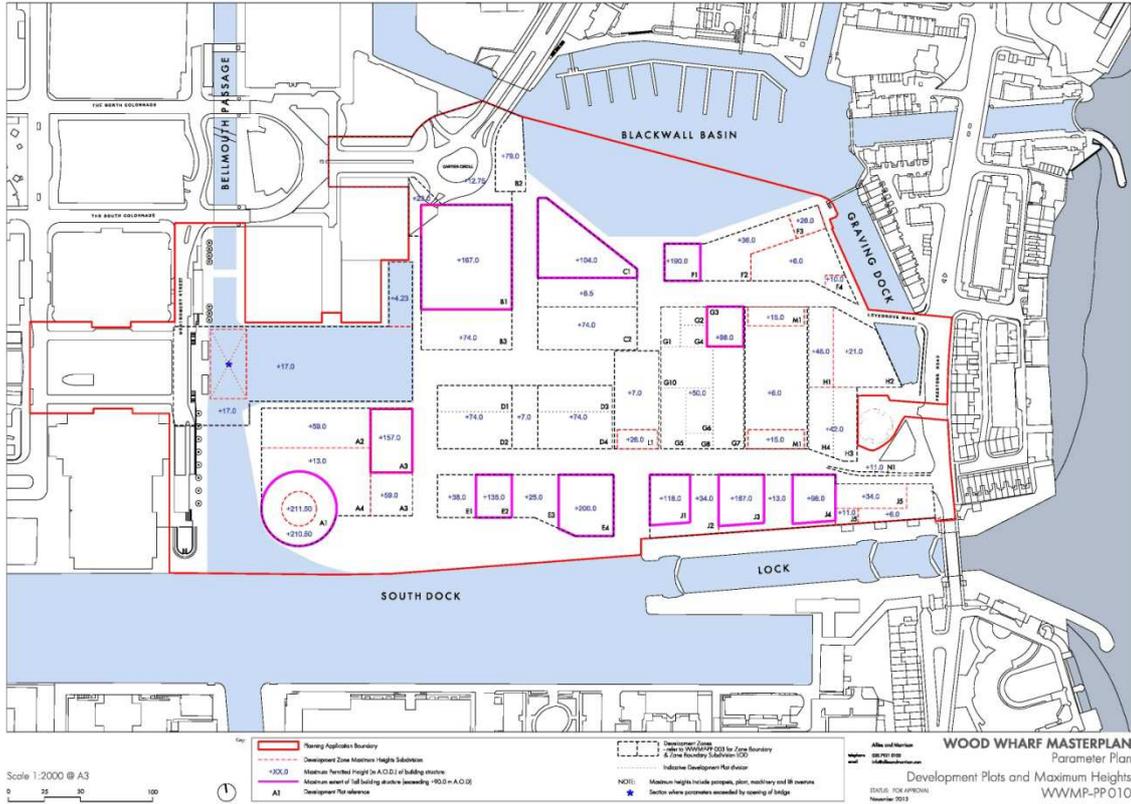


Figure 10: Parameter Plan 010

Development Zone	Maximum Length	Maximum Width	Development Plot	Maximum Height (AOD)
A	105.5	96.5	A1	211.5
			A2	59.0
			A3	157.0
			A4	13.0
B	107.0	68.0	B1	167.0
			B2	79.0
			B3	74.0
C	111.0	74.0	C1	104.0
			C2	74.0
D	122.0	54.5	D1	74.0
			D2	74.0
			D3	74.0
			D4	74.0
E	124.0	49.0	E1	38.0
			E2	135.0
			E3	25.0

			E4	200.0
F	134.5	60.0	F1	190.0
			F2	36.0
			F3	26.0
			F4	10.0
G	109.5	62.5	G1, G2, G4	50.0
			G3	98.0
			G5-G8	50.0
			G10	50.0
H	113.0	70.0	H1	45.0
			H2	21.0
			H3	42.0
			H4	42.0
J	179.0	49.5	J1	118.0
			J2	34.0
			J3	167.0
			J4	98.0
			J5	34.0
K	165.5	52.5	K	17.0
L	78.5	40.5	L1	26.0
M	109.5	53.0	M1	15.0
N	55.0	21.0	N1	11.0

*All figures in m AOD; Source A&M 04-11-13, Refer to Parameter Plans PS003 & PS010 for clarity*

**Figure 11: Table 5**

- 4.51 Parameter Plan 11 and Development Specification Table 6 show the extent of reclaimed land and build-over in South Dock, Blackwall Basin and Graving Dock. Graving Dock is proposed for a Nature Conservation Area. These should be read in conjunction with PP03 and PP05 which requires Zones K, Q and R to be predominately (defined as 51% or more) waterspace.

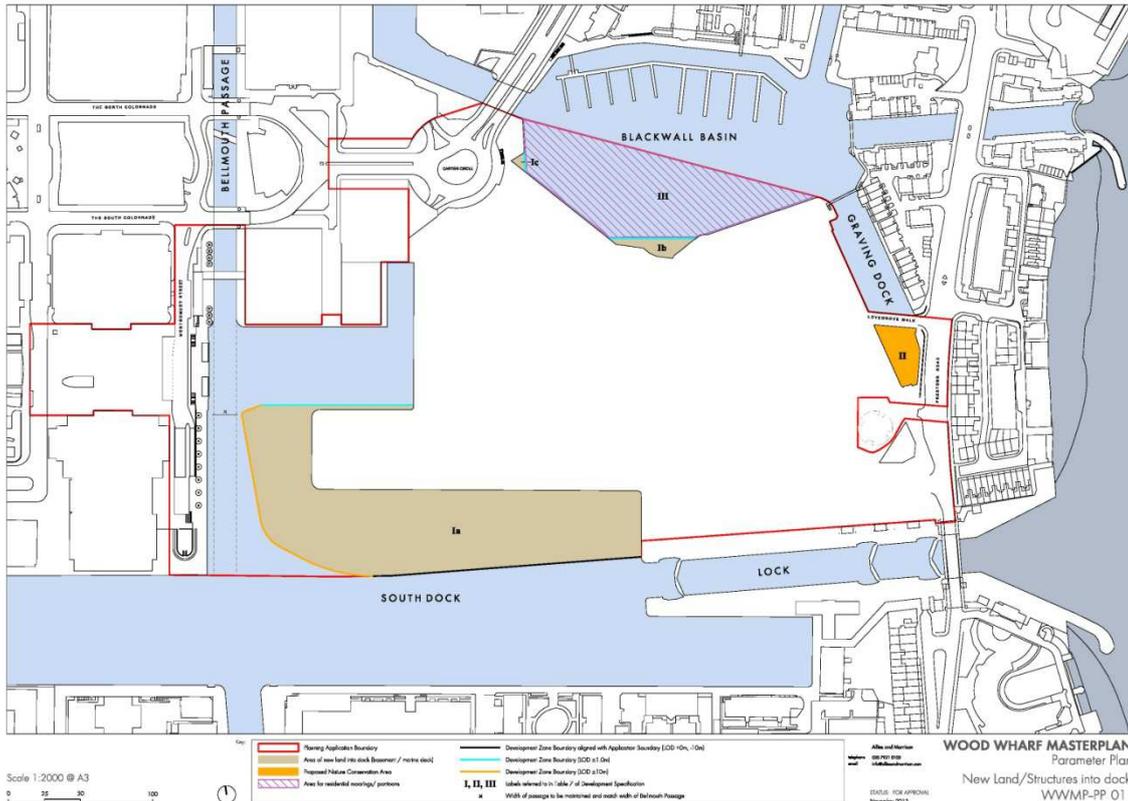


Figure 12: Parameter Plan 011

New Land /Structures into Dock		Maximum Length	Maximum Width	Maximum Height (AOD)
I. Areas of new land into dock (basement / marine deck)	a	286.5	120.5	7.5
	b	63.0	14.5	6.5
	c	14.0	10.0	6.5
II. Proposed Nature Conservation Area		43.5	32.0	7.0
III. Area for residential moorings / pontoons		205.0	82.0	7.0

Figure 13: Table 6

- 4.52 Parameter Plans 12 and 13 show existing and proposed site levels and demonstrate that the existing site is broadly flat at around 5.50m AOD with the exception of Cartier Circle rising up to 12.75m AOD. The proposed levels are also broadly flat at around 1m higher (6.5m AOD), again with the exception of Cartier Circle.
- 4.53 Table 3 of the Development Specification sets out the minima and maxima in respect of car parking and the minima in respect of cycle parking and publicly accessible open space.

Category	Minimum	Maximum
Car and Motorcycle Parking	600 spaces	1300 spaces
Cycle Parking	3000 spaces	No maximum
Public Open Space (excluding areas of water and incidental space) but including publicly accessible play	2.5ha	No maximum

**Figure 14: Table 3**

4.54 Table 4 of the Development Specification shows the target dwelling mix broken down by tenure and type (number of bedrooms).

Tenure	Type	% by unit
Open Market	Studio	5 – 20%
	1 bed	20 – 40%
	2 bed	20 – 40%
	3+ bed	5 – 20%
Intermediate	1 bed	45-55%
	2 bed	35-45%
	3+ bed	5-10%
Affordable/Social Rented	1 bed	30%
	2 bed	25%
	3 bed	30%
	4+ bed	15%

**Figure 15: Table 4**

4.55 Along with these applications, an Indicative Scheme has been submitted. It is not submitted for approval rather it represents one way in which the development may be brought forward in accordance the specifications, parameters and guidelines identified. The applicant advises that that the Indicative Scheme represents their favoured approach to development on the site at the current time. It would, inter alia, provide 3,104 homes (604 of which would be affordable), circa 240,000sqm (GIA) of office floorspace and circa 31,500sqm (GIA) of retail uses and provide circa 29.500sqm of publicly accessible open space along with a primary school, Idea Store, Health facility and Leisure centre.

## **5. Environmental Impact Assessment**

### EIA Regulations

5.1 The Proposed Development is considered an 'EIA development' as it falls within the description and thresholds in Schedule 2 10(b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as an 'urban development project' which has the potential to have significant effects on the environment.

- 5.2 Regulation 3 of the EIA Regulations prohibits granting planning permission unless prior to doing so, the relevant planning authority has first taken the 'environmental information' into consideration, and stated in their decision that they have done so.
- 5.3 The 'environmental information' comprises the applicant's Environmental Statement, including any further information and any other information, and any representations received from consultation bodies or duly made by any person about the environmental effects of the development.

#### EIA Scoping

- 5.4 An EIA Scoping Report was submitted to LBTH on the 26th October 2012 to seek a formal Scoping Opinion. The EIA Scoping Report included a description of the proposed development and was accompanied by a location plan of the site and a list of the cumulative schemes to be assessed within the ES.
- 5.5 A formal EIA Scoping Opinion was issued on 11th December 2012 and the ES was informed by this document.

#### Environmental Information

- 5.6 An Environmental Statement (ES) was submitted by the applicant with the outline planning application. The ES assessed the effects on the following environmental receptors (in the order they appear in the ES):
- Chapter 1 Introduction
  - Chapter 2 Approach to Assessment
  - Chapter 3 Area for Development
  - Chapter 4 Description of Proposals
  - Chapter 5 Planning Policy
  - Chapter 6 Socio Economic Analysis
  - Chapter 7 Cultural Heritage and Archaeological
  - Chapter 8 Townscape and Visual
  - Chapter 9 Transport
  - Chapter 10 Waste
  - Chapter 11 Noise and Vibration
  - Chapter 12 Daylight, Sunlight, Overshadowing, Light Pollution and Glare
  - Chapter 13 Ecology and Nature Conservation
  - Chapter 14 Wind Microclimate
  - Chapter 15 Air Quality
  - Chapter 16 Water Resources and Flood Risk
  - Chapter 17 Ground Resources and Contamination
  - Chapter 18 Cumulative Effects and Conclusions
- 
- Appendix A Cumulative Schemes
  - Appendix B Construction Management Plan
  - Appendix C Framework Environmental Management Plan
  - Appendix D EIA Visual Impact Study (A3 version)
- 5.7 To ensure the reliability of the ES, the Council appointed EIA consultants, Land Use Consulting (LUC), to review the ES and to confirm whether it satisfied the requirements of the EIA Regulations (2011). Where appropriate reference was made to other relevant documents submitted with the planning application.

- 5.8 LUC's review identified a number of clarifications and potential requests for 'further information' under Regulation 22 of the EIA Regulations. The applicant was issued with a copy of LUC's review.
- 5.9 In response to this, the applicant provided additional information which addressed the identified clarifications. The majority of the potential requests for 'further information' under Regulation 22 were also addressed, and upon review of the information provided were not considered to constitute a formal request for further information under Regulation 22 i.e. dealt with as clarifications. It was however noted, that a small number of the points would need to be addressed as part an ES Addendum, which also updated the EIA in respect to a number of amendments to the application.
- 5.10 The ES Addendum was submitted in May 2014 and was advertised as 'further information'. As with the ES, the ES Addendum was reviewed by LUC who identified a small number of new clarifications and potential Regulation 22 requests of which the applicant was again informed.
- 5.11 The applicant provided additional information which was reviewed and considered to address the new clarifications. The information provided also addressed the potential Regulation 22 requests and upon review of the information provided were not considered to constitute a formal request for further information under Regulation 22 i.e. dealt with as clarifications.
- 5.12 LUC has confirmed that, in their professional opinion, the ES and ES Addendum are therefore together compliant with the requirements of the EIA Regulations.
- 5.13 Representations from a number of consultation bodies including the Environment Agency, English Heritage and Natural England have been received, as well as representations from local residents about the environmental effects of the development.
- 5.14 The ES, ES Addendum, other relevant documentation submitted with the planning application, clarification information, consultee responses, representations duly made by any other persons constitute the 'environmental information', which has been taken into account when writing this recommendation and is required to be taken into account when assessing this planning application.

### The Assessment

- 5.15 The Wood Wharf planning application is in outline with all matters reserved. The outline planning application seeks to establish the principles for the proposed development against which future more detailed 'reserved matters' applications will be considered, in terms of both the general scale of development and the land uses considered appropriate throughout the development site.
- 5.16 Where an EIA is required, the description of the development within the ES must be sufficient to enable the requirements of the EIA Regulations to be fulfilled, and in particular, to enable the likely significant impacts of the proposed development to be identified. A series of parameters therefore provide the context for how the development can come forward. These parameters take the form of a series of spatial Parameter Plans, accompanied by a series of quantitative and qualitative non-spatial parameters which are set out in the Development Specification and in the Design Guidelines. These include, for example, the quantum of floorspace and heights, widths and lengths of Development Plots to create 'building envelopes' within which the development, including detailed building design, will come forward at

reserved matters stages. These documents are to be 'approved' and therefore if the planning application is to be approved, the parameters will become fixed in order to keep the development within those assessed in the ES.

- 5.17 A number of other documents have also been submitted in support of the application and set out additional information. This includes an Indicative Scheme which represents one way in which the development may be brought forward in accordance the specifications, parameters and guidelines identified. The applicant advises that that the Indicative Scheme represents their favoured approach to development on the site at the current time.
- 5.18 In accordance with the EIA Regulations, the EIA focuses on an assessment of the parameters of the proposed development as detailed within the plans and documents. In most cases, the assessment focuses on the Maximum Parameters as this will generally constitute the worst case scenario. A number of chapters have assessed the Indicative Scheme where it is necessary due to the level of information required for a meaningful assessment, or where it presents the worst case for a specific technical assessment.
- 5.19 Each chapter explains the development parameters on which the assessment is based and why they have been used as the basis of the assessment.

#### Likely Significant Effects

- 5.20 The ES, publicly available on the planning file, identify any likely significant environmental effects (adverse and beneficial) from the construction phase (including demolition and other associated site preparation activities) and operation of the proposed development, before and after mitigation. The significance of the likely effects has been determined from the sensitivity of the receptor and the magnitude of the change. Where the ES identifies harm that requires mitigation, appropriate planning conditions /obligations would be added to the permission and legal agreement. Any changes to effects assessed are addressed by requirements under the EIA regulations relating to subsequent applications.
- 5.21 Where adverse effects have been identified, appropriate mitigation measures have been proposed. Mitigation measures will be secured by way of planning conditions and/or planning obligations as appropriate.

#### **6. NOT USED**

#### **7. RELEVANT PLANNING HISTORY**

7.1 The full site planning history is a matter of public record. Listed below are the most relevant applications:

7.2 PA/08/01215: Hybrid application for comprehensive mixed-use redevelopment of Wood Wharf comprising:

1) Outline Application (all matters reserved, save for access & layout)

- Demolition of dwellings at Lovegrove Walk;
- Commercial floorspace (B1), up to 1668 residential units (C3), and hotel (C1) contained in fourteen buildings;
- Retail (A1), financial services (A2), restaurants & cafes (A3), drinking establishments (A4) and takeaway establishments (A5);

- Leisure & community uses (D1 & D2);
- Associated infrastructure, including the creation of structures in Blackwall Basin and South Dock;
- Principles of landscaping and public realm;
- Means of access;
- Bridge links;
- Car, motorcycle and bicycle parking spaces, servicing; and
- Electricity substation.

## 2) Full Application

- Creation of canal and other engineering infrastructure.

Granted 18/05/2009.

7.3 PA/08/01218: Listed Building Consent application for partial demolition of a small section of the southern dock wall to Blackwall basin, for the creation of a new canal between South Dock and Blackwall Basin, and the introduction of piled foundations to anchor structures within the Basin, and other associated works as part of a comprehensive mixed use redevelopment of Wood Wharf: Granted 18/05/2009

7.4 PA/09/00909: Conservation Area Consent application for demolition of building to the west of Prestons Road and east of Canary Wharf in connection with the redevelopment of Wood Wharf pursuant to Planning Permission ref. PA/08/1215 dated 18th May 2009. Granted 21/07/2009

7.5 PA/10/00050: Non-material amendment to PA/08/01215 for hybrid application for comprehensive mixed-use redevelopment of Wood Wharf comprising:

### 1) Outline Application (all matters reserved, save for access & layout)

- Demolition of dwellings at Lovegrove Walk;
- Commercial floorspace (B1), up to 1668 residential units (C3), and hotel (C1) contained in fourteen buildings;
- Retail (A1), financial services (A2), restaurants & cafes (A3), drinking establishments (A4) and takeaway establishments (A5);
- Leisure & community uses (D1 & D2);
- Associated infrastructure, including the creation of structures in Blackwall Basin and South Dock;
- Principles of landscaping and public realm;
- Means of access;
- Bridge links;
- Car, motorcycle and bicycle parking spaces, servicing; and
- Electricity substation.

## 2) Full Application

Creation of canal and other engineering infrastructure.

Amendment comprises the inclusion of Scale Parameters for Building Envelopes W12E, W12F, W12G, W12H, W12J and W12K into condition 8 of planning permission PA/08/1215.

Granted 20/01/2010.

- 7.6 PA/11/02174: Application to replace extant planning permission PA/08/01215 dated 18th of May 2009 for:-

Hybrid application for comprehensive mixed-use redevelopment of Wood Wharf comprising:

1) Outline Application (all matters reserved, save for access & layout)

- Demolition of dwellings at Lovegrove Walk;
- Commercial floorspace (B1), up to 1668 residential units (C3), and hotel (C1) contained in fourteen buildings;
- Retail (A1), financial services (A2), restaurants & cafes (A3), drinking establishments (A4) and takeaway establishments (A5);
- Leisure & community uses (D1 & D2);
- Associated infrastructure, including the creation of structures in Blackwall Basin and South Dock;
- Principles of landscaping and public realm;
- Means of access;
- Bridge links;
- Car, motorcycle and bicycle parking spaces, servicing; and
- Electricity substation.

2) Full Application

Creation of canal and other engineering infrastructure.

Granted 29/03/2012.

- 7.7 PA/11/03438: Application to replace extant listed building consent dated 18th May 2009, reference PA/08/1218:

Partial demolition of a small section of the southern dock wall to Blackwall basin, for the creation of a new canal between South Dock and Blackwall Basin, and the introduction of piled foundations to anchor structures within the Basin, and other associated works as part of a comprehensive mixed use redevelopment of Wood Wharf.

Granted 12/04/2012.

- 7.8 PA/11/03439: Application to replace extant conservation area consent dated 21st July 2009, reference PA/09/909:

Demolition of building to the west of Prestons Road and east of Canary Wharf in connection with the redevelopment of Wood Wharf pursuant to Planning Permission ref. PA/08/1215 dated 18th May 2009.

Granted 12/04/2012.

- 7.9 PA/12/02829: Request for Scoping Opinion in respect of information to be contained in Environmental Impact Assessment to be submitted in support of an application for:

- Circa 270,000m<sup>2</sup> Office floorspace (GIA).
- Circa 290,000m<sup>2</sup> Residential floorspace (GIA).
- Circa 8,000m<sup>2</sup> floorspace (GIA) for Community and Leisure facilities
- Circa 27,000m<sup>2</sup> Retail floorspace (GIA).
- A number of buildings which will vary in height across the Site. These will generally be 10 to 14 storeys along principal and secondary streets with taller tower elements ranging in height from 20 to 60 storeys.

- Associated infrastructure, including the creation of structures in and over Blackwall Basin and South Dock.
- A High Street leading from Montgomery Square through to Prestons Road, including a new bridge link.
- Public parks adjacent to Blackwall Basin to the north and South Dock to the south and associated bridge connections.
- Reinstating a canal to connect Blackwall Basin to South Dock.
- Associated car parking, landscaping, services and plant.

Scoping Opinion issued 11/12/2012.

- 7.10 PA/13/02974: Temporary change of use to Class D1 (non-residential institution) and D2 (assembly and leisure), up to 2,400 sq.m of Class A3 (restaurants and cafes) and A4 (drinking establishments) floor space (including food markets) and sui generis (theatre, outdoor exhibition/sporting uses (falling outside of Class D1) and ancillary uses to comprise no more than 14,999 sq.m of enclosed floor space; erection of a temporary bridge; erection of temporary structures; works of hard and soft landscaping, parking and other works incidental to the application for a limited period until 28th February 2016: Planning Permission granted 3<sup>rd</sup> June 2014.
- 7.11 PA/13/02969: The erection of part of a cofferdam structure in South Dock and ancillary or associated engineering works and operations (“enabling works”): Under consideration.
- 7.12 There are relevant unimplemented planning permissions in the vicinity of Wood Wharf. These are contained with the Environmental Statement and its addendum, which are part of the public file.

## **8. POLICY FRAMEWORK**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise.
- 8.2 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. For a complex application[s] such as this one, the list below is not an exhaustive list of policies, it contains some of the most relevant policies to the application[s]:
- 8.3 Core Strategy Development Plan Document 2010 (CS)

Policies:	SP01 Refocusing on our town centres
	SP02 Urban living for everyone
	SP03 Creating healthy and liveable neighbourhoods
	SP04 Creating a green and blue grid
	SP05 Dealing with waste
	SP06 Delivering successful employment hubs
	SP07 Improving education and skills
	SP08 Making connected places
	SP09 Creating attractive and safe streets and spaces
	SP10 Creating distinct and durable places
	SP11 Working towards a zero-carbon borough
	SP12 Delivering Placemaking

## SP13 Planning Obligations

### Annexe 9: LAP 7 & 8: Canary Wharf

#### 8.4 Managing Development Document (2013) (MDD)

Policies:	DM0	Delivering Sustainable Development
	DM1	Town Centre Hierarchy
	DM3	Delivering Homes
	DM4	Housing Standards and amenity space
	DM7	Short Stay Accommodation
	DM8	Community Infrastructure
	DM9	Improving Air Quality
	DM10	Delivering Open space
	DM11	Living Buildings and Biodiversity
	DM12	Water spaces
	DM13	Sustainable Drainage
	DM14	Managing Waste
	DM15	Local Job Creation and Investment
	DM18	Delivering schools and early learning
	DM20	Supporting a Sustainable Transport Network
	DM21	Sustainable Transport of Freight
	DM22	Parking
	DM23	Streets and Public Realm
	DM24	Place Sensitive Design
	DM25	Amenity
	DM26	Building Heights
	DM27	Heritage and Historic Environment
	DM28	World Heritage Sites
	DM29	Zero-Carbon & Climate Change
	DM30	Contaminated Land

#### Site Allocation 16: Wood Wharf

#### 8.5 Supplementary Planning Guidance/Documents

Planning Obligations SPD 2012  
Draft Affordable Housing Supplementary Planning Document (public consultation period ended on the 2nd July 2013)  
Isle of Dogs Area Action Plan October 2007  
Wood Wharf [Masterplan] SPG 2003

#### 8.6 Spatial Development Strategy for Greater London (London Plan 2011) (including Revised Early Minor Alterations 2013)

1.1	Delivering Strategic vision and objectives London
2.1	London
2.5	Sub-regions
2.9	Inner London
2.10	Central Activity Zone
2.11	Central Activity Zone - strategic
2.12	Central Activities Zone - local
2.13	Opportunity Areas and Intensification Areas
2.14	Areas for Regeneration
2.15	Town Centres

- 2.18 Green infrastructure
- 3.1 Ensuring Equal Life Chances for All
- 3.2 Improving Health and Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of Affordable Housing
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 3.16 Protection and Enhancement of Social Infrastructure
- 4.1 Developing London's Economy
- 4.2 Offices
- 4.3 Mixed-use developments and offices
- 4.5 London's visitor infrastructure
- 4.12 Improving Opportunities for All
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.1 Strategic Approach to Integrating Transport and Development
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.5 Funding Crossrail
- 6.9 Cycling
- 6.10 Walking
- 6.11 Congestion and traffic flow
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.8 Heritage Assets and archaeology
- 7.9 Access to Nature and Biodiversity
- 7.10 World Heritage Sites

- 7.11 London View Management Framework (LVMF)
- 7.12 Implementing the LVMF
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.18 Open space
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning obligations
- 8.3 Community Infrastructure Levy

8.7 The 'Draft Further Alterations to the London Plan' were published for public consultation period commencing on 15 January 2014 and ending on 10 April 2014. An Examination in Public has been scheduled for 1 September 2014. The Further Alterations aim to shape the London Plan as the London expression of the National Planning Policy Framework. Some of the key impacts on the borough relate to increased housing targets (from 2,885 to 3,930 new homes per year), creating additional infrastructure needs, a decreased waste apportionment target and an increase in cycle parking standards.

8.8 As the Further Alterations have been subject to public consultation, they are accumulating weight in determining planning applications and are considered to be an emerging material consideration with some weight.

8.9 London Plan Supplementary Planning Guidance/Documents

- Housing Supplementary Planning Guidance Nov 2012
- London View Management Framework 2012
- Sustainable Design & Construction 2006
- Shaping Neighbourhoods: Children and Young People's Play And Informal Recreation 2012
- London World Heritage Sites – Guidance on Settings 2012

8.10 Government Planning Policy Guidance/Statements

- The National Planning Policy Framework 2012 (NPPF)
- Technical Guide to NPPF
- The National Planning Policy Guide (NPPG)

**9. CONSULTATION RESPONSE**

9.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

9.2 The following were consulted and made comments regarding the applications:

**LBTH Biodiversity Officer**

9.3 The Biodiversity Officer

Subject to securing appropriate mitigation and the imposition of necessary conditions, there are no objections to approving this application from an ecology perspective.

(OFFICER COMMENT: The appropriate mitigation will be secured through the recommended conditions and s106 Heads of Terms.)

## **LBTH Waste Management Team**

- 9.4 LBTH Waste Management raises no objections to the application.

## **LBTH Environmental Health**

### Contaminated Land

- 9.5 LBTH Environmental Health raises no objections subject to the inclusion of appropriate conditions.

(OFFICER COMMENT: The conditions form part of the recommendation.)

### Noise and vibration

- 9.6 LBTH Environmental Health raises no objections in respect of noise and vibration subject to conditions.

(OFFICER COMMENT: The recommended conditions are included on the draft decision notice.)

### Air Quality

- 9.7 LBTH Environmental Health raise no objections subject to a condition requiring details of mitigation along all residential facades exceeding the NO<sub>2</sub> and PM<sub>10</sub> objectives as indicated in the submitted Air Quality Assessment along with a condition ensuring the appropriate mitigation of dust during construction.

(OFFICER COMMENT: Relevant conditions included.)

## **LBTH Communities Leisure and Culture**

- 9.8 Following discussions with the applicant and the subsequent inclusion of relevant social infrastructure in line with the site allocation and Planning Obligations SPD in the draft s106 terms, CLC Strategy & Resources supports the application in principle subject to resolution of remaining issues around trigger points and possible future costs associated with the social infrastructure.

(OFFICER COMMENT: The remaining detailed points will be resolved during the detailed s106 drafting).

## **LBTH Housing**

- 9.9 The applicant proposes an 80:20 tenure split between the affordable rented and intermediate units. Whilst this is not in adherence to the Council's 70:30 target, given the challenges of affordability for family intermediate housing this is a pragmatic response.

(OFFICER COMMENT: Planning officers agree with this judgement. The 80:20 split was actively sought by LBTH planning and housing officers to address the affordability challenges).

The applicant confirms that the affordable rented units will come forward at Pod affordable rent levels [subject to an annual increase of up to RPI+0.5%]. This is

welcome. It is acknowledged at outline stage, detailed discussions with prospective Registered Providers (RPs) would only be in their earliest stages. For the avoidance of doubt any prospective RP will need to be signed up to the Council's Common Housing Register, on the Councils' Preferred Partner framework and will need to be mindful of the fact that the rented units will be [first] let at Pod rents, inclusive of all service charges (including estate service charges). The current (2014-15) Pod Rents for the E14 postcode (this scheme), inclusive of all service charges should not exceed: 1 bed £224 per week, 2 bed £253 per week, 3 bed £276 per week, and 4 bed £292 per week.

Within the Intermediate housing product, the applicant proposes a preference for Intermediate Rented housing. However, it has been agreed that the s106 agreement will capture these units as 'Intermediate Housing' to allow for consideration of other forms of Intermediate products. The applicant has stated, by letter to the Corporate Director on 11th April 2014, that the rents for the Intermediate Rented product will not exceed 50% of Market for one bed, 65% of market for two bed and 60% of market for 3 bed and ensuring that the product is affordable to those earning up to £66,000 for 1 & 2 beds and £84,000 for 3 bed and larger and all the while also ensuring that the renter's total housing costs to not exceed 40% of their income. We would want this to be captured within the s106 agreement.

(OFFICER COMMENT: The s106/conditions will capture the above).

The applicant has provided an indicative unit mix. For the affordable rented units this would be; 28% one bed against a Local Plan target of 30%, 28% two beds against a target of 25%, 30% three beds against a 30% target, and a 14% provision of four and five beds against a 15% target. The level of family sized accommodation at 44% is slightly below our policy target of 45%. However, the mix is broadly in line with targets.

Within the Intermediate, the indicative mix is for a 50% provision of one beds against a target of 25%, 40% target of two beds against a target of 50% and a 10% provision of three beds against a target of 25%. There is an overprovision of one beds and under provision of two and three beds. We appreciate that the under provision of 3 beds is largely due to the difficulties in keeping the intermediate housing affordable in this high value area. We would stress that this is an indicative mix. The Development Specification contains the following parameters: 45-50% one beds, 35-45% two beds and 5-10% three beds. We would be keen to see the applicant deliver the two beds closer to the upper end of that range, i.e. 45%.

(OFFICER COMMENT: Officers agree the proposed mix appropriately balances policy targets and affordability and is supported).

The applicant has not yet provided any detail on unit layouts or where the affordable units will come forward. We appreciate that the detailed element of the scheme, including the layouts will come forward as separate Reserved Matters Applications. It should be stressed that there will be a requirement for all of the units to comply with the Lifetime Homes Standards and for 10% of the units across all tenures to be wheelchair accessible. At the time of the Reserved Matters Applications, we will need to see a schedule of the wheelchair accessible units showing which block they are in, unit size, tenure, floor location and whether they have designated disabled parking spaces. The wheelchair units should be accessible by at least 2 lifts. We will also require the applicant to submit scale 1:50 layout plans for each affordable rent unit for our Occupational Therapist and Access officer to review.

(OFFICER COMMENT: Chapter 4 of the Design Guidelines contain design standards, including ensuring that units will comply with Lifetime Homes and 10% of housing will be adaptable or accessible to wheelchair users. The detailed unit layout will be addressed at Reserved Matters stage).

### **LBTH Energy and Sustainability**

- 9.10 LBTH's Energy and Sustainability Officer supports the application and revised Energy Strategy subject to any shortfall in the 50% reduction in carbon target being offset through a financial payment (to be used elsewhere to deliver carbon savings). The Officer requests the imposition of the BREEAM 'Excellent' standard for the office buildings and the Code for Sustainable Homes standard of 'Level 4' for residential buildings. For retail units less than 500sqm, the BREEAM standard should be 'very good'.

(OFFICER RESPONSE: The financial payment will be secured through the s106 and the requested conditions form part of the recommendation.)

### **LBTH Employment and Enterprise**

- 9.11 Employment and Enterprise seek planning obligations in respect of exercising reasonable endeavours to seek to secure 20% local employment and 20% of contracts awarded to local businesses during both the construction and end-user phases of the development. Apprentice and work placement opportunities in both the construction and occupation phases are requested, as are an end-user engagement strategy and arrangements for future commercial occupiers to enter into Social Compacts to deliver training, employment and skills benefits to local residents. A policy compliant contribution towards construction and end-user skills is also sought within the context of the agreed Employment and Training Strategy Framework.

(OFFICER COMMENT: These obligations have been negotiated as part of the s106 agreement).

### **LBTH Highways**

- 9.12 Analysis of highways issues was undertaken by the Council's consultants, WYG. LBTH Highways have written to confirm they endorse WYG's conclusions and support the negotiated s106 offer. WYG's conclusions are included in the main body of this report.

### **LBTH Arboricultural Officer**

- 9.13 The LBTH Arboricultural Officer advises that it should be ensured that there is sufficient soil depth [above the basement roof] to successfully establish a range of trees.

(OFFICER COMMENT: The Design Guidelines has been amended to reflect this advice, in particular paragraph 5.9.2 of the Revised Design Guidelines).

### **NHS Clinical Commissioning Group**

- 9.14 Tower Hamlets Clinical Commissioning Group confirm their support for the s106 Health offer, which comprises either the delivery of a facility 1,076sqm for up to 9 GPs or in the event the Council did not exercise its option for physical delivery, a financial contribution in accordance with the Planning Obligations SPD.

(OFFICER COMMENT: This will be secured through the s106 and is in line with the Local Plan's Site Allocation).

### **London Fire and Emergency Planning Authority (LFEPA)**

9.15 LFEPA provides some general advice in respect of fire safety.

(OFFICER COMMENT: It should be noted that LFEPA will be consulted on the detailed design stages).

### **National Grid**

9.16 National Grid raises no objections to the proposal.

### **National Air Traffic Services Ltd (NATS)**

9.17 NATS raise no objections to the proposal.

### **Environment Agency (EA)**

9.18 The EA raise no objections to the application subject to conditions in respect of ensuring the development is carried in accordance with the approved documents, including the compensatory flood storage measures, and in respect of securing a wetland management plan to ensure the wetland area and aquatic habitat are managed in such a way as to protect and enhance the ecological value of the dock.

(OFFICER COMMENT: The conditions are included within the recommended decision).

### **English Heritage**

9.19 English Heritage does not object in principle to the application but have directed the Council to impose certain conditions. They also comment that in view of the loss of historic fabric and harm to the grade I listed structures, the public benefits should clearly identify the benefit to the historic assets and the wider heritage of the West India Docks, in addition to the other benefits that one would expect to secure with a development of this scale.

(OFFICER COMMENT: Officers consider that 'less than substantial' harm is caused to heritage assets. The following wider public benefits have been sought in accordance with English Heritage's advice:

- A 'scheme of Interpretation' for the site to be worked up in conjunction with the Museum of Docklands
- Recording and publication of concealed heritage assets and dock wall
- Re-use of salvaged masonry wherever possible
- Repair of retained listed dock walls to 'conservation standard'
- £100,000 offer to renovate the three cranes outside the site boundary near the 'Blue Bridge'.

The proposed conditions are included within the planning application and listed building consent recommendations.)

### **English Heritage - Archaeology**

- 9.20 The Greater London Archaeology Advisory Service (GLAAS) raise no objections subject to a condition to secure a Written Scheme of Investigation to safeguard assets of archaeological or historic interest.

(OFFICER COMMENT: The requested condition has been included).

### **Greater London Authority (GLA)**

- 9.21 The GLA have provided their stage I response. Their summary analysis of the scheme is as follows:

- Support the principle of a high density mixed use development within the Canary Wharf Town Centre and Isle of Dogs Opportunity Area.
- The site is within a location identified for tall buildings, and the indicative architecture, form and scale of development is acceptable in principle.
- The scheme includes affordable housing, which is still the subject of discussion and negotiation to ensure the maximum reasonable amount would be delivered.
- Other strategic issues such as inclusive design, climate change mitigation and adaptation and residential quality are generally acceptable.
- This is a very major development of one of the largest sites within the Isle of Dogs Opportunity Area. If delivered, the development will be transformative and have significant regeneration, visual and economic impacts on the area, as well as provide significant new housing and affordable housing.
- The application is broadly acceptable in strategic policy terms however, further information and/or clarification as detailed below is required before it can be confirmed that the proposal is in full accordance with the London Plan:
  - **Principle of use:** The principle of a mixed use scheme with retail, offices, hotel, community uses and homes in the Isle of Dogs Opportunity Area is in accordance with London Plan policies 2.10, 2.11, 2.13, 3.7, 4.2, 4.5, subject to appropriate conditions being secured as part of any planning permission.

(OFFICER COMMENT: Appropriate conditions have been included to secure a mixed-use development).

- **Housing:** The principle of housing on this site is acceptable however, the affordable housing offer is still the subject of negotiation and verification in order to ensure the maximum reasonable amount is secured in accordance with London Plan policy 3.12 and that on-site affordable housing is prioritised. The scheme proposes a range of units in accordance with London Plan policies 3.8, which will need to be secured by condition.

The applicant's design guidelines set out commitments to ensuring that the residential quality is in accordance with the Housing SPG. Extensive areas of play and open space would be provided in accordance with the Mayor's SPG. The density exceeds London Plan guidelines, but optimises development on the site in accordance with London Plan policy 3.4.

(OFFICER COMMENT: Officers can confirm the affordable housing offer has been maximised, with priority given to on-site affordable housing. Appropriate conditions ensure that units as a minimum achieve London Plan standards).

- **Tall buildings, views, urban design:** The design is of a high standard and would provide a positive contribution to the Canary Wharf and London's skyline, without detriment to the views from or the setting of the Greenwich World Heritage Site. The Design Guidelines set out a number of commitments in terms of residential quality, which should be secured as part of any planning permission.

(OFFICER COMMENT: The design guidelines have been secured as part of the permission).

- **Inclusive design and access:** The applicant's commitment towards creating an inclusive environment is welcomed and the access statement and design code set out a number of guidelines which would be adhered to including Lifetime Homes standards, 10% wheelchair accessible units, and in relation to routes, levels, and landscaping. These details should be secured as part of the planning permission to ensure they are adhered to at reserved matters stage.

(OFFICER COMMENT: The aforementioned details are secured as part of the planning permission).

- **Climate change:** The applicant has broadly followed the energy hierarchy to reduce CO2 emissions. Sufficient information has been provided to understand the proposals as a whole and whilst the carbon savings fall short of London Plan standards, a carbon off-setting payment is proposed. Sustainability measures are proposed and should be secured by way of condition.

(OFFICER COMMENT: Conditions have been included to secure appropriate sustainability measures).

- **Blue Ribbon and biodiversity:** The scheme proposes the partial infilling and decking over of waterways and would impact upon existing wildlife habitats. A number of design features and mitigation measures are proposed, including landscaping, biodiversity islands and green/brown roofs to compensate for this loss and as such, the scheme is acceptable in strategic planning terms, subject to the measures being secured by condition.

(OFFICER COMMENT: Appropriate conditions have been included to secure the mitigation measures).

- **Transport:** The proposal is generally acceptable in relation to access, parking levels, and walking routes however further information is required regarding trip generation, modelling, public transport is

required, and appropriately worded conditions and s106 contributions secured.

Some further work on the transport strategy is required together with wider section 106 contributions, in order to ensure that the scheme fully accords with the London Plan.

(OFFICER COMMENT: Since these comments from the GLA on the 5<sup>th</sup> February, significant additional work has been done in respect of the above. As a consequence, TfL, our transport consultants, WYG, and our Highways Department now support the proposed trip generation methodology and modelling and the s106 package. Appropriate conditions are attached to the recommended decision).

### **Natural England**

- 9.22 Natural England confirms that this proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils. Otherwise, Natural England refers the Local Planning Authority to its Standing Advice.

(OFFICER COMMENT: The advice from Natural England has been noted. LBTH's Biodiversity Officer (see paragraph 9.3 and Chapter 21 of this report) confirms that the scheme including its mitigation measures is acceptable in biodiversity terms.

### **Historic Royal Palaces (HRP)**

- 9.23 HRP concludes that the effect on the setting of the Tower of London World Heritage Site would be minimal.

### **Transport for London (TfL)**

#### Trip generation

TfL's initial response sought clarifications regarding trip generation. The applicant provided further clarifications. TfL now consider the trip generation predictions to be satisfactory.

#### Highway Modelling

TfL has reviewed the applicant's TRANSYT modelling and considers it has been produced to a good standard. The model predicts that the development exacerbates existing capacity issues at the Junction of Aspen Way and Preston's Road. This indicates that the impact of the development on the network should be mitigated and/or demand management measures should be secured.

TfL advise that the proposed £500,000 to facilitate post permission traffic, modelling and highway design studies along with a contribution of £2,500,000 towards improvements at Preston's Road roundabout is an appropriate response to the identified capacity issues at this junction.

(OFFICER COMMENT: It is noted the likely costs of the works to the Roundabout will exceed £2.5m, however it is likely that other developments coming forward in the area will also be required to make a contribution towards these works. The contribution secured is appropriate to the scale of impacts that are likely to result from the proposed development.)

### Walking and Cycling

TfL confirm that, given the predicted traffic levels and low speed environment that is proposed, cyclists could safely operate on carriageway and there is no requirement for segregated cycle highways.

TfL note that as the scheme is in Outline, any planning permission should ensure clarity with regard to the layout and how it will provide a satisfactory network for all relevant transport modes. The Council should therefore secure an illustrative reconciliation plan to show how all primary and secondary roads, pedestrian and cycle routes will be set out as well as ensuring a bus route is capable of being integrated into the development.

(OFFICER COMMENT: A condition has been recommended to secure the above).

Given the long build out period associated with this development, TfL recommends a site wide walking and cycle strategy prior to the submission of details of each phase or building plot as appropriate and a reconciliation plan of temporary/permanent routes and any management measures that are necessary.

(OFFICER COMMENT: The s106 / conditions as appropriate will secure the above).

For the operational phase of development, TfL notes the applicant's view that the Canary Wharf signage should be installed but maintains that Legible London signage is the most cost effective wayfinding system and therefore recommends that it is secured through the section 106 agreement.

(OFFICER COMMENT: A condition has been recommended to secure an appropriate wayfinding strategy for each of the detailed phases).

### Docklands Light Railway

TfL advise that they previously secured £9 million to mitigate the impact of additional DLR trips on the network within the previous application. Since then, 3-car operation has been implemented on all Bank-Woolwich Arsenal weekday services. As such this request for mitigation is no longer considered necessary.

### Buses

TfL notes that the indicative design of the site would enable buses to operate from Preston's Road to Cartier Circle and to Montgomery Square via the proposed Montgomery Bridge. As such the potential for increasing bus movement through this part of the Isle of Dogs represents a significant improvement from the previous consented design and is therefore strongly supported.

The forecast bus trip generation indicates demand for up to 9 double deck buses. To mitigate this, a section 106 contribution of £5m is required towards additional bus capacity and a contribution of £250,000 towards the upgrade of bus stands is also required.

In order to ensure that the buses are able to be routed through the site, and to allow for the potential for buses to stand within the site during the earlier phases, conditions should be attached to any planning permission that require details of stops, stands and driver toilets to be provided in consultation with TfL.

(OFFICER COMMENT: Secured as part of the s106).

TfL welcome the s106 offer of £5 million for bus capacity contribution and support the proposal that it would be triggered by phase rather than by plot to enable TfL to front load bus capacity improvements to the earliest possible phase of development.

TfL support the £250,000 sum for bus infrastructure (including stops and stands).

(OFFICER COMMENT: These contributions will be secured as part of the s106).

### Underground

The transport assessment predicts that from 2018 rail based trips would be broadly split: 50% on Jubilee Line, 25% on the DLR and 25% on Crossrail. With the planned Jubilee line fleet expansion to enable higher frequency peak services, the impact and also ability of Jubilee line to cope with the proposed development has improved. With relatively little development coming forward prior to 2018, the anticipated transfer of demand to Crossrail will mitigate the impact of additional rail based trips on the capacity of the Underground network.

The proposed construction of the Montgomery Bridge will also impact on TfL's underground infrastructure. TfL is currently in discussion with the applicant with regards to granting appropriate rights to facilitate construction and will incorporate commercial terms as appropriate. There are also operational and maintenance concerns associated with this proposal and TfL will seek to address these within the agreements with the applicant. They include TfL's expectation to secure the obligations in respect of the following matters:

- An operation and maintenance regime for the bridge with LU particularly in the event of an emergency;
- Light the area below the bridge;
- Maintain the area below the bridge in terms of cleaning surfaces, litter picking etc.;
- Ensure the area beneath the bridge does not attract antisocial behaviour;
- Not to undertake any works within the dock without agreement with LU to protect the tunnels and station from damage and / or flooding; and,
- Not to undertake any works within the vicinity of Montgomery Square without agreement from LU to ensure that operational infrastructure and access (fire brigade, ventilation etc) are not adversely affected.

(OFFICER COMMENT: These will be secured as part of the s106).

### Cycle Hire

The Wood Wharf development will change demand for cycle hire in this area due to the substantial increase in residential, office and retail space. The installation of new docking stations within the site itself will therefore be necessary to mitigate the expected increase in demand for cycle hire use. Provided the new stations are of a reasonable size, they will overcome any potential issues with redistributing bicycles to serve a mixed use development.

It is therefore recommended that at least 2 large docking stations with a minimum of 90 docking points in total are secured with this development. In addition, it is also

recommended that a docking stations of at least 45 points is located to the north west of the site to manage the demand coming from Canary Wharf along with a 45 point station is to be located in the south east to manage demand to the eastern side of the development as well as tie in to the new pier proposed as part of the Mayor's River Strategy.

Approximately 35 metres are required for a docking station of 45 docking points, however there are many options for splitting docking stations and if there is sufficient space, locating stations back to back. Further discussion is welcomed in order to identify potential locations. Land should accordingly be secured within the section 106 agreement to enable the docking stations to be constructed when necessary.

TfL estimates that the total cost of two 45 docking point stations would be £420,000. This sum would also cover securing planning permission, designs, assets, construction and maintenance costs and be secured through the section 106 agreement.

(OFFICER COMMENT: The s106 will secure the land within the development for 2 large docking stations and a Public Access Plan will secure access to these docking stations. In addition, the s106 will secure £420,000 for TfL to deliver two 45 docking point stations, one to the north-west and one to the south-east of the development).

#### Travel Plan, Servicing & Construction

TfL welcomes the submission of both a side wide framework travel plan and a residential travel plan. It is noted that the content of both plans have been reviewed using TfL's ATTrBuTE assessment tool and that they are satisfactory.

A Construction Logistics Plan (CLP) has also been prepared by the applicant, which is welcomed. The provision of the final CLP, and its implementation thereafter, should be secured through planning condition.

TfL also welcomes the submission of a delivery and service plan (DSP). As with the CLP above, it should be secured through the planning process.

(OFFICER COMMENT: The above will be secured through conditions or s106 as appropriate).

#### Crossrail

TfL confirms that the section 106 agreement must trigger a Crossrail contribution by plot, upon commencement and that the sum will be determined in accordance with Crossrail SPG. It is expected that some cases the Mayoral CIL credit will exceed the SPG sum.

(OFFICER COMMENT: Noted. The Crossrail contribution will be secured in a Crossrail SPG compliant manner.)

#### **Metropolitan Police**

- 9.24 The Secure by Design officer provided details with regards to good practice which can be taken forward at detailed design stage and requested a condition in respect of Secure by Design standards.

(OFFICER RESPONSE: Advice noted and condition added to recommendation).

### **Thames Water**

- 9.25 Thames Water advises that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Therefore, Thames Water recommend that a condition be imposed requesting an impact study of the existing water supply infrastructure which would determine the magnitude of any new additional capacity required and a suitable connection point.

Thames Water further advises of an inability of the existing waste water infrastructure to accommodate the needs of this application and has requested a condition relating to a drainage strategy.

(OFFICER COMMENT: The requested conditions have been added).

### **London Underground Limited (LUL)**

- 9.26 LUL has referred the Council to the response of TfL and confirmed that their response is incorporated into TfL's.

### **London City Airport (LCY)**

- 9.27 LCY has no safeguarding objection subject to conditions.

(OFFICER COMMENT: Conditions form part of the recommendation).

### **Crossrail Ltd**

- 9.28 Crossrail raised no objections subject to a condition.

(OFFICER COMMENT: Condition form part of the recommendation).

### **London Legacy Development Corporation**

- 9.29 The LLDC write to confirm they have no comments to make on the application.

### **BBC - Radio and Television Investigation Service**

- 9.30 The BBC request that an independent survey is undertaken at the appropriate time and an s106 obligation covers, in full, the rectification of any adverse effects on radio and television service as a result of this development.

(OFFICER COMMENT: Appropriate obligation added).

### **Network Rail**

- 9.31 Network Rail confirms they have no observations to make in respect of the application.

### **Royal Borough of Greenwich**

- 9.32 RB Greenwich raises no objections to the proposal.

### **Canal and River Trust (CRT)**

- 9.33 CRT requests the imposition of certain conditions relating to health and safety and the structural integrity of the dock, details of sound mitigation measures, details of landscaping, lighting, CCTV, surface and ground water, safeguarding the dock walls and investigation for the potential to move freight by barge.

(OFFICER COMMENT: All of these requests have been incorporated into the recommended conditions).

#### **Port of London Authority (PLA)**

- 9.34 The PLA raise no, in principle, objections. They make specific comments in regards to navigational safety and request a s106 obligation [capped at £81,500] to mitigate the effects of the development. The PLA encourage the use of barges to transport materials and waste during construction, encourage measures to increase the use of river buses and seek to ensure the development would not fetter operation of the safeguarded Northumberland Wharf.

(OFFICER COMMENT: In respect of navigational safety, an appropriate s106 obligation will be secured. In respect of the use of water to transport construction materials and waste, a condition is recommended to undertake a feasibility study with a view to maximising the use of barges where it is reasonable to do so. In relation to river buses, the target modal share has been increased and will be targeted through travel plans. Finally, in relation to the effect on the safeguarded Wharf, LBTH Environmental Health's Noise Officer considers it unlikely that the effect of this development would materially affect the operation of the Northumberland Wharf).

#### **Sport England**

- 9.35 Sport England has written to confirm they have no comments on make on the application.

#### **Conservation and Design Advisory Panel (CADAP)**

- 9.36 CADAP minutes were as follows:

Members welcome the use of a traditional street pattern with squares with an informal 'London' grid rather than a more rigid North American one. The masterplan was thought to be considerably richer in content and variety of spaces than the two previous masterplans.

Members acknowledged the attention that has been given to defining the spaces and relating them to other London squares and enclosing views. The height of the surrounding buildings was far greater in this case and the validity of comparison with traditional squares surrounded by four or five-storey buildings was questioned by some.

Defining the role of key buildings and allowing other architects to interpret how this should be done was thought a valid approach. The Design Guidelines should identify key buildings which require "special" treatment, together with a process for ensuring the highest quality design and materials for these buildings.

(OFFICER COMMENT: Development plots such as Development Plots C2 and G10 have been identified as key plots).

Consideration should be given to how architectural diversity can be ensured throughout the life of the development – potentially through a commissioning strategy for the masterplan with input from the Council.

Some members regretted that the central canal was not being reinstated, whilst others recognised the need not to subdivide the site and thus inhibit circulation through it. Those in favour thought it would give a greater connection with maritime heritage, increase waterfront outlook, provide a useful water link and a greater sense of place. In either case, members considered it vital that the grittiness of the site's history as a key part of London's docklands is used more specifically to establish a sense of place.

(OFFICER COMMENT: The justification for the omission of a canal has been addressed in detail in paragraphs 15.39-15.41 of this report. In summary a canal is unlikely to be of practical use, would have the potential to segregate uses and residents on either side of the canal, would reduce the amount of public realm and increase costs to the development which would impact the viability of the development.)

The pontoon walkway in Blackwall Basin allowing the Grade 1 Listed dock wall to be seen from the waterside was supported.

Some members thought that a greater mix of activity should be introduced to the buildings surrounding the two larger park spaces and that they should not be restricted to residential use.

(OFFICER COMMENT: The permission does not restrict uses adjacent to the parks, Development Zone G could be residential and/or commercial and Development Plot H2 may be a school).

More should be made of the parks themselves so that they are not just grass and mounds, e.g. there should be provision of various forms of activities, integrated play, seating.

(OFFICER COMMENT: The intention of the application is to deliver passive and active spaces to perform a range of different roles. Officers are confident this can be secured at reserved matters stage.)

Although only one edge of the roundabout at Cartier Circle is within the application site, some members thought that its scale warranted a more radical re-think of its treatment to give the principal entrance to the site more of a sense of place and reduce vehicular dominance.

(OFFICER COMMENT: Section 2.2. of the Design Guidelines sets out the role of Development Plots B1 and B2 in enclosing and activating Cartier Circle to improve its function as an urban space. It also emphasizes that these Plots should come forward cognizant of their importance as an entrance space to Wood Wharf along with the provision of a connection down to the Blackwall Basin waterside.)

Greater detail on public transport provision including bus, underground / overground, taxi and water transport would be useful at an early stage to inform the public realm parameters.

(OFFICER COMMENT: The development is designed with the intention that TfL will run buses through the site. A contribution of £5.25m will be secured to facilitate this.)

The two larger office buildings were noted as being very large and deep in plan. Further definition of the treatment these would be required to ensure they do not look too overbearing and squat.

(OFFICER COMMENT: Advice noted and will be addressed at the relevant reserved matters stage).

Members were keen to see with such a large development that a proper provision of affordable housing is delivered on site.

The ambition for each phase of the development to be “complete within itself” should be matched by a S106 agreement including triggers for adequate community facilities and public realm to be delivered upfront.

(OFFICER COMMENT: Careful attention has been paid to ensure each phase of the development is complete within itself, in particular in relation to public realm and highways and site-wide links. Appropriate levels of affordable housing, community facilities and public realm will be secured.)

9.37 The following organisations did not provide written representations to the consultation:

EDF, City of London Corporation, London Borough of Southwark, London Borough of Newham, 20<sup>th</sup> Century Society, Wildlife and Wetlands Trust, Maritime Greenwich Heritage Site, Docklands History Group (Museum of Docklands), Inland Waterways Association, Isle of Dogs Community Foundation, Barkatine Tenant’s and Resident’s Association and the Government Office.

## 10. LOCAL REPRESENTATION

10.1 Neighbouring properties have been notified about the application by letter and invited to comment. The application has also been publicised in East End Life and public notices have been placed around the site.

10.2 The number of representations received from neighbours and local groups in response to notification and publicity of the application as submitted and amended were as follows:

No of individual responses: 15      Objecting: 12    Supporting: 3    Comment: 0

10.3 The representations may be summarised as follows:

1) Association of Island Communities register their support for the scheme.

(OFFICER COMMENT: noted)

2) Cubitt Town Bangladeshi Cultural Association registers their support for the scheme, highlighting the ‘wide range of benefits...to the local community.’

(OFFICER COMMENT: Officers agree that the development will provide a wide range of benefits, including a library, leisure centre, health facility, school, a minimum of 25,000sqm of publicly accessible open space and circa 604 affordable homes to support the local community.)

- 3) Poplar Youth and Community Development Association supports the proposal and highlights its beneficial effects on employment and s106 contributions.

(OFFICER COMMENT: Noted. Officers agree the predicted 2000 construction jobs and 16,338 (net) jobs once the development is complete provide a wide range of job opportunities for Tower Hamlets residents).

- 4) Four signed letters have been received raising the following objections:

- The effects of poor quality natural daylight and in particular its detrimental effect on occupant's health;

(OFFICER COMMENT: The development as a whole provides good quality natural daylight, particularly for the high-rise high-density approach endorsed within the Council's Site Allocation.)

- The buildings are excessively tall, without benefiting the local community;

(OFFICER COMMENT: The development is in compliance with the Council's tall buildings policy and provides significant benefits for the local community.)

- The development, as a result of its density, will cause transport congestion and air pollution;

(OFFICER COMMENT: If the application is approved, £10.72m for transport improvements will be secured to mitigate the identified impacts on the transport network, including £2.5m for Preston's Road roundabout. The effects on the transport network are appropriately mitigated. The submitted Environmental Statement identifies no evidence to suggest that this development would result in undue levels of air pollution. The Council's Air Quality Officer has raised no objections to the application.)

- The construction effects (noise, dust) will harm the amenity of neighbouring residents;

(OFFICER COMMENT: The Environmental Statement identifies the effects of construction on neighbouring residents' amenity and advises that mitigation is necessary. This mitigation can be secured through conditions including a Demolition and Construction Management Plan. The effects of construction on neighbouring amenity would not justify refusing permission.)

- The tall buildings will look out of character with surrounding development and harm skyline views from neighbouring properties;

(OFFICER COMMENT: The Design Guidelines set the principles for high quality architecture and the tall buildings will consolidate the existing tall building cluster. The principle of tall buildings in this location is supported by the Local Plan. The development will significantly improve the appearance of the site as compared to the existing low-rise industrial buildings.)

- The tall buildings will cause a loss of daylight and privacy to neighbouring residents;

(OFFICER COMMENT: The effects on neighbouring residents' daylight are assessed within the Environmental Statement. Officers consider the development appropriately safeguards neighbouring properties amenity.)

- The objectors are concerned the development will be constructed from glass, which in their view would not represent the best way to develop the site;

(OFFICER COMMENT: The facing materials for each building will be controlled at reserved matters stage. The Design Guidelines do not imply that buildings will only be constructed from glass.)

5) An objector raises concern that:

- the development has insufficient regard to the dock and no new waterspace is being created.

(OFFICER COMMENT: The development undoubtedly has an impact on the docks and its character. However, inherent in the character of these docks is constant reinvention. The particular reinvention brings many significant public benefits in terms of the relationship of new buildings and opens spaces to the open water and the accessibility the development provides for the public to access and enjoy the waters' edge. New residential moorings will activate the southern side of Blackwall Basin, whilst moorings for visiting vessels are maintained in South Dock.

The omission of a canal has been addressed in paragraphs 15.39-15.41. In summary a canal is unlikely to be of practical use, would have the potential to segregate uses and residents on either side of the canal, would reduce the amount of public realm and increase costs to the development which would impact the viability of the development).

- The bridge from Montgomery Square and floating restaurants/bars in the adjacent Water Square further erode the waterspace and should be reserved for marine uses.

(OFFICER COMMENT: This particular area currently does not provide any significant marine use other than access between South Dock and Blackwall Basin, which is maintained. This area could be perceived as a 'dead' space unless it is activated through 'Water Square'. The Design Guidelines have been amended to ensure that the interventions into this waterspace minimise their impact).

- The design along the South Dock does not allow boats to moor on this dock edge.

(OFFICER COMMENT: The development allows for boats up to 30m long to moor on this dock edge.)

- The biodiversity island in Graving Dock erodes the waterspace around Wood Wharf.

(OFFICER COMMENT: The biodiversity island will cover no more 50% of the waterspace in Graving Dock. It will bring significant ecological benefits and

potentially educational opportunities with the adjacent Development Plot likely to contain a primary school.)

- 6) A property owner on Lovegrove Walk objects to the development as it is not considered that his property [envisaged to be demolished as part of this proposed scheme] is required as part of the development. The same objector raises concern with the use of the bridge connecting Lovegrove Walk to Preston's Road for the purpose of construction and its capacity to accommodate the required volume of traffic for the development post construction and how such traffic may impact on any remaining properties at Lovegrove Walk.

(OFFICER COMMENT: Any permission granted would not affect the objector's property rights. Construction vehicle routing will be controlled by condition. It is likely that the access road near the Blue Bridge will be the primary construction vehicle access/egress to/from the site).

- 7) Another objector argues that local residents do not benefit from these types of proposals as there are insufficient public facilities to accommodate growing demand on facilities such as schools and health facilities.

(OFFICER COMMENT: The development provides for a 420 child school and 9 GP health facility alongside a range of other community facilities and benefits. The development mitigates its impact on local infrastructure and services).

- 8) Save our Water object to the loss of dock heritage, in particular the loss of listed dock wall and waterspace. The objection raises particular concern with the building plot between Cartier Circle and Blackwall Basin and its effect on views of the O2 and loss of listed dock wall on the western edge of Blackwall Basin. They also raise objection on the basis of harm to biodiversity as a result of reclaiming land from the dock and the detrimental impact the cofferdam will have on views during construction. The objection includes concern with the Development Plot, F1, situated on the northern side of the development which could allow for a tower to come forward. The particular concern relates to the effect of its height on overshadowing properties on the north side of the basin and its effect on views from the same properties.

(OFFICER COMMENT: The development undoubtedly has an impact on dock heritage, through the loss of dock wall and waterspace. As set out in the Heritage chapter of this report, the development secures a range of public benefits including heritage benefits to support the proposal and these effects on dock heritage are necessary to optimise the development. It is noteworthy English Heritage, Historic Royal Palaces and the Council's Conservation Officer do not object to the proposal.

The development secures a range of biodiversity benefits set out in Chapter 21 of this report. The proposal is supported by the Council's Ecology Officer and Natural England has made no comment on the application.

Development Plot F1 is up to 190m high (AOD) and 25m wide. The distance from this Plot to the nearest façade of existing residential properties on the north of Blackwall Basin is 144 metres. The Parameters for this Development Plot would deliver a building that is slender in design and transient overshadowing analysis demonstrates the Plot would not have an undue effect on neighbouring properties. The properties on the northern side of basin will continue to have a

pleasant aspect across the Basin with a high quality development with a varied skyline around Blackwall Basin.

Development Plot B2 is adjacent to Development Plot F1 and is up to 79 metres AOD and forms an end-stop to the eastern extent of the Canary Wharf estate. It will perform a key role in defining and improving Cartier Circle as an urban space and provides a positive edge to the west side of Blackwall Basin where currently there is an elevated roundabout. The B2 Plot is appropriately scaled with its existing neighbours within Canary Wharf and the adjacent new buildings within the proposed scheme. Transient overshadowing analysis again demonstrates the Plot will have no undue effects on the existing neighbouring properties. The properties on the northern side of basin will continue to have a pleasant aspect across the Basin with a high quality development with a varied skyline around Blackwall Basin.)

- 9) Another objector considers that the proposal would place too much pressure on local infrastructure and services.

(OFFICER COMMENT: The development provides a range of community facilities and £10.72m towards improvements in the local transport network. The development mitigates its impact on local infrastructure and services).

- 10) Two further objections raise concern with the pressure on infrastructure, including the Jubilee Line station. The letters also believe the development should provide more than 165,000sqm of commercial development. Finally, they request that a condition should be added that no construction works would be undertaken on Saturdays.

(OFFICER COMMENT: Transport Analysis demonstrates that the development would not cause undue pressure on the Jubilee Line and TfL have not objected to the proposal. The development allows for between 165,000sqm to 350,000sqm of commercial development. Market demand will likely inform the amount of commercial floorspace that comes forward between these two parameters. Working hours and hours of use for noisy construction will be controlled through conditions).

- 11) An objector raises concern with tall buildings in the area.

(OFFICER COMMENT: The development provides for a range of low and mid rise buildings along with a cluster of tall buildings. The tall buildings are either located near Canary Wharf and/or near the waterfront).

## **11.0 ASSESSMENT OF APPLICATIONS**

- 11.1 The main planning issues that the committee are requested to consider are:

### 12: Land-use

- Principles
- Commercial and Economic benefits
- Hotel
- Retail and Town-Centre Uses
- Community Uses
- Phasing
- Density / Quantum of Development

### 13: Housing

- Principles
  - Affordable Housing
  - Housing Mix
  - Quality of Accommodation
  - Daylight and Sunlight
    - o Overshadowing, solar glare and light pollution
- 14: Amenity Space and Public Open Space
- Private Amenity Space
  - Communal Amenity Space
  - Public Open Space
  - Child Play Space
- 15: Design
- Principles
  - Streets
  - Spaces (including green grid)
  - Water (including blue ribbon network)
  - Building Typologies (including tall buildings)
  - Townscape
  - Microclimate
  - Secure by Design
  - Inclusive design
  - Security and Zone N
- 16: Heritage
- Introduction
  - Heritage Policies and Guidance
  - Strategic Views
  - Archaeology
  - Coldharbour Conservation Area and the Grade II Listed Gun Public House
  - Grade I Listed Dock Walls
  - Surrounding Conservation Areas, Listed Buildings and non-designated heritage assets
  - Harm and Consideration of Public Benefits
  - Conclusion
- 17: Neighbouring Amenity
- Privacy
  - Outlook / Sense of Enclosure
  - Daylight and Sunlight
    - o Permanent and Transient Overshadowing
    - o Solar Glare and Light Pollution
- 18: Transport
- Trip Rates
  - Vehicular Access
  - Car Parking
  - Cycling and Walking
  - Public Transport
    - o Buses
    - o DLR
    - o Crossrail
    - o Jubilee Line
  - Demolition and Construction Traffic
  - Servicing and Deliveries
- 19: Waste
- 20: Energy and Sustainability
- 21: Environmental Considerations
- Air Quality

- Noise, Vibration and Odour
  - Safeguarded Northumberland Wharf
  - Contaminated Land
- 22: Flood Risk  
 23: Biodiversity  
 24: Television and Radio Reception  
 25: London City Airport Safeguarding Zone  
 26: Health  
 27: Impact on Local infrastructure and facilities  
 28: Other financial considerations  
 29: Human Rights considerations  
 30: Equalities Act considerations  
 31: Conclusion  
 32: Appendix

## **Land-use**

### Principles

- 12.1 This section of the report reviews the relevant land use planning considerations against national, strategic and local planning policy as well as the relevant supplementary guidance.
- 12.2 The London Plan identifies Opportunity Areas within London which are capable of significant regeneration, accommodating new jobs and homes and recognises that the potential of these areas should be maximised. The Isle of Dogs is identified within the London Plan as an Opportunity Area (Policy 4.3 and Annex 1). The London Plan advises that the policies pertaining to the Central Activities Zone are applicable to the Isle of Dogs Opportunity Area in respect of office development. The London Plan recognises, and encourages, the potential for Wood Wharf to be an extension of the Canary Wharf Major Centre to the extent that it would be upgraded to a Metropolitan Centre.
- 12.3 Policies 1.1, 2.10, 2.11 and 2.13 of the London Plan seek to promote the contribution of the Isle of Dogs to London's world city role. Policy 4.2 of the London Plan indicates that the Mayor will seek a significant increment to current office stock through changes of use and development of vacant brownfield sites. A variety of type, size and cost of office premises is also sought to meet the demands of all sectors. The London Plan states that development in the Isle of Dogs Opportunity Area should complement the international offer of the Central Activities Zone and support a globally competitive business cluster.
- 12.4 The site is allocated within the Council's Local Plan as Site Allocation 16. The allocation envisages a high-rise, high-density, mixed-use development of the site, including provision of an Idea Store and a health facility. Development of the site should also provide a range of publicly accessible open spaces, a new canal through the site, create new walking and cycling routes and, if possible, include a district heating facility. The site is also the subject of a Wood Wharf Masterplan SPG (2003). However, given the more up-to-date site allocation within the adopted Local Plan (Site Allocation 16), less weight is given to this guidance.
- 12.5 The scheme proposes a mixed use development, including residential, offices and retail uses in accordance with the London Plan Isle of Dogs Opportunity Area policies and Local Plan site allocation. The mixed use scheme would deliver jobs and homes, in accordance with relevant London and Local Plan policies.

- 12.6 The redevelopment of Wood Wharf will bring back into beneficial use an underused and semi-derelict employment site and will complement the existing commercial floorspace within Central London and Canary Wharf, further enhancing and strengthening London's global city status.
- 12.7 At a national level, the National Planning Policy Framework (NPPF - 2012) promotes a presumption in favour of sustainable development, through the effective use of land driven by a plan-led system, to ensure the delivery of sustainable economic, social and environmental benefits. The NPPF promotes the efficient use of land with high density, mixed-use development and encourages the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing. Local authorities are also expected boost significantly the supply of housing and applications should be considered in the context of the presumption in favour of sustainable development.

### Commercial and Economic Benefits

- 12.8 The proposed commercial Development Plots would provide up to 350,000sqm (GIA) of floorspace with a range of floorplates, providing flexibility to match the commercial offer with changing market conditions. The office buildings are generally focussed along the main High Street with a bias to the north and west, nearest the Canary Wharf Estate. This scheme is capable of accommodating up to approximately 16,300 (net) jobs, together with approximately 2,000 construction jobs. The scheme would make a significant contribution towards the indicative employment capacity set out in Annex One of the London Plan and the Council's Employment Strategies.
- 12.9 The jobs created from the commercial development are expected to range from highly skilled jobs to entry level jobs such as secretarial, clerical, administrative and ancillary roles, including cleaning, security and maintenance. Jobs within the retail and hotel sector create further employment opportunities for local people and also include many opportunities that are suitable for people without high level qualifications.
- 12.10 The economic benefits of the scheme, in terms of increased local spending and job opportunities for local people are welcomed. In this respect, the applicant has committed to providing job brokerage, by ensuring that 20% of jobs created by construction and end-user are advertised exclusively to local residents in accordance with the SPD, together with local training and employment, apprenticeships, and procurement. These commitments would be secured as part of the section 106 agreement and include, based on the Indicative Scheme, circa £4.2m towards skills and training. The applicant has committed to achieve a target of 10 apprenticeship years for each year of construction of the Development and, in any event, not less than 125 apprenticeship years over the full construction period. Furthermore, the applicant committed to targeting 68 apprenticeship years in the end-user phase of the development. The applicant has committed to target providing 50 1-2 week work placements for Tower Hamlets' students annually.
- 12.11 The scheme allows for the provision of community uses; a health facility, an Idea Store and a two form of entry primary school, or in the event that the Council did not exercise its option for the physical delivery of any of these facilities, a financial contribution would be made in accordance with the Planning Obligations SPD. Along with this, at least 2.5Ha of publically accessible parks and squares and an extension of the retail and leisure offer to complement the existing Canary Wharf town centre. The proposed social infrastructure would relieve the acute pressure on community

facilities in the Isle of Dogs and the additional retail floorspace would meet the London Plan and Local Plan's aspirations of creating a Metropolitan Centre.

### Hotel

- 12.12 The scheme proposes up to 350 hotel beds. Policy 4.5 of the London Plan and policy SP06(4) of the Core Strategy seek to ensure that new hotel developments are sited in appropriate locations within the Borough, including the town centres and Opportunity areas which benefit from good access to public transport access to central London; and supports the provision of a range of tourist accommodation, including apart-hotels, and an increase in the quality and quantity of fully wheelchair accessible accommodation. Policy 4.5 of the London Plan (2011) also includes London Mayor's target for the delivery of new hotel accommodation within London, which is set at 40,000 net additional hotel bedrooms by 2031.
- 12.13 Policy DM7(1) of the Council's MDD provides further detailed policy guidance for hotel developments, requiring hotels to be appropriate in size relative to their location, to serve a need for such accommodation, not to compromise the supply of land for new homes, not to create an over-concentration of hotels in a given area or harm residential amenity and to benefit from adequate access for servicing, coach parking and vehicle setting down and picking up movements. The Inspector's Report into the Local Plan's Examination In Public which took place in 2012, recognised Tower Hamlet's role in providing for London's strategic supply of over-night guest accommodation.
- 12.14 The GLA Hotel Demand Study (2006) forecasted a requirement for a further 2,800 hotel rooms to be provided in Tower Hamlets (2007-26). At that time, Tower Hamlets had some 2,200 overnight guest bedrooms (2% of the London total). Between 2007 and 2011, evidence indicates that a further 675 guest bedrooms were provided within the Borough.
- 12.15 The pipeline of hotels coming forward/potentially coming forward and the general rate of increase of guest bedrooms being delivered year on year, indicates it is probable that the Borough will exceed forecast requirements by 2026, accommodating a range of overnight accommodation (budget through to high-end hotel rooms). However, existing occupancy rates and the growth forecasts in terms of tourism and corporate demand for overnight guest accommodation suggests that the targets outlined in the GLA Hotel Demand Study should be considered alongside other indicators. In particular, it would generate further employment opportunities, serve the substantial business communities in and around Canary Wharf, and also function as a facility for tourists. The hotel would be a natural addition to the area's ability to be part of the 24 hour global financial city. Accordingly, the principle of the hotel use would be acceptable and in accordance with the requirements of policy 4.5 of the London Plan, policy SP 06(4) of the Core Strategy and policy DM 7(1) of the MDD.
- 12.16 In addition, Policy requires a minimum of 10% of guest bedrooms to be wheelchair accessible. An appropriate condition is proposed within the Committee Report.

### Retail and Related Town Centre Uses

- 12.17 The proposed scheme seeks permission for between 15,000sq m and 35,000sqm of retail (A1-A5) floorspace along with an unrestricted level of leisure uses (D2). These will be distributed throughout the site but are focussed on the central High Street between Development Zones B, C, D, E and G.

- 12.18 London Plan policies 2.15, 4.7 and 4.8 seek to encourage retail and related uses in town centres 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 London and Local Plan's policies seek Wood Wharf to provide an extension to Canary Wharf Major Centre, commensurate with upgrading its designation to a Metropolitan Centre. Policy SP01 of the Core Strategy envisages 16,600qsm (net) of additional comparison floorspace in the Borough.
- 12.19 Policy DM1 seeks to ensure that the extent and nature of this provision must not compromise the viability and vitality of surrounding centres. Accordingly, the applicant has submitted a retail study, which has been assessed by the Council's retail consultant, Peter Brett Associates LLP.
- 12.20 The Council's consultant confirms that the proposal's comparison goods impact on smaller district and local centres such as Crossharbour, Chrisp Street and Isle of Dogs is likely to be negligible. The study focussed on Stratford, East Ham, Ilford, Lewisham and Woolwich. The study found that the potential effects on trade draw, even assuming a worst-case scenario (i.e. all comparison floorspace with an offer similar to and directly competing with neighbouring centres), would not undermine the ability of surrounding major centres to trade competitively. The Council's consultant advises that the quantitative impacts associated with the modelled levels of comparison goods floorspace are unlikely to be significant, and it is not expected that any of the existing network of centres will suffer any significant adverse impact.
- 12.21 Whilst the proposal would allow for more floorspace than that contained in the Core Strategy, given the Council's consultant's advice it is considered that the proposal would meet the Council's policy intentions of creating a metropolitan centre in this location whilst not having a significant adverse effect on surrounding centres. The proposal is in accordance with relevant policies and guidance when read as a whole.

### Community Uses

- 12.22 In support of Local Plan's objectives of creating mixed and sustainable communities, housing is encouraged in suitable locations which offer a range of community facilities. Community facilities should be accessible by a range of travel modes including public transport.
- 12.23 Policy 3.16 of the London Plan seeks to ensure that local planning policies address the need for social infrastructure and community facilities in their area, such as primary healthcare facilities, children's play and recreation facilities, services for young, old and disabled people, as well as libraries, sports and leisure facilities, open space etc. Furthermore, the London Plan policies seek to ensure that the objectives of the NHS Plan and the delivery of health care in the Borough are promoted (policy 3.17).
- 12.24 Policy DM1 of the Local Plan states that the Council will enhance functions of the town centre hierarchy by promoting a complementary mix of uses in town centres, including social and community infrastructure. According to policy DM8, social and community facilities should be designed and located to maximise accessible and inclusive access. Also social and community facilities should be co-located and seeks to ensure that social and community facilities are situated within appropriate locations, based on the likely catchment area, accessibility and needs of the area.

- 12.25 The proposal allows for a 1,076sqm (GIA) shell-and-core health facility which could accommodate up to 9 GPs. The Council's NHS partners confirm that is likely to be the main facility on the eastern side Isle of Dogs. The most likely location would be within the 'G' Development Zone due to its central location in the heart of the development.
- 12.26 The proposal allows for up to 1,150sqm (GIA) shell-and-core Idea Store to accommodate the relocation of the Idea Store from Canary Wharf. It should be noted that the Idea Store at Canary Wharf will continue to operate until a new facility is available. In the event that the Idea Store strategy is made redundant before the delivery of the facility, the facility shall be utilised for an alternative public community use to be determined by the Council. The most likely location would be within the 'G' development zone due to its central location in the heart of the development.
- 12.27 The proposal allows for a two form-of-entry (420 pupils) primary school on the east of the site, adjacent to 'East Park' and Graving Dock. It should be noted that, whereas the Idea Store and Heath Facility are site allocations, the proposed school is not. It is recognised that the Isle of Dogs is severely constrained by its social infrastructure capacity to meet the regional and local aspirations for substantial housing growth in the area. Primary school provision is perhaps the most critically constrained. This primary school will make a contribution to relieving the pressure of primary school places.
- 12.28 The development will also provide a leisure centre. Whereas the infrastructure above would be publicly-run, the leisure centre would be a private facility. Nevertheless a Public Access Plan will be secured which would achieve the following important public benefits:
- Free use of the sports hall for the new primary school between 9.30-11.30 and 1.30-3.30 on all school days;
  - Pay and play access to the sports hall for all LBTH residents at prices commensurate to LBTH leisure facilities; and,
  - Subsidised rates for Tower Hamlets disabled residents, full-time students and old age pensioners.
- 12.29 In addition a contribution of £2.1m would also be made towards the Borough's Leisure facilities. In the event that the Leisure Centre was not provided, an additional financial contribution would be made in accordance with the Planning Obligations SPD.

## Phasing

- 12.30 The Local Plan Site Allocation (16) for Wood Wharf requires a mixed-use redevelopment. Officers are confident the development will come forward in such a manner because:
- a) a condition is recommended requiring 40,000sqm of office floorspace to be made available prior to the occupation of the 1,500 residential unit;
  - b) the Design Guidelines require the ground and mezzanine floors of certain Development Plots to come forward with specified proportions of Active Frontages. The definition of Active Frontages includes retail uses. Whilst there are ways to achieve Active Frontages without retail uses, it is highly unlikely that retail uses would not form a very significant part of these Frontages.

Consequently, Officers have sufficient confidence that retail development will come forward concurrently with the development's principal uses – residential and offices; and,

- c) The s106 will secure specific delivery points for the in-kind social infrastructure (i.e. the school, health facility and Idea Store) if the options for physical delivery were to be exercised.

#### Density/Quantum of Development

- 12.31 Policies 3.4 of the London Plan (2011) and SP02 of the Core Strategy (2010) seek to ensure new housing developments optimise the use of land by relating the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of the immediate location.
- 12.32 The London Plan (policy 3.4 and table 3A.2) sets out a density matrix as a guide to assist in judging the impacts of the scheme. It is based on 'setting' and public transport accessibility as measured by TfL's PTAL rating.
- 12.33 The site's location (setting) is within an Opportunity Area and adjacent to Canary Wharf Major Centre and a globally significant office cluster in Canary Wharf. Accordingly, the site is 'centrally located' for the purposes of the London Plan Density Matrix.
- 12.34 The site's public transport accessibility is moderate-to-good and is currently PTAL 3 in the eastern half and PTAL 4 in the western half (the proposed Junction Square marking the boundary). When Crossrail opens (circa 2018), this will move the PTAL 4 boundary further to the east. At that point in time the site would be approximately a 70% PTAL 4 site and 30% PTAL 3 site.
- 12.35 The London Plan matrix advises for sites with a central location and PTAL of 4-6 a density range of 650 to 1100 habitable rooms per hectare may be appropriate. London Plan policy 3.4 states that it is not appropriate to apply the matrix mechanistically to arrive at the optimum potential of a given site. Generally, development should maximise the housing output while avoiding any of the adverse symptoms of overdevelopment. Further guidance is provided by the Mayor of London Housing SPG.
- 12.36 As described elsewhere in this report this application has flexible parameters such that the number of new dwellings may be between 1700 and 3610 and the unit mix. The Indicative Scheme shows how the site could accommodate 3104 units (8224 habitable rooms). The Indicative Scheme is considered to be an appropriate way to calculate the scheme's density, as long as one always has regard to the potential flex within the scheme parameters.
- 12.37 In accordance with the Housing SPG when calculating the density of mixed use schemes the proportion of non-residential floorspace should be deducted from the net site area. The relevant site area excludes Montgomery Square, waterspaces, Cartier Circle, Churchill Place Road, Preston's Road and the Cable & Wireless Building which are not to be redeveloped. It is, however, considered appropriate for a comprehensive strategic redevelopment to include the internal highways. Taking account of the above, the appropriate net site area for the purpose of density calculation for the indicative scheme is 4.58ha. The indicative scheme would thus be built at a density of 1,796hr/ha, exceeding the density matrix recommended range of 650-1100hr/ha.

12.38 Advice on the interpretation of density can be found in the SPG which reads as follows:

“...the actual density calculation of an acceptable development (in terms of units or habitable rooms per hectare) is a product of all the relevant design and management factors; if they are all met, the resultant figure is what it is and is arguably irrelevant. Anyone grappling with the thorny issue of density tends to go round in circles – moving between these two extreme positions.”

12.39 The SPG advises that development outside these ranges will require particularly clear demonstration of exceptional circumstances (taking account of relevant London Plan policies) and it states that unless significant reasons to justify exceeding the top of the appropriate range can be demonstrated rigorously, they should normally be resisted and it recognises that making decisions on housing density requires making a sensitive balance which takes account of a wide range of complex factors. The SPG outlines the different aspects which should be rigorously tested, these include:

- inadequate access to sunlight and daylight for proposed or neighbouring homes;
- sub-standard dwellings (size and layouts);
- insufficient open space (private, communal and/or publicly accessible);
- unacceptable housing mix;
- unacceptable sense of enclosure or loss of outlook for neighbouring occupiers;
- unacceptable increase in traffic generation;
- detrimental impacts on local social and physical infrastructure; and,
- detrimental impacts on visual amenity, views or character of surrounding area.

12.40 A high residential density does not, in itself, make a scheme undesirable in planning terms and it is not uncommon for development schemes in the northern part of the Isle of Dogs or within the City Fringe to exceed the density suggested by the matrix. The criteria set out in the SPG are considered elsewhere in this report. However, in summary, the outline application allows for, and conditions ensure that, the detailed elements of the scheme to come forward in a manner which are compliant with amenity space and housing quality standards and would not have unacceptable effects on neighbouring residents, social infrastructure or the highway network and these and the SPG considerations (identified above) are assessed in more detail elsewhere in this report.

## **Housing**

### Principles

13.1 The NPPF identifies as a core planning principle the need to encourage the effective use of land through the reuse of suitably located previously developed land and buildings. Section 6 of the NPPF states that “... housing applications should be considered in the context of the presumption in favour of sustainable development” and “Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.”

- 13.2 The application proposes between 1,700 and 3,610 residential units. The principle of residential development of the site is acceptable. Tower Hamlets annual monitoring target as set out in the London Plan is 2,885 units, which would increase to 3,931 units in the 2014 Further Alterations to the London Plan. This scheme would represent between 43% and 92% of the Council's annual requirement, depending on the number of units delivered, which could make the single largest contribution to the borough's housing target.
- 13.3 In accordance with policies 5.3, 3.4 and 3.5 of the London Plan, the Mayor is seeking the maximum provision of additional housing in London. The need for additional new homes is a key strategic and local objective. The residential component of the Indicative Scheme is predicted to have a population of approximately 5,867.
- 13.4 The quantum of housing proposed will assist in increasing London's supply of housing and meeting the Council's housing target, as outlined in policy 3.3 of the London Plan. The proposal will therefore make a significant contribution to meeting local and regional targets and national planning objectives.
- 13.5 The distribution of the residential Development Zones is along the edge of South Dock, on the eastern side of the site and on the south-eastern edge of Blackwall Basin. Whilst the WWSPG and the IODAAP spatial policies seek to separate the office and residential floorspace, more up-to-date guidance and policies do not seek to segregate uses and such segregation is not considered to help achieve a successful place. The proposed distribution of residential zones makes the most of waterfront aspect and the community park to the east.

#### Affordable Housing

- 13.6 The London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and provides that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period which can be expressed in absolute terms or as a percentage.
- 13.7 Policy 3.12 is considered to be of particular relevance as it provides guidance on negotiating affordable housing provision on individual sites. The policy requires that the maximum reasonable amount should be secured on sites, having regard to:
- Current and future requirements for affordable housing at local and regional levels;
  - Affordable housing targets;
  - The need to encourage rather than restrain development;
  - The need to promote mixed and balanced communities;
  - The size and type of affordable housing needed in particular locations; and,
  - The specific circumstances of the site.
- 13.8 The supporting text to the policy encourages developers to engage with an affordable housing provider to progress a scheme. Boroughs should take a reasonable and flexible approach to affordable housing delivery as overall, residential development should be encouraged rather than restrained.

- 13.9 The Local Plan seeks 35%-50% affordable housing by habitable room to be provided, but subject to viability as set out in part 3a of the Core Strategy. The London Plan and NPPF also emphasise that development should not be constrained by planning obligations. Paragraph 173 of the NPPF states that: “the sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.” Policy 3.12 of the London Plan is clear that viability is a consideration when negotiating affordable housing “negotiations on sites should take account of their individual circumstances including development viability” and the need to encourage rather than restrain development.
- 13.10 The affordable housing offer is 25% by habitable room on-site provision and includes a review mechanism which may result in a commuted sum equivalent up to an additional 15% affordable housing by habitable room. A viability appraisal has been submitted with the scheme and this has been independently reviewed by the Council’s financial viability consultants. The review of the appraisal concluded that the proposed offer maximises the affordable housing that can viably be achieved. Assuming an improvement in viability of the Development over time, the Council will share the benefits of this improvement via the review mechanism. Officers are now satisfied that the offer is the maximum that could be achieved without making the development unviable.
- 13.11 The affordable housing is being offered at an 80:20 split between affordable-rented units and intermediate product units. The London Plan seeks a ratio of 60:40, whilst Local Plan policy seeks a 70:30 split. The variance from policy is supported in this instance due to the challenges of affordability in the intermediate market on this site, particularly in respect of three-bedroom properties. Due to the longevity of the proposal, the type of intermediate product is not restricted at this point in time, but is left flexible to respond to changing needs and the potential for new products to enter the market.
- 13.12 The affordable rented units are offered at the Council’s preferred ‘POD’ rent levels. The 1-bed flats would be £224 per week, 2-bed flats at £253 per week, 3 bed flats at £276 per week, 4-bed flats at £292 per week and 5-bed flats at £316 per week all inclusive of service charges (all subject to an indexation of up to RPI+2.5% per annum). Whilst these rent levels have had an effect on development viability, they ensure that rent levels are affordable to potential occupants in this location.

### Housing Mix

- 13.13 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. Policy SP02 of the Core Strategy also seeks to secure a mixture of small and large housing, requiring an overall target of 30% of all new housing to be of a size suitable for families (three-bed plus) including 45% of new affordable rented homes to be for families. Policy DM3 (part 7) of the MDD requires a balance of housing types including family homes. Specific guidance is provided on particular housing types and is based on the Councils most up to date Strategic Housing Market Assessment (2009).
- 13.14 Given the long-term nature of this proposal, the exact mix of units is not fixed at this stage; rather there are ranges of unit mixes to respond to varying market conditions and affordable housing priorities in the Borough. The proposed target mix is set out below compared against policy requirements:

13.15 The table below compares the proposed target mix against policy requirements.

Ownership	Type	Policy requirement	
		(%)	Proposed mix
Private	Studio	0	5-20
	1 bed	50	20-40
	2 bed	30	20-40
	3 bed	20	5-20% (3+ bed)
	4+ bed	0	see cell above
Affordable Rented	1 bed	30	30
	2 bed	25	25
	3 bed	30	30
	4+ bed	15	15
Intermediate	Studio	0	0
	1 bed	25	45-55
	2 bed	50	35-45
	3 bed	25	5-10 (3+bed)
	4+ bed	0	see cell above

Figure 16: Table showing proposed target mix and policy requirements.

- 13.16 The affordable-rented units are in accordance with policy. The intermediate units are focussed towards 1 and 2 bed units which is supported due to the challenges around affordability for 3-bed intermediate units.
- 13.17 The private mix is focussed towards studios and 1-and 2 -beds, albeit a proportion of 3+beds are proposed. Consequently, the private housing component of the development is unlikely to come forward in a policy-compliant manner. However, it is worth noting the advice within London Mayor's Housing SPG in respect of the market housing. The SPG argues that it is inappropriate to crudely apply *"housing mix requirements especially in relation to market housing, where, unlike for social housing and most intermediate provision, access to housing in terms of size of accommodation is in relation to ability to pay, rather than housing requirements"*. The proposed mix in the market housing sector is, in the view of officers, appropriate to the context and constraints of this site and the proposed high-density development and provides sufficient flexibility to be able to respond to varying market demand.
- 13.18 The overall mix of unit sizes and tenures makes a positive contribution to a mixed and balanced community in this location as well as recognising the needs of the Borough as identified in the Council's Strategic Housing Market Assessment. It reflects the overarching principles of national, regional and local policies and guidance.

#### Quality of residential accommodation

- 13.19 Part 2 of the Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is "fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime". The document reflects the policies within the London Plan but provides more specific advice on a number of aspects including the design of open space, approaches to

dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.

13.20 Given this is an application for Outline permission with all matters reserved, there are no designs of buildings to be assessed. In this case, the Design Guidelines and proposed conditions secure appropriate design standards and later Reserved Matters applications will be required to come forward in line with these standards. The following standards are contained in the Design Guidelines:

- All units to meet lifetime homes standards;
- A minimum of 10% of units to be wheelchair adapted or easily adaptable;
- All units to meet, as a minimum, London Plan minimum unit size standards;
- The minimum horizontal separation between residential tower buildings shall be 18 metres;
- Active frontages at ground level;
- A presumption that all units will have private amenity space in accordance with the size standards set out in policy;
- There will be no more than eight units per core;
- There shall be no north-facing single aspect family units;
- The minimum floor-to-ceiling height is 2.5 metres.

#### Internal Daylight and Sunlight

13.21 DM25 of the MDD seeks to ensure adequate daylight and sunlight levels for the future occupants of new developments. This policy must read in the context of the Development Plan as a whole, including the Wood Wharf Site Allocation.

13.22 The Building Research Establishment (BRE) Handbook 'Site Layout Planning for Daylight and Sunlight 2011: A Guide to Good Practice' (hereinafter called the 'BRE Handbook') provides guidance on the daylight and sunlight matters. It is important to note, however, that this document is a guide whose stated aim "is to help rather than constrain the designer". The document provides advice, but also clearly states that it "is not mandatory and this document should not be seen as an instrument of planning policy."

13.23 The application is supported by a Daylight and Sunlight Assessment (DSA). The assessment, for internal daylight and sunlight, is based on the Indicative Scheme rather than the Parameter Plans, as the Maximum Parameters represent a 'beyond worse-case' scenario i.e. it could not fully be built out and they do not show elevations to each plot. The Indicative Scheme represents a reasonable worst-case scenario and assessing this Scheme is considered a robust approach.

13.24 As the application is in Outline with all matters reserved, the buildings to be tested have not been designed and consequently the room layouts, façade and window details and locations are not known. Therefore, the Indicative Scheme has been modelled by dividing the facades into 1m wide by 1 storey high squares and a façade map is created to identify the Vertical Sky Component (VSC – the quantum of sky visible taking into account external obstructions (other than trees)) that would be enjoyed by a window in that location. These assessments therefore represent the potential for the Indicative Scheme to be designed in detail to provide good levels of daylight. From this façade map, and based on a number of typical flat layouts prepared by the architects, an Average Daylight Factor (ADF) Matrix table can be created in order to determine which types of units or rooms can be located in that area and/or what level of facade glazing will be required to meet the ADF target. In

this case, as the detailed design and floorplate and room layouts are not known, it is appropriate to focus on VSC rather than ADF values. The cumulative schemes have not been technically considered in the DSA as their scale and distance from the application site is such that they are not anticipated to have significant effects. A similar approach has been undertaken for sunlight.

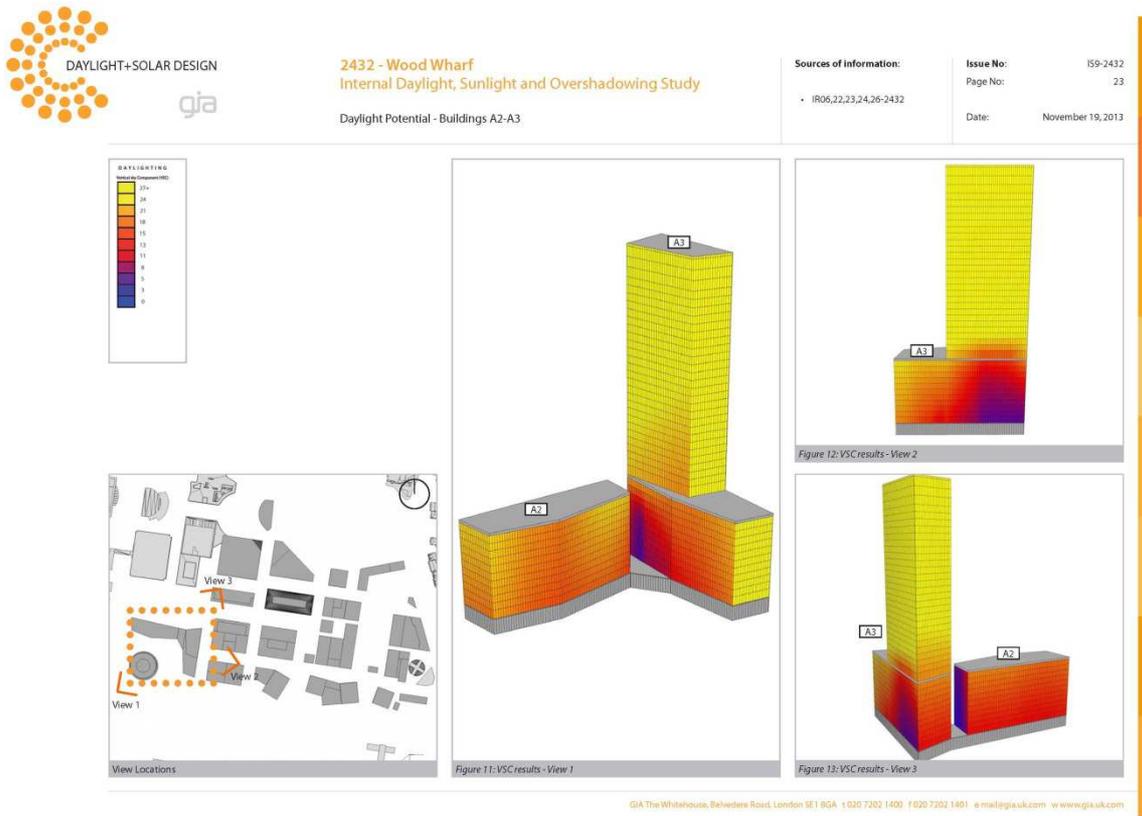
- 13.25 The Council's consultant, Delva Patman Redler LLP, advise that the approach described above is a robust and credible method of assessing internal daylight for this application.
- 13.26 In relation to sunlight, the annual probable sunlight hours (APSH) considers the amount of probable sun available across the year and in winter for each given window which faces within 90° of due south. If the window reference point can receive more than one quarter (25%) of APSH, including at least 5% of APSH during the winter months, between 21st September and 21st March, then the room should still receive good sunlight.

#### Daylight

- 13.27 The VSC is a quantified measurement of the amount of skylight falling on a vertical wall or window. The BRE handbook suggests a window should have at least 27% VSC to ensure the room the window serves would enjoy good daylight. However, in the context of high-density urban development, Delva Patman Redler (DPR) advises that any VSC value below 15% must be considered to impose constraints on design. The internal daylight potential has been tested for all Development Plots that have the potential for residential use as well as H2 which is identified for the school in the Indicative Scheme. These buildings are A1-A3, E1, E2, E4, F1-F3, H1, H2, H4 G1, G2, G3, G5, G7 and G8, J1-J5, the proposed houseboats and existing Lovegrove Walk. In summary 58.6% of the façade area would receive VSC levels of 27% or more, 29.9% would receive between 15-27% VSC and 11.5% of the façade area would receive less than 15% VSC. The assessment of the Indicative Scheme's Development Plots is discussed in more detail below (see Chapter 32: Appendix for the VSC Key to these images):



### 13.30 Development Plot A2 – Indicative Scheme



**Figure 18: Daylight Potential Image – Development Plot A2**

13.31 This Development Plot is likely to have significant challenges to ensure that appropriate daylight standards are met. Development Plot A2 is on an east-west axis; accordingly it may have single aspect north facing flats. Particular challenges are to be found in the centre of this plot, in particular for the first ten stories.

13.32 It may be the case that at reserved matters stage the building within this Development Plot may not be able to come forward in exact accordance with the Indicative Scheme. Officers are confident, however, that an appropriately design building can be achieved at reserved matters stage to provide adequate levels of daylight.

### 13.33 Development Plot A3 – Indicative Scheme

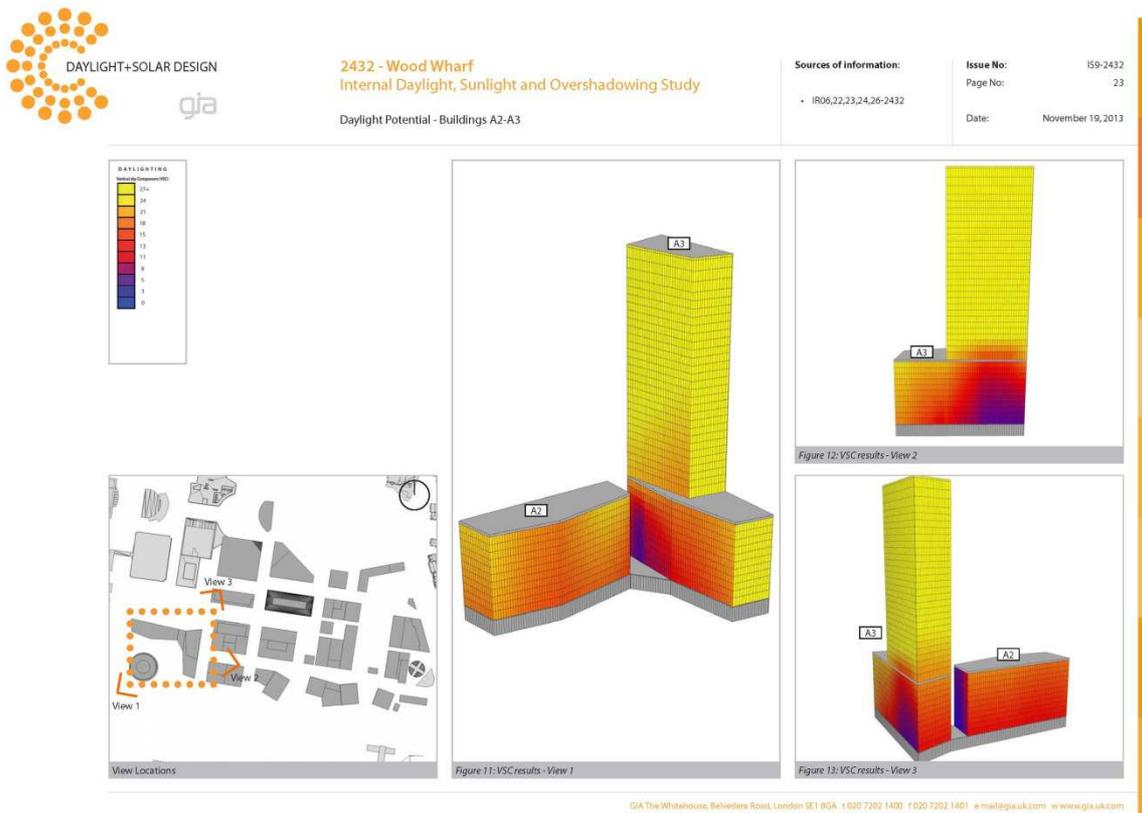
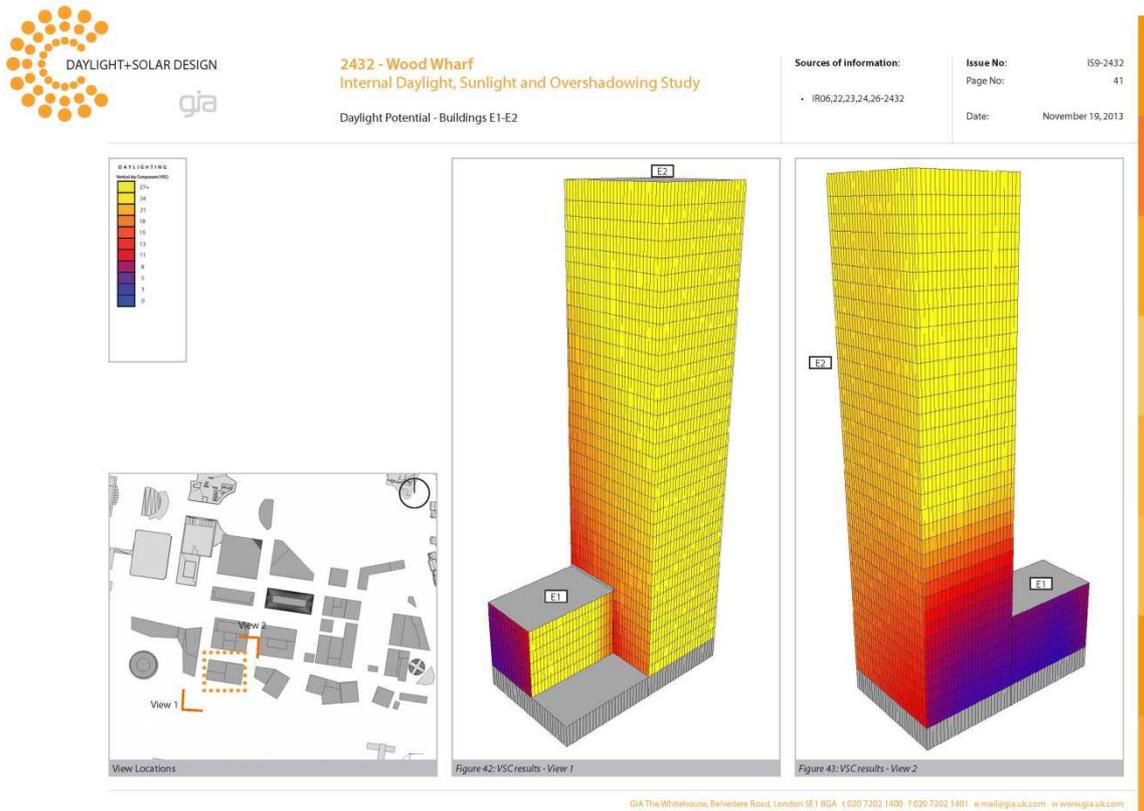


Figure 19 Daylight Potential Image – Development Plot A3

13.34 This Development Plot is likely to face significant challenges to ensure that appropriate daylight standards are met, in particular the northern half of the west facing elevation and the central part of the eastern elevation.

13.35 It may be the case that at reserved matters stage the building within this Development Plot (or its neighbouring plots) may not be able to come forward in exact accordance with the Indicative Scheme. Officers are confident, however, that an appropriately design building can be achieved at reserved matters stage to provide adequate levels of daylight.

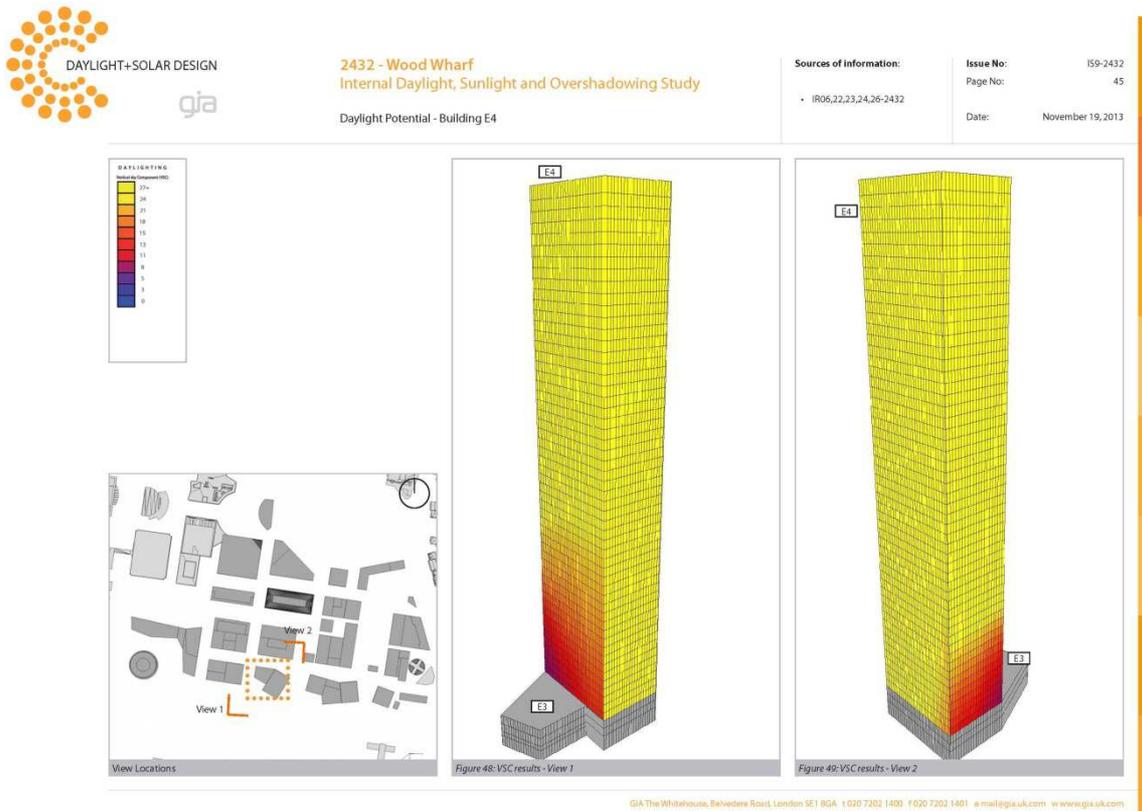
### 13.36 Development Plot E1-E2 – Indicative Scheme



**Figure 20: Daylight Potential Image – Development Plot E1-E2**

13.37 In general, these buildings have good levels of VSC except at the north elevation to the lower floors, where VSC levels are at 5% or lower and great care will needed to be given to ensure the flats on the lower six floors can achieve appropriate daylighting standards. Officers are confident that this Development Plot can provide adequate levels of daylight.

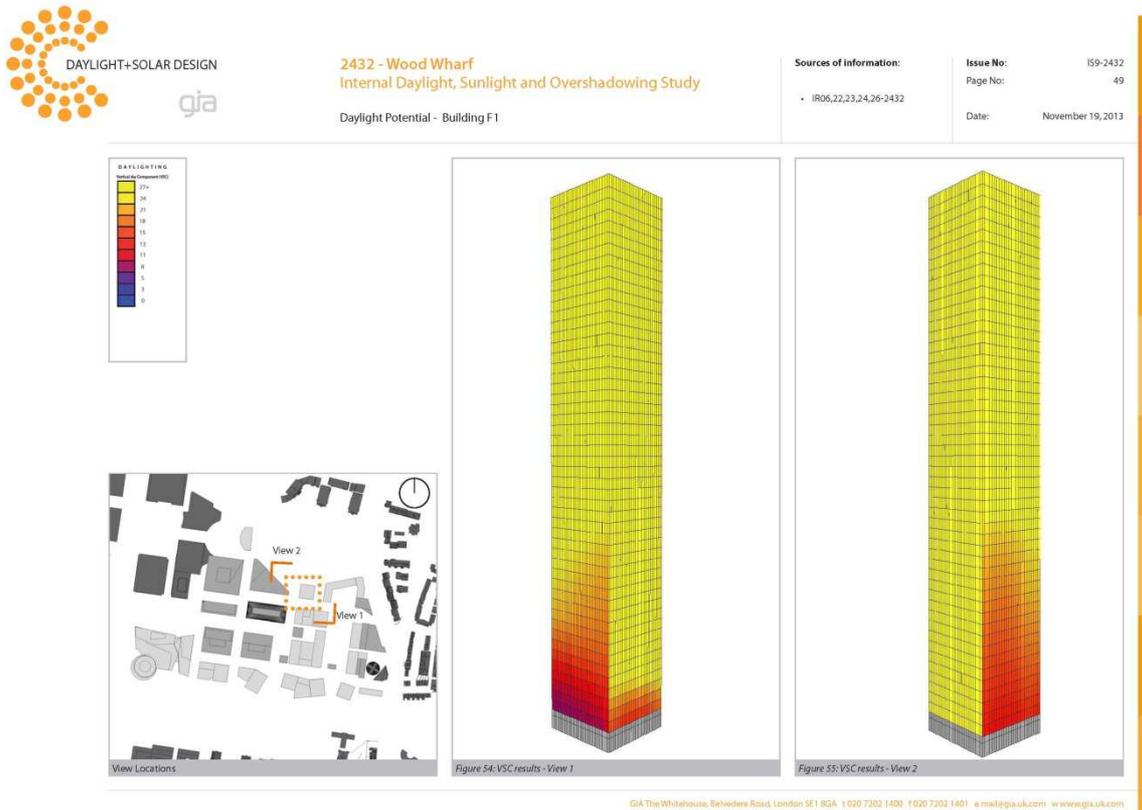
### 13.38 Development Plot E4 – Indicative Scheme



**Figure 21: Daylight Potential Image – Development Plot E4**

13.39 The orientation of Buildings E4 is such that the two long elevations should receive good levels of daylight and the short south elevation will have very good levels of daylight. Whilst the north elevation is more challenging, the building as a whole is likely to be able to provide good levels of daylight to the proposed units. Officers are confident that this Development Plot can provide adequate levels of daylight.

## 13.40 Development Plot F1 – Indicative Scheme



**Figure 22: Daylight Potential Image – Development Plot F1**

- 13.41 This building will generally have good daylight potential, in particular on the northern and eastern facades. Lower VSC levels are seen at the bottom storeys of the southern and western facades and care will need to be taken to ensure good levels of daylight in these locations. Officers are confident that this Development Plot can provide adequate levels of daylight.



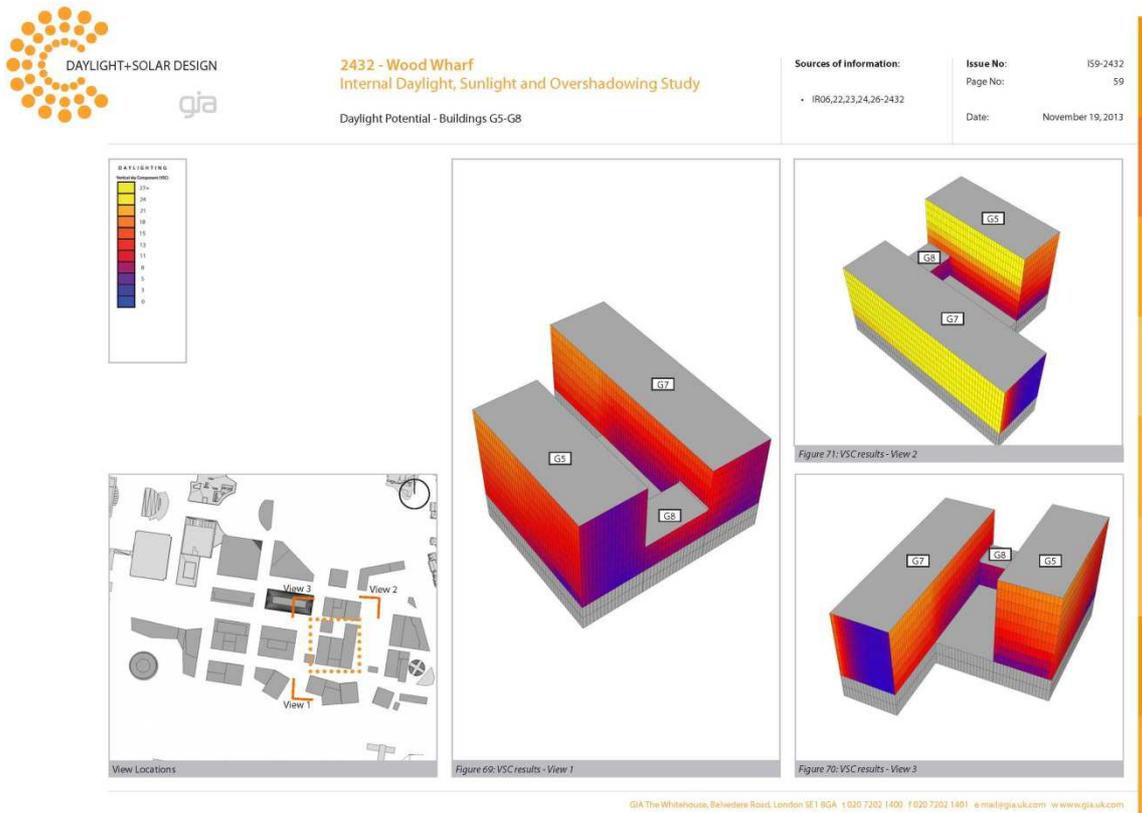
### 13.44 Development Plot G1-3 – Indicative Scheme



**Figure 24: Daylight Potential Image – Development Plot G1-G3**

13.45 In general, these buildings will have adequate levels of VSC, although the two smaller blocks G1 & G2 have around 13% to most of their elevations. There are areas with poorer levels of daylight, but the internal layout should be capable of being designed so that the elevations with poorest levels of light do not serve to provide primary windows of habitable rooms. Officers are confident that this Development Plot can provide adequate levels of daylight.

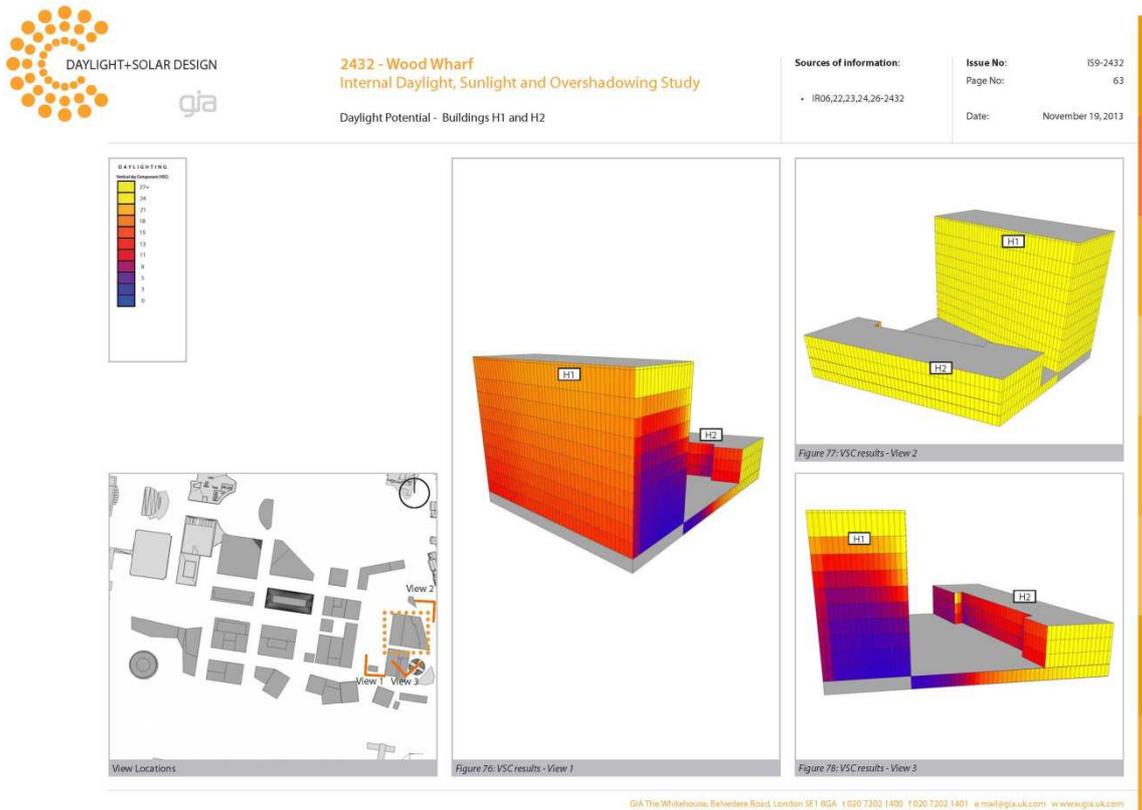
## 13.46 Development Plot G5, G7, G8 – Indicative Scheme



**Figure 25: Daylight Potential Image – Development Plot G5, G7, G8**

13.47 There is good daylight potential on the eastern façade of G7 and on the upper floors on the eastern façade of G5. Other facades show lower potential due to the obstruction of surrounding buildings. Care will need to be taken in designing flats in these locations to ensure appropriate levels of daylight. Officers are confident that this Development Plot can provide adequate levels of daylight.

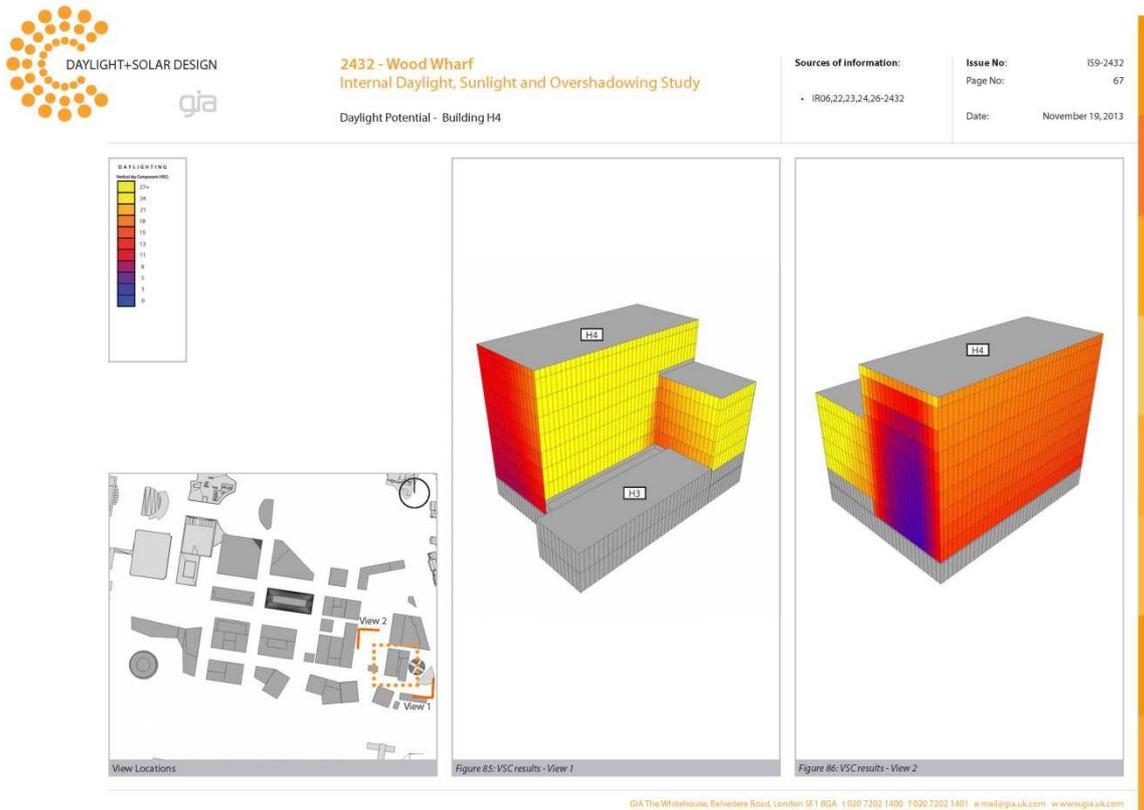
## 13.48 Development Plot H1 and H2 – Indicative Scheme



**Figure 26: Daylight Potential Image – Development Plot H1 and H2**

13.49 The east elevations of these blocks will receive very good levels of VSC. The west elevation will receive moderate levels of VSC at around 10-15%. The south elevation, which is a short elevation of the rectangular block H1 will receive very low levels of VSC to the lower third of the building, below 3% VSC and it will therefore be challenging to design rooms to achieve appropriate levels of daylight from this elevation. However, as this is a short elevation to the rectangular block, it may be possible to design rooms which are not the primary habitable rooms on this elevation. Officers are confident that this Development Plot can provide adequate levels of daylight.

### 13.50 Development Plot H4 – Indicative Scheme



**Figure 27: Daylight Potential Image – Development Plot H4**

13.51 This building has very good levels of VSC on its east elevation and moderate levels of VSC on its west elevation. On the north elevation there are low levels of VSC in the centre at lower floors, below 3% VSC. However, as this is the short edge of a linear rectangular block, it should be possible for flats in this part of the building to be designed with secondary rooms on that elevation. Main habitable rooms would not be able to achieve good levels of daylight at low level on that north elevation. Officers are confident that this Development Plot can provide adequate levels of daylight.

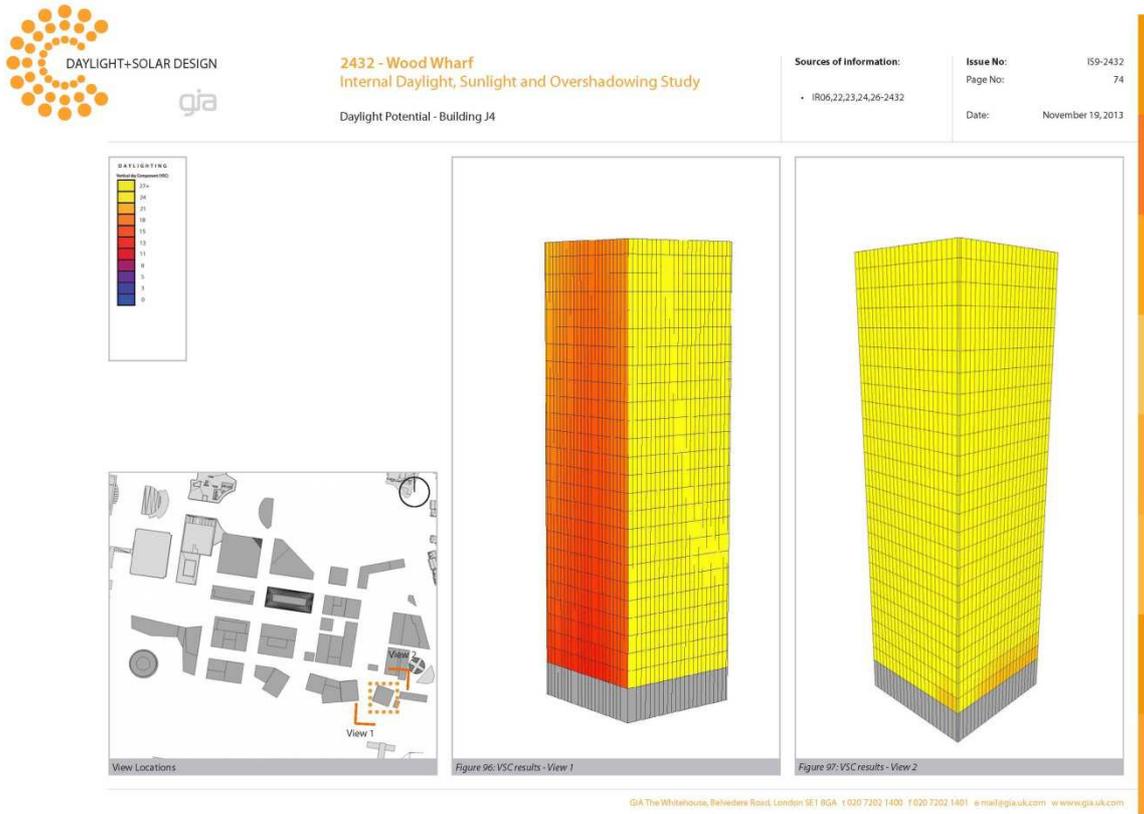
### 13.52 Development Plot J1-J3 – Indicative Scheme



Figure 28: Daylight Potential Image – Development Plot J1-J3

13.53 These buildings should be able to provide adequate levels of daylight to the proposed units.

### 13.54 Development Plot J4 – Indicative Scheme



**Figure 29: Daylight Potential Image – Development Plot J4**

13.55 This building generally has good levels of daylight. The north-west facing elevation has moderate levels of daylight at 15-18% but it should be capable for appropriate flats to be designed.

## 13.56 Development Plot J5 – Indicative Scheme



**Figure 30: Daylight Potential Image – Development Plot J5**

13.57 This building should be able to provide adequate levels of daylight to the proposed flats. The west-facing elevation will receive lower levels of light, but the internal layouts should be able to ensure that habitable rooms are not served by windows solely on this elevation.

### Houseboats

13.58 The development proposes houseboats to the southern side of Blackwall Basin. Whilst there are no standards recommended in respect of houseboats, it is evident there would be better light to the north, with poorer light to the south. Given the nature of this and surrounding development, these properties would not enjoy good levels of natural light. However, this is not an arbitrary result rather a natural consequence of the high-density development envisaged for Wood Wharf. Officers are confident that this Development Plot can provide adequate levels of daylight.

### Lovegrove Walk properties

13.59 Whilst Lovegrove Walk properties are technically internal receptors the methodology used to assess the effects is that for existing residential units (external receptors methodology i.e. full BRE VSC, NSL and APSH assessments) which is different to the VSC façade studies used for the Indicative Scheme as described above.

13.60 The VSC results show significant reductions of more than 40% VSC from the existing level. When assessing the difference between the baseline scenario against the

Parameter Plans scenario, the NSL (see paragraph 17.10 of this report for a definition of NSL) show losses between 30% to 40% across most rooms. Whilst the Indicative Scheme shows an improvement, the effects remain moderate to major adverse.

- 13.61 The windows and rooms face the currently undeveloped site. Therefore, whilst comparing the baseline with the Parameter Plans and Indicative Scheme provides a snap shot of the effects against the current empty or low-rise site, they do so against a baseline that may be unrealistic for this location. In these circumstances, higher percentage losses are somewhat inevitable.
- 13.62 The Environmental Statement assesses the impacts as short-term, as these properties are proposed to be demolished in due course as a result of this application. However, it should be noted that this would require the remaining property owners to sell their properties to the developer (or CPO powers to be used). Given that neither of these can be certain, the effects are assumed here as permanent.
- 13.63 It is noted that these properties will have a pleasant aspect of the northern aspect of East Park which will, to some extent, mitigate these effects. On balance, the proposed effects are considered acceptable and there would not be an unacceptable material deterioration of daylight conditions for these occupiers.

#### Conclusion

- 13.64 The daylight potential to the proposed units is likely to be good in general, given the high density nature of the development. There are specific instances where daylight will be more challenging e.g. certain facades on the Development Plots A2 and A3 and great care will need to be applied in these instances at Reserved Matters stage. A condition is recommended to ensure the full range of mitigation measures, including those identified in the Environmental Statement, are appropriately considered and employed at reserved matters stage. Where, adequate levels of daylight cannot be achieved through these mitigation measures, the layout and scale of buildings will need to be considered.

#### Sunlight

- 13.65 In relation to sunlight, the annual probable sunlight hours (APSH) considers the amount of sun available in both the summer and winter for each given window which faces within 90° of due south. If the window reference point can receive more than one quarter (25%) of APSH, including at least 5% of APSH during the winter months, between 21st September and 21st March, then the room should still receive good sunlight.
- 13.66 The internal sunlight potential has been tested for all development plots that have the potential for residential use as well as H2 which is identified for the school in the Indicative Scheme. These buildings are A1-A3, E1, E2 and E4, F1-F3, H1, H2, H4 G1, G2, G3, G5, G7 and G10 and J1-J5 and the proposed houseboats and existing Lovegrove Walk are discussed in more detail below.
- 13.67 Sunlight potential images for the Development Plots are shown below. The Annual Probable Sunlight Hours images are shown first, followed by Winter Sunlight images (see Chapter 32: Appendix for the APSH Key to these images):

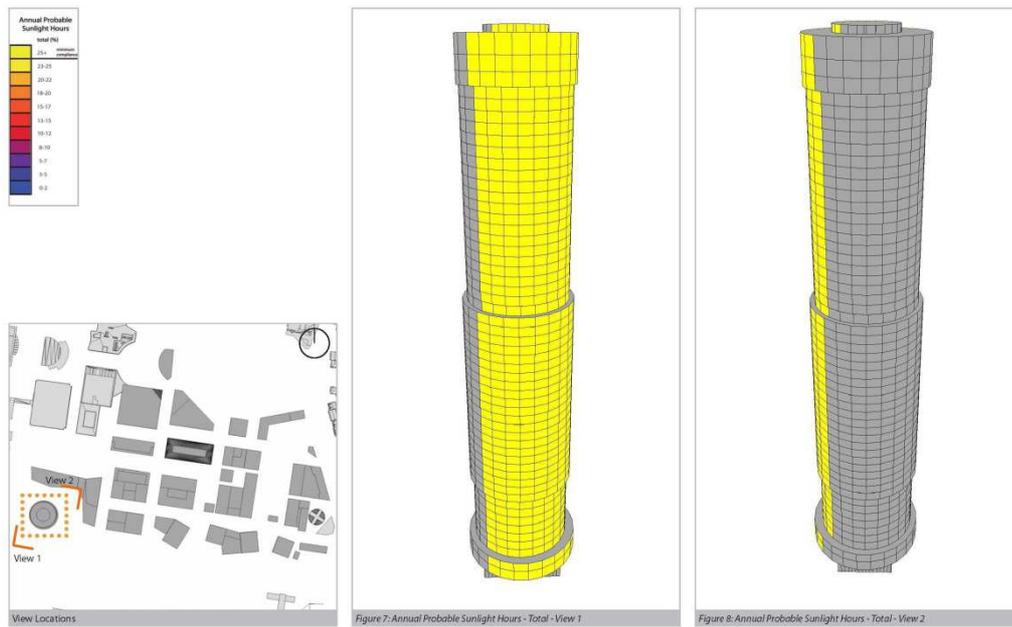
### 13.68 Development Plot A1 – Indicative Scheme



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building A1

Sources of Information:  
• IRO6,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 20  
Date: November 19, 2013



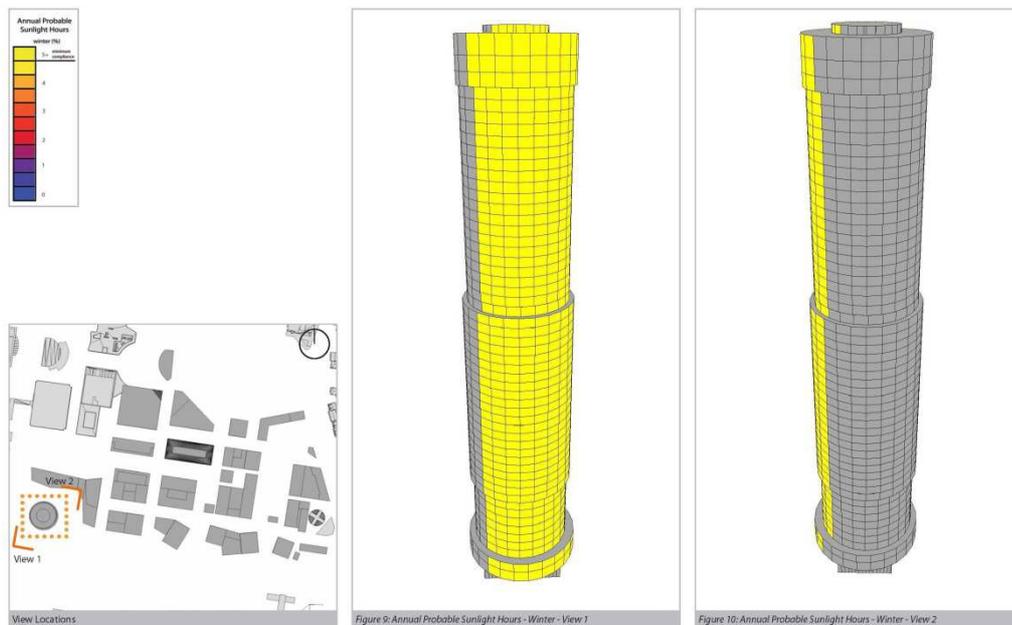
GIA The Whitehouse, Belvedere Road, London SE1 8GA. T 020 7202 1400 F 020 7202 1401 e mail@gia.uk.com www.gia.uk.com



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building A1

Sources of Information:  
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Issue No: IS9-2432  
Page No: 21  
Date: November 19, 2013



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**Figures 31 and 32: Annual and Winter Sunlight Potential Image – Development Plot A1**

### 13.69 Development Plot A2-A3



#### 2432 - Wood Wharf Internal Daylight, Sunlight and Overshadowing Study

Sunlight Potential - Buildings A2-A3

Sources of Information:

- IR06,22,23,24,26-2432

Issue No:

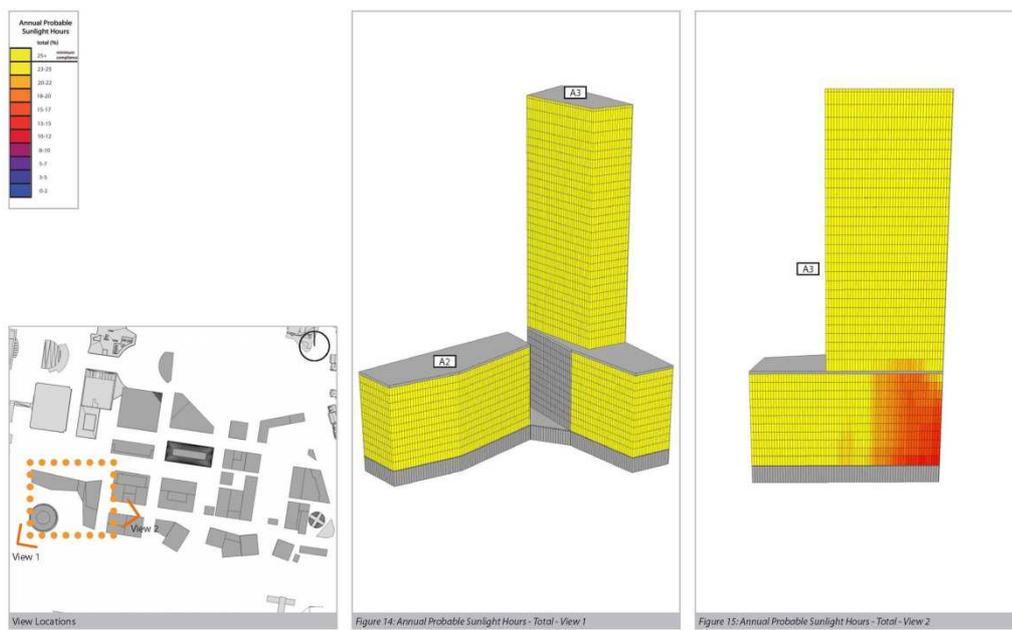
IS9-2432

Page No:

24

Date:

November 19, 2013



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#### 2432 - Wood Wharf Internal Daylight, Sunlight and Overshadowing Study

Sunlight Potential - Buildings A2-A3

Sources of Information:

- IR06,22,23,24,26-2432

Issue No:

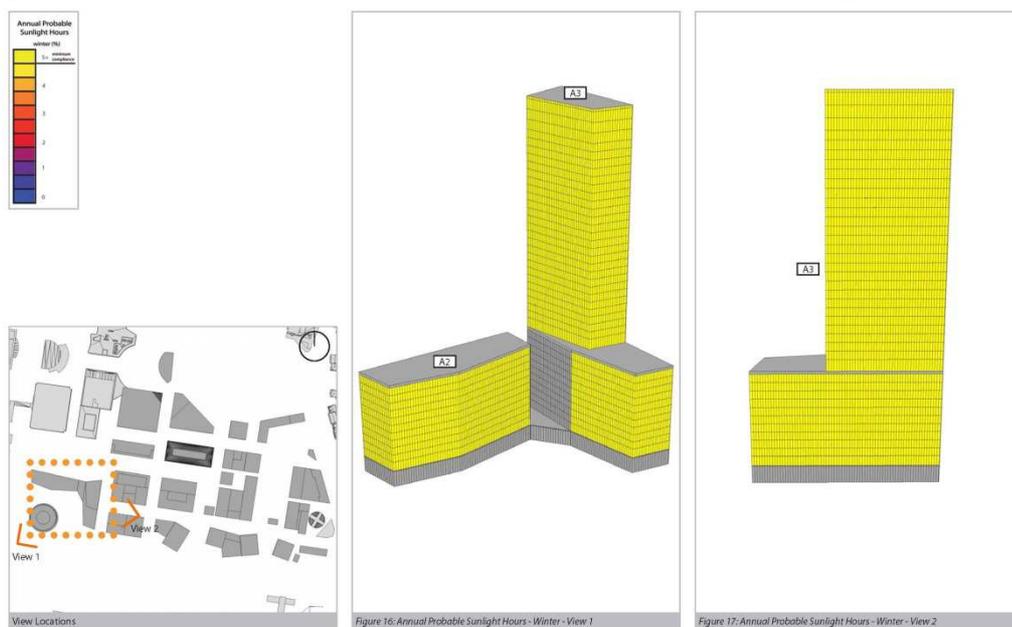
IS9-2432

Page No:

25

Date:

November 19, 2013



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**Figures 33 and 34: Annual and Winter Sunlight Potential Image – Development Plot A2 and A3**

### 13.70 Development Plot E1-E2



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Buildings E1-E2

Sources of Information:  
• IR06,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 42  
Date: November 19, 2013



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2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Buildings E1-E2

Sources of Information:  
• IR06,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 43  
Date: November 19, 2013



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**Figures 35 and 36: Annual and Winter Sunlight Potential Image – Development Plot E1 and E2**

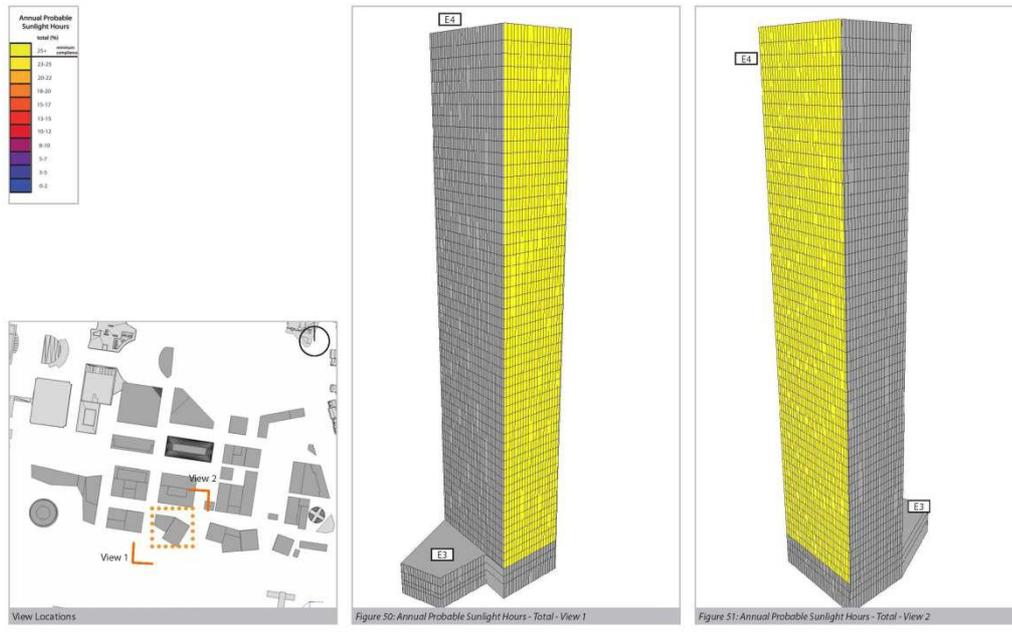
# 13.71 Development Plot E4



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building E4

Sources of Information:  
• IR06,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 46  
Date: November 19, 2013



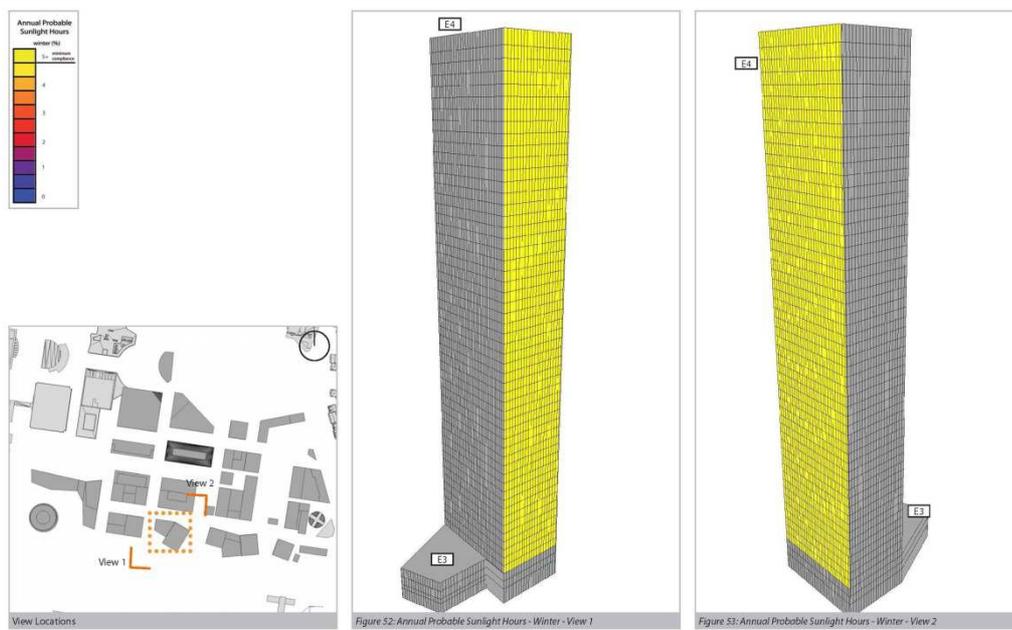
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2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building E4

Sources of Information:  
• IR06,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 47  
Date: November 19, 2013



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Figures 37 and 38: Annual and Winter Sunlight Potential Image – Development Plot E4

### 13.72 Development Plot F1-F3



#### 2432 - Wood Wharf Internal Daylight, Sunlight and Overshadowing Study

Sunlight Potential - Building F1

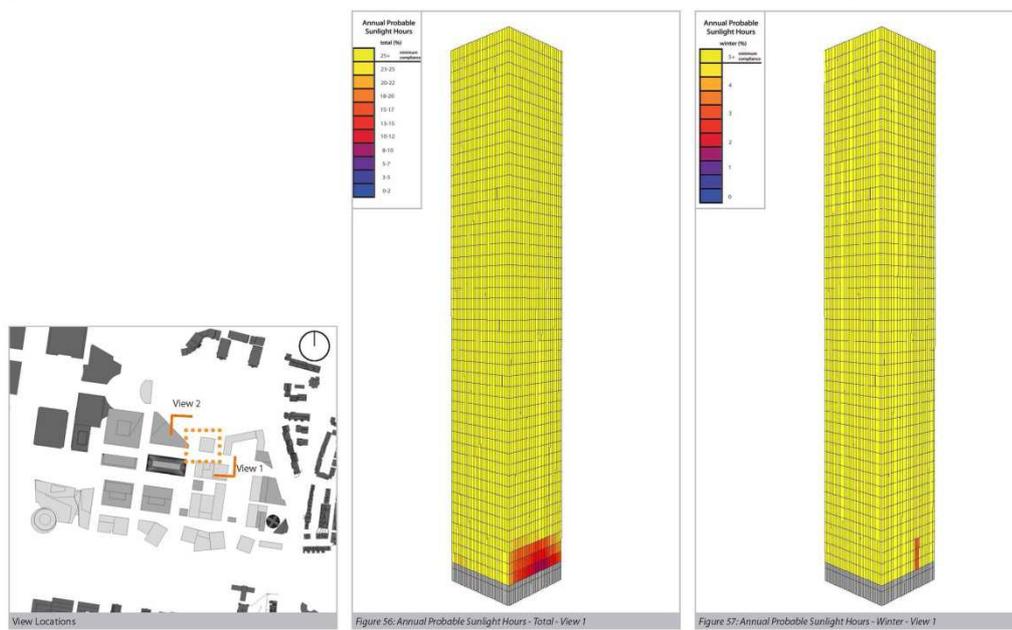
Sources of Information:

• IR06,22,23,24,26-2432

Issue No: IS9-2432

Page No: 50

Date: November 19, 2013



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#### 2432 - Wood Wharf Internal Daylight, Sunlight and Overshadowing Study

Sunlight Potential - Buildings F2-F3

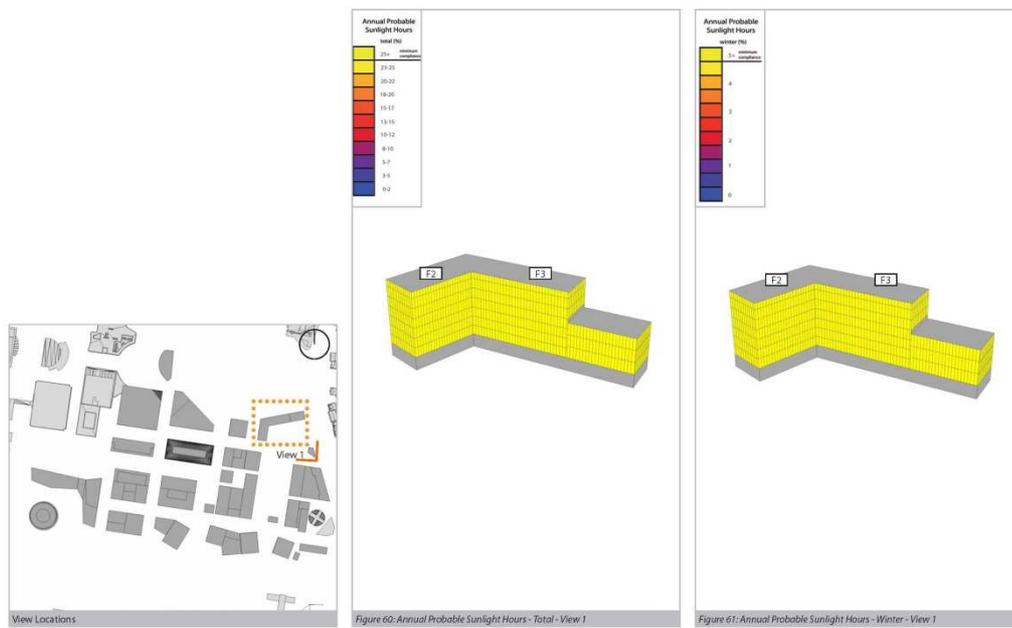
Sources of Information:

• IR06,22,23,24,26-2432

Issue No: IS9-2432

Page No: 53

Date: November 19, 2013



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**Figures 39 and 40: Annual and Winter Sunlight Potential Image – Development Plot F1- F3**

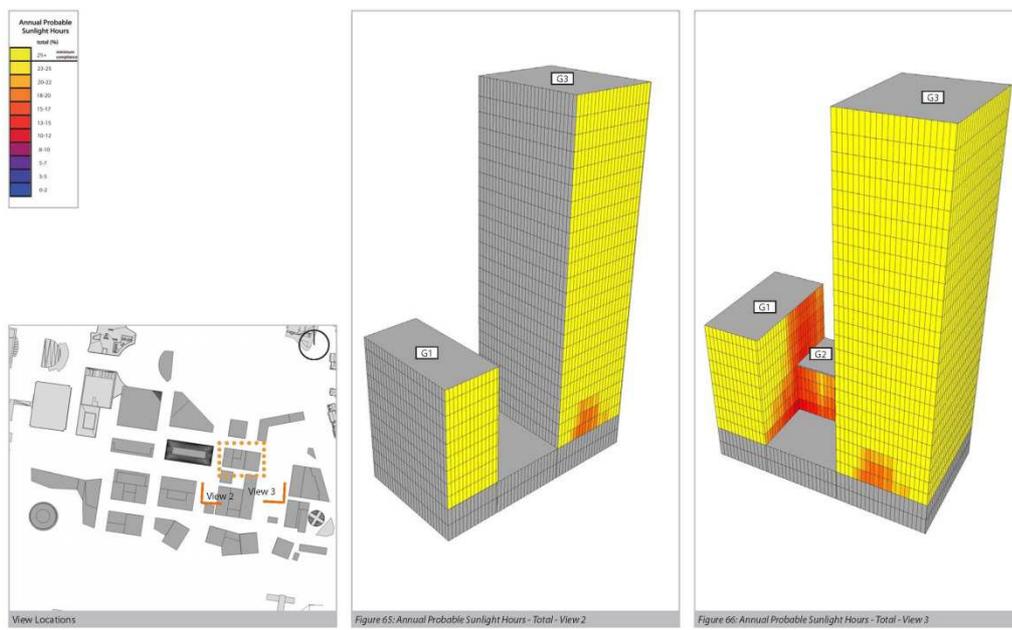
### 13.73 Development Plot G1-3



**2432 - Wood Wharf**  
**Internal Daylight, Sunlight and Overshadowing Study**  
 Sunlight Potential - Buildings G1-G3

Sources of Information:  
 - IR06.22.23.24.26-2432

Issue No: IS9-2432  
 Page No: 56  
 Date: November 19, 2013



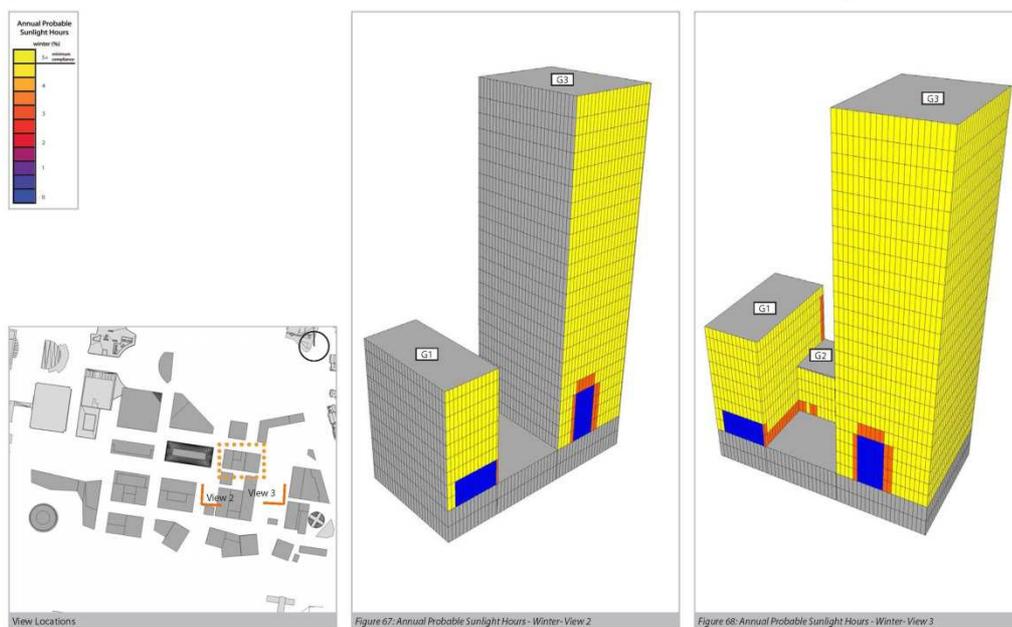
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**2432 - Wood Wharf**  
**Internal Daylight, Sunlight and Overshadowing Study**  
 Sunlight Potential - Buildings G1-G3

Sources of Information:  
 - IR06.22.23.24.26-2432

Issue No: IS9-2432  
 Page No: 57  
 Date: November 19, 2013



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**Figures 41 and 42: Annual and Winter Sunlight Potential Image – Development Plot G1-G3**

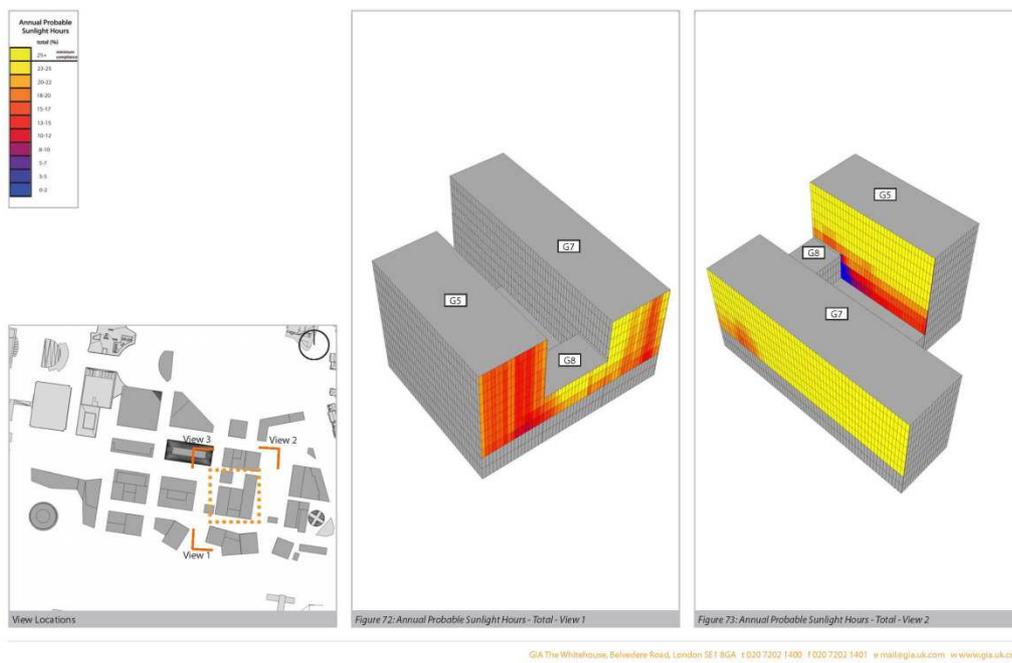
# 13.74 Development Plot G5, G7, G8



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Buildings G5-G8

Sources of Information:  
- IR06.22.23.24.26-2432

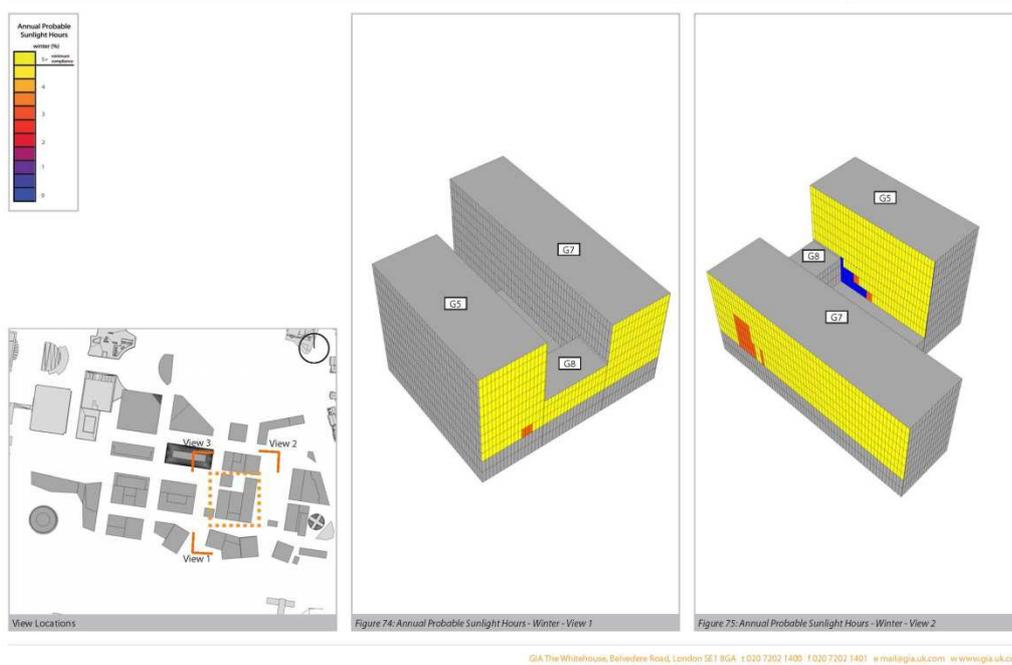
Issue No: IS9-2432  
Page No: 60  
Date: November 19, 2013



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Buildings G5-G8

Sources of Information:  
- IR06.22.23.24.26-2432

Issue No: IS9-2432  
Page No: 61  
Date: November 19, 2013



**Figures 43 and 44: Annual and Winter Sunlight Potential Image – Development Plot G5, G7 and G8**

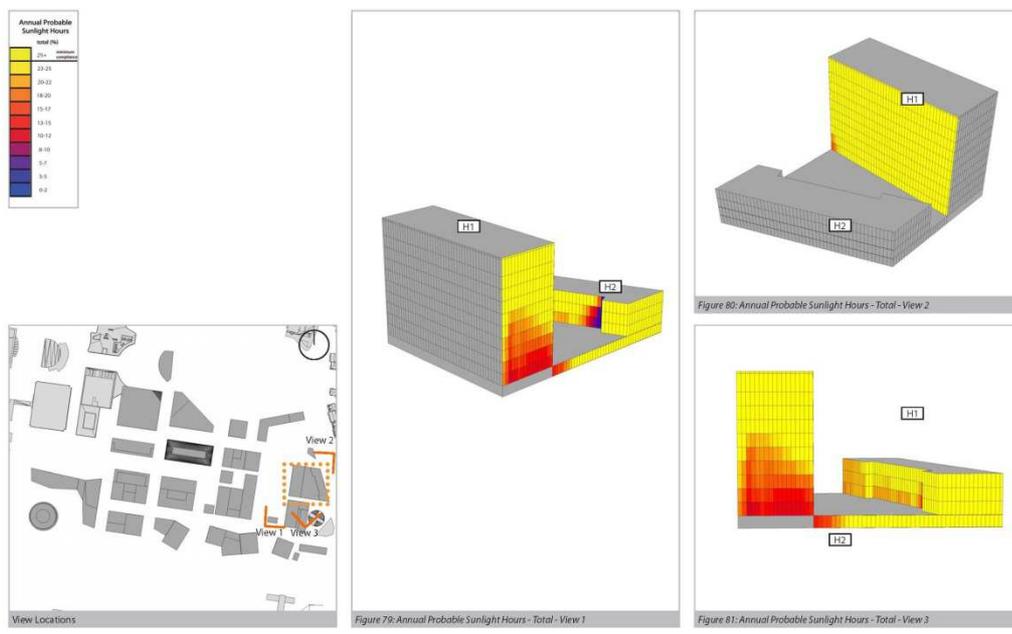
# 13.75 Development Plot H1 and H2



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Buildings H1 and H2

Sources of Information:  
- IR06.22.23.24.26-2432

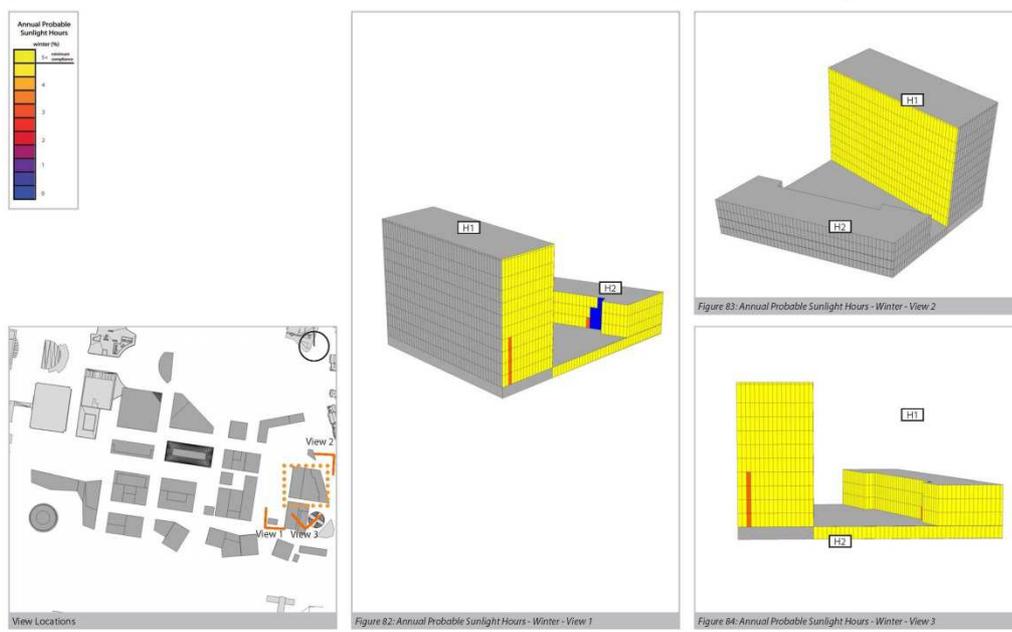
Issue No: IS9-2432  
Page No: 64  
Date: November 19, 2013



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Buildings H1 and H2

Sources of Information:  
- IR06.22.23.24.26-2432

Issue No: IS9-2432  
Page No: 65  
Date: November 19, 2013



Figures 45 and 46: Annual and Winter Sunlight Potential Image – Development Plot H1-H2

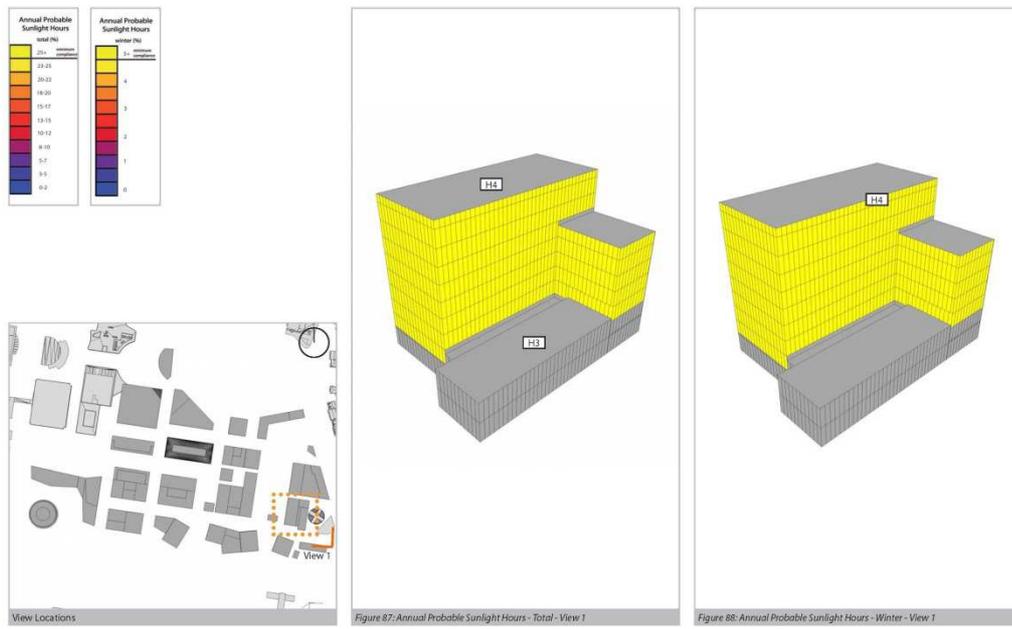
### 13.76 Development Plot H4



2432 - Wood Wharf  
 Internal Daylight, Sunlight and Overshadowing Study  
 Sunlight Potential - Buildings H4

Sources of Information:  
 - IR06,22,23,24,26-2432

Issue No: IS9-2432  
 Page No: 68  
 Date: November 19, 2013



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Figure 47: Annual and Winter Sunlight Potential Image – Development Plot H4

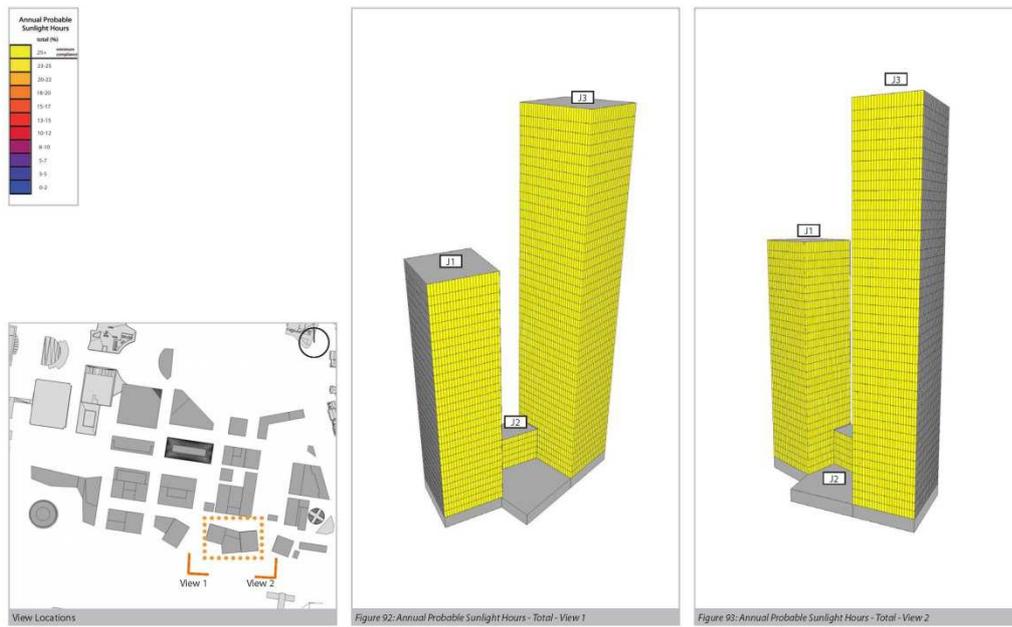
### 13.77 Development Plot J1-J3



**2432 - Wood Wharf**  
 Internal Daylight, Sunlight and Overshadowing Study  
 Sunlight Potential - Buildings J1-J3

Sources of Information:  
 - IR06.22.23.24.26-2432

Issue No: IS9-2432  
 Page No: 71  
 Date: November 19, 2013



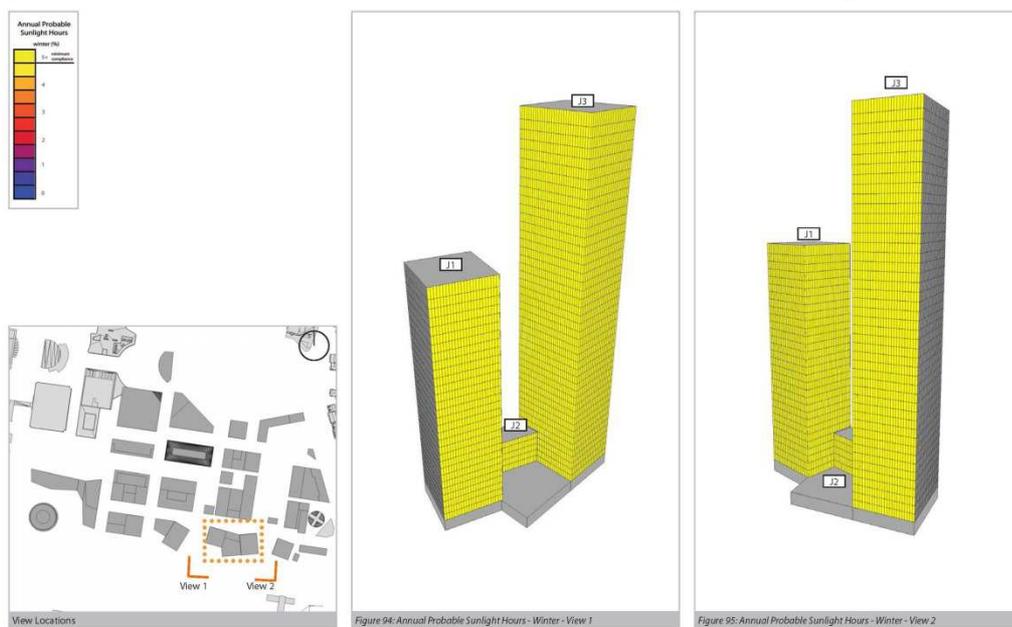
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**2432 - Wood Wharf**  
 Internal Daylight, Sunlight and Overshadowing Study  
 Sunlight Potential - Buildings J1-J3

Sources of Information:  
 - IR06.22.23.24.26-2432

Issue No: IS9-2432  
 Page No: 72  
 Date: November 19, 2013



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**Figures 48 and 49: Annual and Winter Sunlight Potential Image – Development Plot J1-J3**

# 13.78 Development Plot J4



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building J4

Sources of Information:  
- IR06,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 75  
Date: November 19, 2013



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building J4

Sources of Information:  
- IR06,22,23,24,26-2432

Issue No: IS9-2432  
Page No: 76  
Date: November 19, 2013



Figures 50 and 51: Annual and Winter Sunlight Potential Image – Development Plot J4

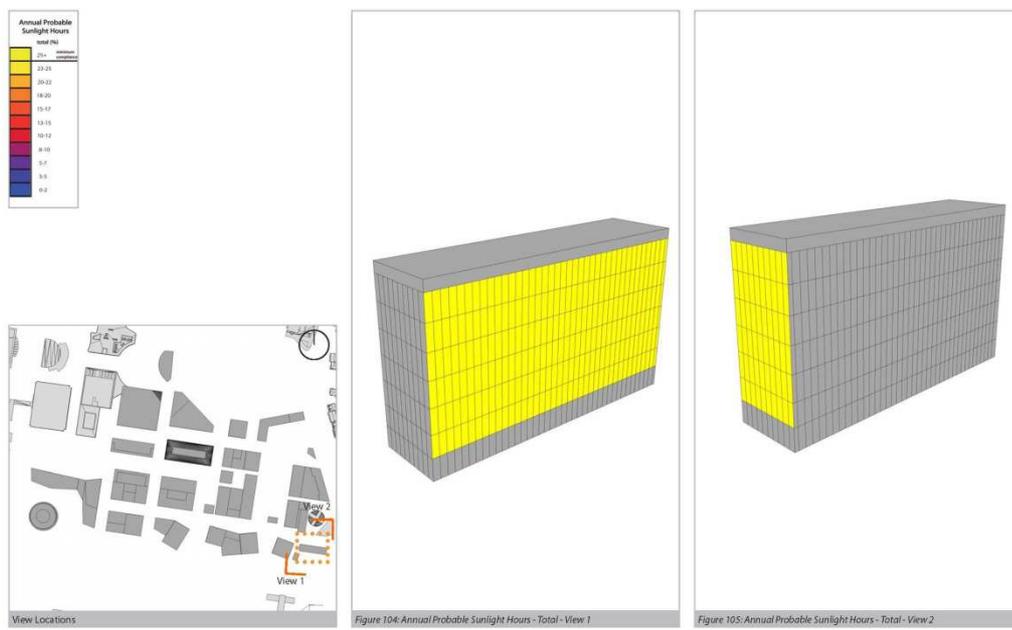
# 13.79 Development Plot J5



2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building J5

Sources of Information:  
- IR06.22.23.24.26-2432

Issue No: IS9-2432  
Page No: 79  
Date: November 19, 2013



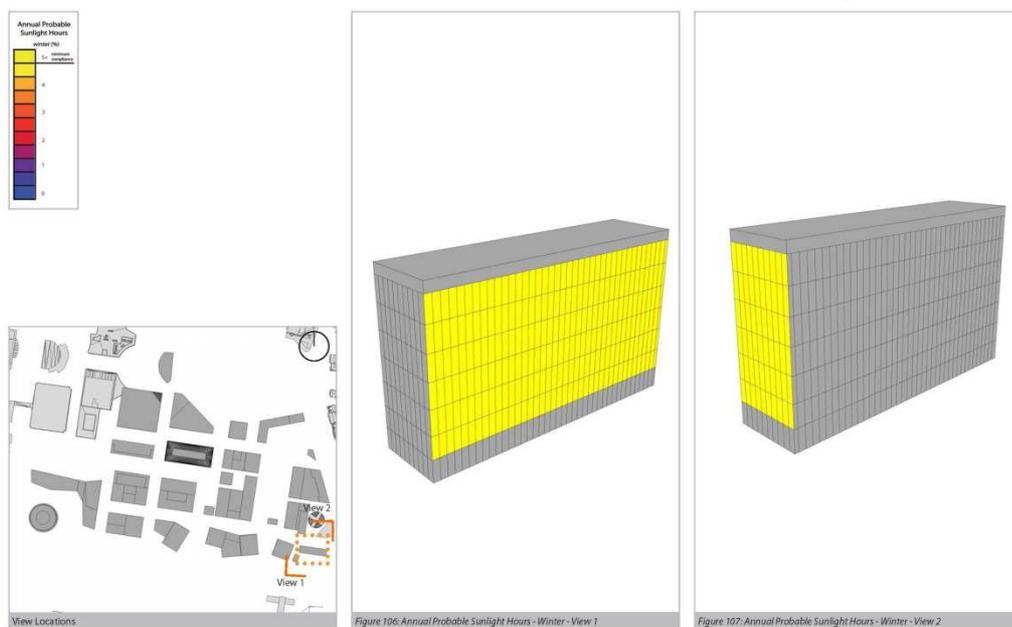
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2432 - Wood Wharf  
Internal Daylight, Sunlight and Overshadowing Study  
Sunlight Potential - Building J5

Sources of Information:  
- IR06.22.23.24.26-2432

Issue No: IS9-2432  
Page No: 80  
Date: November 19, 2013



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Figures 52 and 53: Annual and Winter Sunlight Potential Image – Development Plot J5

## Lovegrove Walk

- 13.79 For the properties at Lovegrove Walk and when comparing the Baseline vs Parameter Plans, 38 of the 109 windows are BRE compliant in sunlight terms. The remaining windows (71) suffer more than 40% reductions in both annual and winter sunlight.
- 13.80 However, for properties at 1-13 Lovegrove Walk, all properties will continue to enjoy reasonable access to sunlight in the context of this urban location. In relation to the properties at 14-21 Lovegrove Walk, there is complete loss of sunlight in connection with 4 kitchens and an additional 2 rooms, which are likely to be bedrooms that are heavily recessed. Recessed windows reduce the light entering windows and, therefore, even a modest obstruction opposite may result in a large relative impact on sunlight. In any event, all other habitable rooms will continue to enjoy reasonable sunlight levels in the proposed condition. For the properties at 94-101 Lovegrove Walk, the windows are not relevant for sunlight assessment as they do not face within 90 degrees of due south
- 13.81 In relation to the Baseline vs Indicative Scheme, 60 of the 109 windows are in line with BRE guidance for sunlight. The overwhelming majority of remaining windows suffer from more than 40% reductions in winter and / or annual sunlight.
- 13.82 All properties will continue to enjoy reasonable access to sunlight in the context of this urban location, albeit not fully in line with BRE guidelines in some instances. There would not be an unacceptable material deterioration of sunlighting conditions for these occupants.

## Conclusion

- 13.83 86% of façade areas of the proposed buildings within the Development Plots identified above meet BRE guidelines in relation to APSH and winter sunlight. Areas which fall short of the guidance are, as expected, at lower levels and are spread around the proposed development including:
- the lower stories of the east façade of A2 and A3;
  - the bottom three stories of the south elevation of F1;
  - the east façade of G1;
  - the southern façades of G2, G5-G8 and lower floors of G5;
  - the lowest half of the southern façade of H1 and H2; and,
  - Along with 71 of the 109 assessed windows for Lovegrove Walk.
- 13.84 There is no guidance for sunlight to the houseboats. However, given the location of the proposed houseboats in relation to the massing of the development it is unlikely they would receive good levels of sunlight.
- 13.85 On balance, the effects identified above are largely an inevitable consequence of a high-density scheme. It would not be possible for significant further improvements to sunlight to the proposed occupiers and occupiers of Lovegrove Walk in the context of the Council's aspirations for this site to make a strategic contribution to the Borough's housing supply and jobs growth as part of a high density development. When considering the Development Plan as a whole, the levels of sunlight are adequate and compliant with the Plan, including Local Plan policy DM25.

## Shadow analysis of proposed amenity areas

- 13.86 The 2011 BRE Handbook advises the overshadowing assessment is run on the Spring Equinox (March 21<sup>st</sup>) and that the amenity area should, where possible, receive two hours or more of sunlight on at least 50% of the amenity area.
- 13.87 The applicant has submitted this assessment, supplemented by an assessment at 21<sup>st</sup> June when the outdoor space is most likely to be utilised. The test has been carried out on the Indicative Scheme as this represents a realistic interpretation of the parameters and specifications and the cumulative effects of surrounding schemes do not have a significant effect.
- 13.88 The image below focusses on amenity areas at ground level and identify that the northern play area of East Park and the area along the southern waterfront perform well. The principal areas that do not perform as well are the majority of East Park below North Wharf Road, around Blackwall Basin, Market Square and Junction Square (see Chapter 32: Appendix for the Sun Hours on Ground Key to this image):

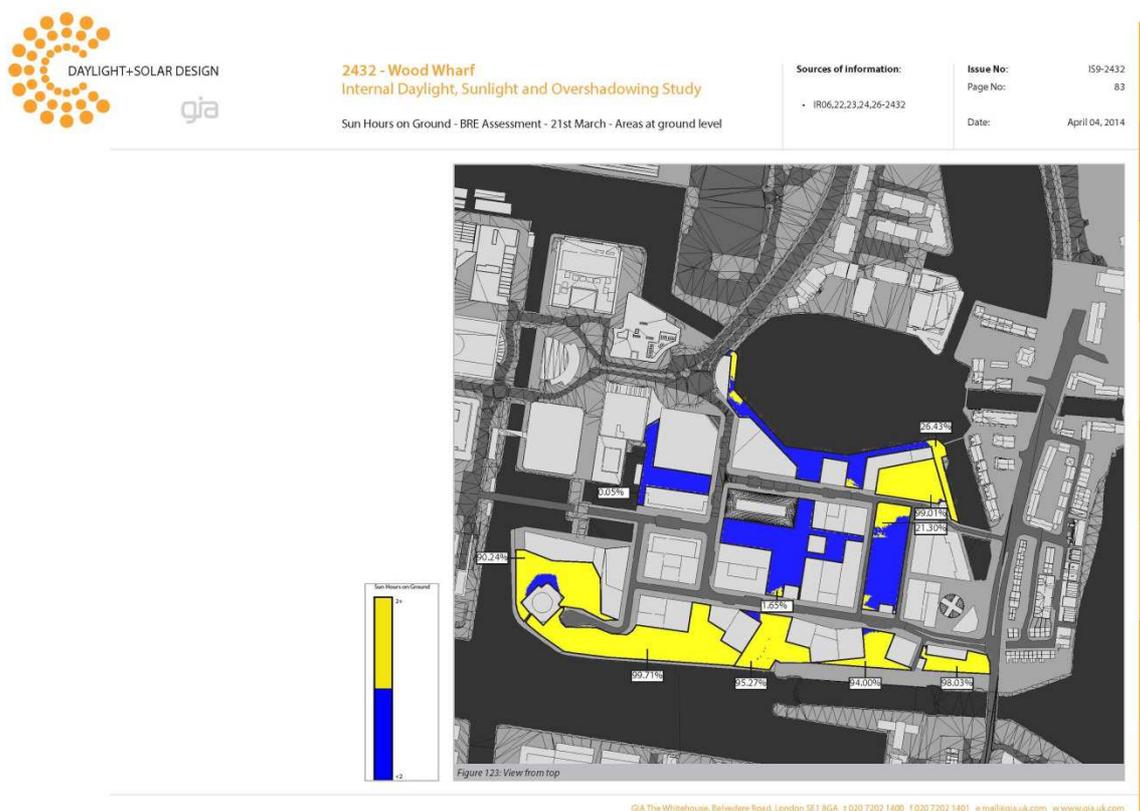


Figure 54: Sun Hours on Ground (21<sup>st</sup> March)

- 13.89 The following image shows the performance of these areas at June 21<sup>st</sup>, when the sun is higher in the sky and, unsurprisingly, identifies an improved performance within these areas (see Chapter 32: Appendix for the Sun Exposure Key to this image):

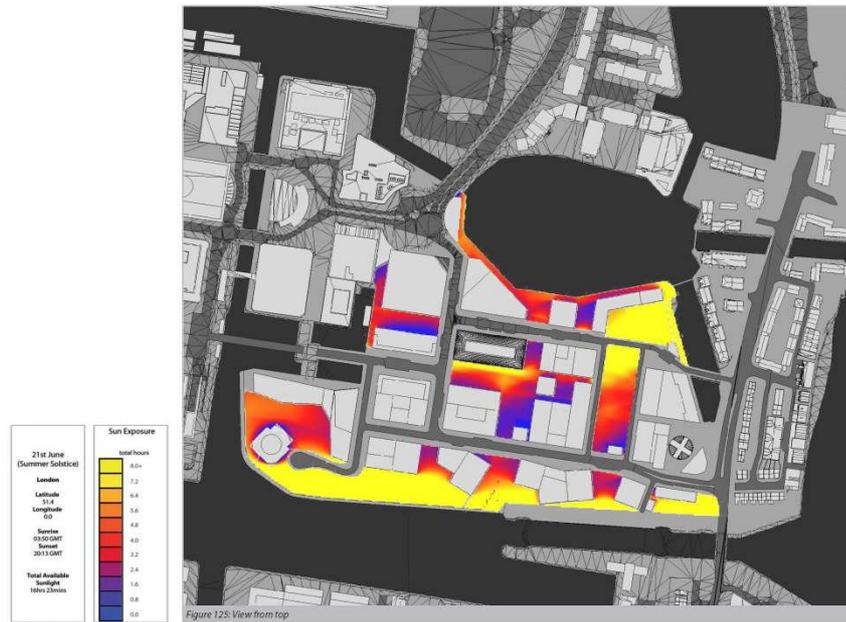


Figure 55: Sun Hours on Ground (21<sup>st</sup> June)

13.90 The following image focusses on amenity areas above ground level and shows that seven of the twelve areas meet the BRE guidance, including the amenity space for the school. The areas that fall short of the BRE guidance standards tend to be in the commercial district of the proposed development or within the internal courtyards within Development Zone G (see Chapter 32: Appendix for the Sun Hours on Ground Key to this image).



**Figure 56: Sun Hours on amenity areas above ground (21<sup>st</sup> March)**

13.91 The results for overshadowing of proposed amenity areas, is typical of what might be expected for a high-density high-rise scheme as envisaged within the Site Allocation for Wood Wharf. It would be difficult to materially improve these results without reevaluating the principle of high density development at Wood Wharf. Nevertheless, careful thought will need to be given at detailed design stage to how these areas are designed and how uses within them are planned.

### Solar Glare and Light pollution

13.92 Solar Glare is caused by the direct reflection of the sun's rays on reflective surfaces of buildings such as glass or steel cladding. There are no quantitative criteria within the BRE Guidance or elsewhere as to what is acceptable or not for solar glare. It is therefore a professional judgement as to the likely effect of solar glare associated with a particular development, generally though glare reflected at steeper angles is less likely to cause nuisance or distraction as you have to look upwards to see it.

13.93 Light pollution may be defined as any light emitting from artificial sources into spaces where this light would be unwanted.

13.94 This is an outline application (with all matters reserved), accordingly the buildings which it would contain have not been designed as yet. Solar Glare could be caused wherever there are facades using high proportions of reflective materials. Suitable mitigation will need to be incorporated into the detailed design and a condition is recommended to secure this.

13.95 In respect of Light pollution, internal receptors will be sensitive as will external receptors, in particular those on Lancaster Drive, houseboats, Lovegrove Walk and

the surrounding bodies of water (for ecological reasons). Suitable mitigation will need to be incorporated into the detailed design and a condition is recommended to secure this.

### **Amenity space and Public Open Space**

- 14.1 For all major developments, there are four forms of amenity space required: private amenity space, communal amenity space, child amenity space and public open space. The 'Children and Young People's Play and Information Recreation SPG (February 2012) provide guidance on acceptable levels, accessibility and quality of children's play space and advises that where appropriate child play space can have a dual purpose and serve as another form of amenity space. This is particularly apt for very young children's play space as it is unlikely that they would be unaccompanied.

#### Private Amenity Space

- 14.2 Private amenity space is a set figure which is determined by the size of the dwelling. Policy DM4 of the MDD sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies they should have a minimum width of 1500mm.
- 14.3 Within the Indicative Scheme, the private amenity space would be provided in the form of recessed or projecting balconies with a minimum width of 1500mm. The application will be conditioned appropriately to accord with Policy DM4 of the MDD in the context of the Plan as a whole.

#### Communal Amenity Space

- 14.4 Communal open space is calculated by the number of dwellings. 50sqm is required for the first 10 units with an additional 1sqm required for each additional unit. For the Indicative Scheme this would amount to a requirement of 3,044sqm. The requisite level of communal amenity space will be secured by way of condition.

#### Public Open Space

- 14.5 Public open space is determined by the number of residents, employees and hotel occupants anticipated from the development, the planning obligations SPD sets out that 12sqm of public open space should be provided per person (whilst making appropriate reductions for employees). Where the public open space requirement cannot fully be met on site, the SPD states that a financial contribution towards the provision of new space or the enhancement of existing spaces is appropriate.
- 14.6 The Development Specification sets a minimum of 2.5Ha of Publicly Accessible Open Space. For the avoidance of doubt this excludes existing permanent open space i.e. Montgomery Square. Conditions will secure the above and the s106 agreement will secure an appropriate public access plan. The Indicative Scheme envisages 2.95Ha of Publicly Accessible Open Space.

#### Child Play Space

- 14.7 Play space for children is also required for all major developments, the quantum of which is determined by the child yield of the development. Conditions are recommended to ensure that the child play space is provided in full and in accordance with the principles set out in the London Mayor's guidance on the subject e.g. it will be provided across the development for the convenience of residents and for

younger children in particular where there is natural surveillance for parents. The Indicative is predicted to contain 715 children (0-15 years of age), accordingly 7150sqm of child play space would be required. There is sufficient space within the development to meet this requirement and, if necessary, higher levels of child play space having regard to the flexibility within the Development Specification. Conditions will secure the requisite quantity and quality of child play space summarised above.

#### Amenity Space and the Indicative Scheme

- 14.8 The applicant has set out in the Design and Access Statement (DAS) one way in which the amenity space requirements may be achieved. The Indicative Scheme contains approximately 29,000sq metres of Public Open Space. This is provided principally in an area described as East Park (8,900sqm), South Dock Park (12,000sqm), Junction Square and Market Square (combined area of 4,080sqm). The DAS notes that any shortfall from the Public open space requirements will be mitigated through financial contributions as per the formulae set out in the Council's Planning Obligations SPD.
- 14.9 The Design and Access Statement also sets out how communal and child play space could be provided and discusses some of the qualitative standards expected. These qualitative standards are secured through Chapter 3 of the Design Guidelines and include active frontages to, and enclosure by, surrounding buildings; levels; access and permeability; microclimate; levels of daylight and sunlight on the ground; and, balancing and integrating areas of active and passive playspace.
- 14.10 Finally, the Indicative Scheme shows dual use of space for both communal amenity space and child play space. The Council has some concerns with this approach particularly for older children's play space. Nevertheless, the Indicative Scheme is sufficient to demonstrate that there is sufficient space to meet the guidance. The details and final approach will be secured at Reserved Matters stage.

### **Design**

#### Design policies

- 15.1 The NPPF promotes high quality and inclusive design for all development, optimising the potential of sites to accommodate development, whilst responding to local character.
- 15.2 CABE's guidance "By Design (Urban Design in the Planning System: Towards Better Practice) (2000)" lists seven criteria by which to assess urban design principles (character, continuity and enclosure, quality of the public realm, ease of movement, legibility, adaptability and diversity).
- 15.3 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the local character, pattern and grain of the existing spaces and streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that complement the local character, quality adaptable space and optimising the potential of the site.
- 15.4 Core Strategy Policy SP10 and Policy DM23 and DM24 of the MDD seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. The Core Strategy identifies this

area as part of one of two locations in Tower Hamlets where clusters of tall buildings will be supported.

15.5 Policy DM26 supports the principle of tall buildings in this area subject to high design quality. Specific guidance is given in the London Plan and DM26 in relation to tall buildings. The criteria set out by both documents can be summarised as follows:

- Be limited to areas in the CAZ, opportunity areas, intensification areas and within access to good public transport;
- Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including waterspaces) and improve the legibility of the areas;
- Should incorporate the highest standards of design and architectural quality, making a positive contribution to the skyline when perceived from all angles during both the day and night. Developments should also assist in consolidating existing clusters;
- Should not adversely impact upon heritage assets or strategic and local views;
- Present a human scale at street level and enhance permeability of the site where possible;
- Provide high quality private and communal amenity spaces for residents;
- Provide public access to the upper floors where possible; and,
- Not adversely affect biodiversity or microclimates.

15.6 The Local Plan Site Allocation for Wood Wharf seeks a comprehensive mixed-use development to provide a strategic housing development and a substantial amount of commercial floorspace. It seeks a tall building cluster to complement Canary Wharf, new pedestrian and cycling route, range of new spaces, a new canal and activation of the waterside.

#### Proposed Design

15.7 The application is in outline with all matters reserved. Accordingly, the detailed layout, scale and design of the buildings are matters to be determined at reserved matters stage. However, it is possible to draw conclusions from the Parameter Plans and the Design Guidelines.

15.8 The Parameter Plans and Design Guidelines enshrine the fundamental principles required to guide the development, whilst preserving flexibility for the individual buildings and uses they may contain.

15.9 The parameter plans contain 42 development plots with up to 11 plots exceeding 90m AOD, with the tallest development plot up to 211.5m AOD in the south-west corner of the site. The layout is in an east-west grid pattern that follows the pattern of development on the Canary Wharf Estate but with a finer grain reflecting the mixed-use proposal.

15.10 The fundamental principles are encapsulated in the Design Guidelines. Some of the key principles are set out below:

15.11 Principle – Public Realm: a legible network of high quality streets and safe and accessible spaces:

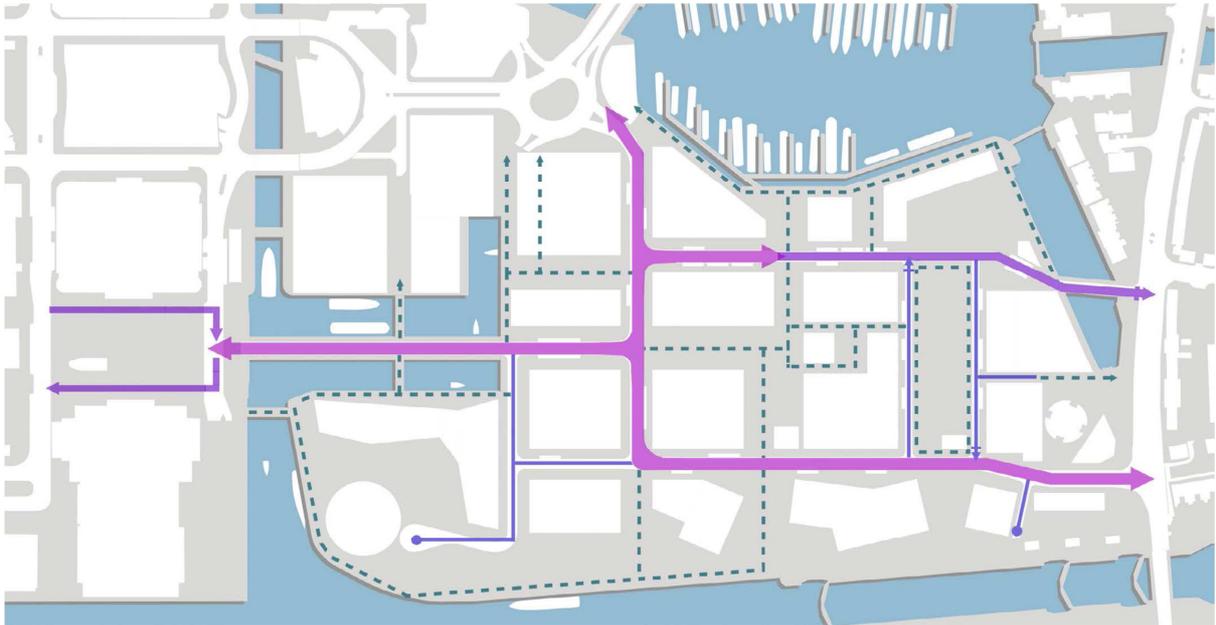


Figure 57: Public Realm

15.12 Principle – Connections: New and existing connections to and through the Masterplan area for pedestrians, cyclists and vehicle users.



Figure 58: Connections

15.13 Principle – Character Areas: Create varied and rich character areas with distinct but complementary neighbourhoods.

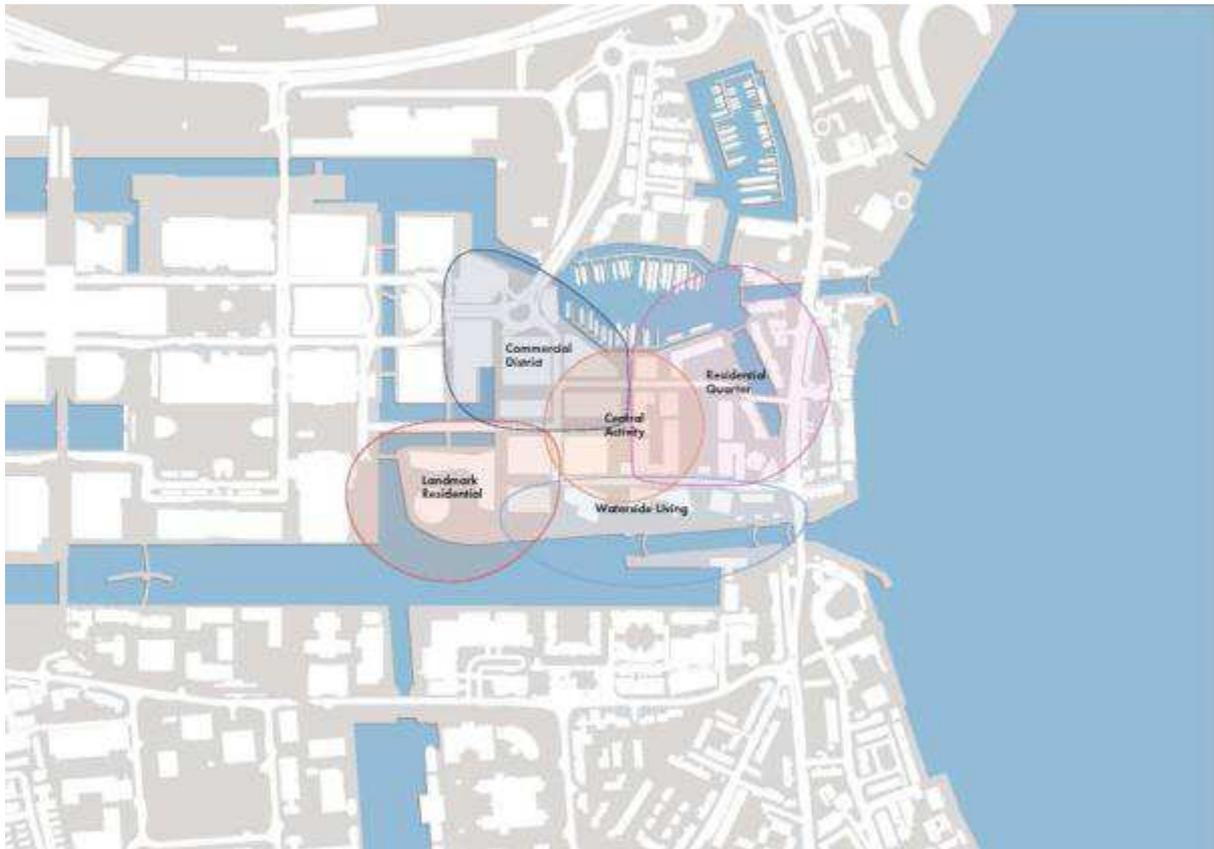


Figure 59: Character Areas

15.14 Principle – Heights and Massing: Building heights and massing should generally transition from the west, adjacent to Canary Wharf, to lower buildings in the east, with urban grain and proportions considered in relation to both the local and wider context.

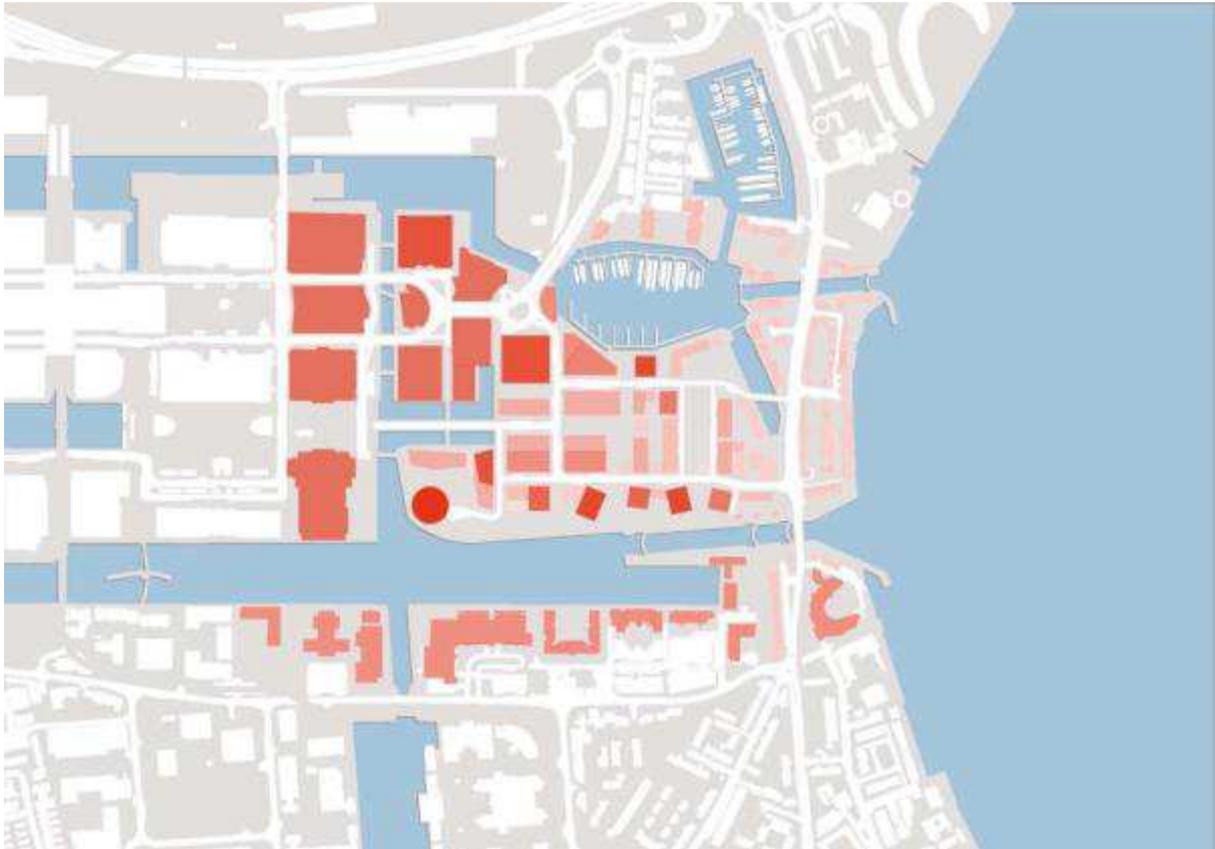


Figure 60: Heights and Massing

15.15 Principle – Holistic Approach: A holistic approach incorporating biodiversity measures and sustainability strategies in response to environmental issues relating to energy, water use, pollution, ecology and habitat, and promotion of health and wellbeing.

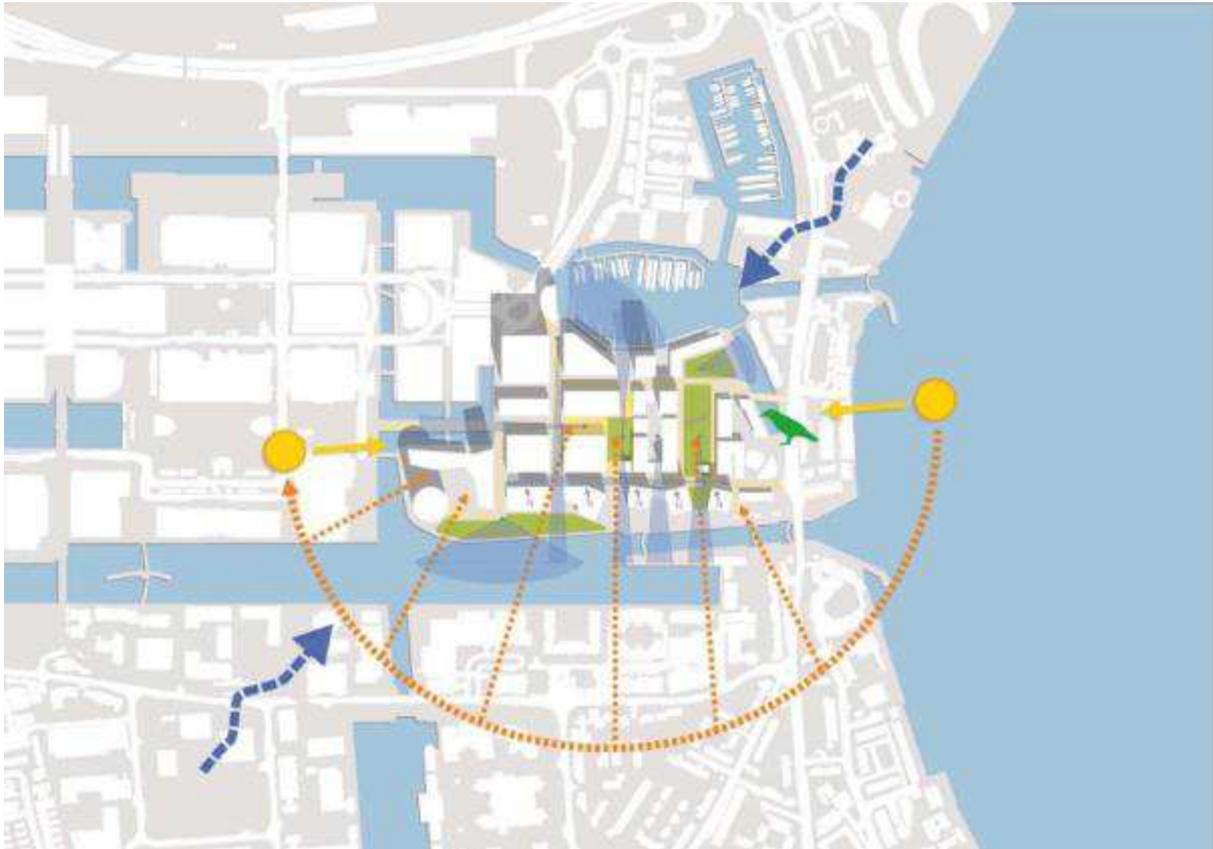


Figure 61: Holistic Approach

15.16 In the context of design, the following area will be explored below:

- Streets;
- Spaces;
- Water;
- Building Typologies; and,
- Townscape.

#### Streets

15.17 The development is organised in an east-west grid layout, which provides continuity with the urban form of the neighbouring Canary Wharf Estate.

15.18 The new road and street network establishes a hierarchy of highways within the development and creates accesses at Cartier Circle, a bridge across to Montgomery Square and to Preston's Road. The Design Guidelines enshrine appropriate minimum carriageway and footway widths. This proposed network of primary, secondary and tertiary roads would aid legibility and increase permeability and connectivity to nearby public transport links.

15.19 The Design Guidelines secure design quality in respect of the existing and proposed streets, in particular ensuring they are well lit, the development plot frontages provide strong definition to the street, the paving materials, street furniture and landscaping to

be of high quality and that the palette of materials provide continuity between the different places within Wood Wharf.

- 15.20 The Design Guidelines secure a range of pedestrian routes, connecting key spaces throughout the development and, in particular, a near continuous low-level boardwalk circumnavigating the water's edge. The Design Guidelines again secure appropriate design quality e.g. these routes are a minimum 5m wide and should be designed to optimise natural surveillance.
- 15.21 The Design Guidelines also seek to ensure that at ground floor these routes would have predominantly active frontages. This would assist in animating these areas and increasing natural surveillance.
- 15.22 Carriageway widths are designed to ensure cyclists can safely co-occupy these roads with vehicles and the road network is to be managed to create a low speed environment. Cycle routes will be designed to facilitate access to existing cycle routes in the wider area, including Cycle Superhighway 3. The site will contain two cycle hire docking stations, secure residential, employee and visitor cycle parking will also be provided.
- 15.23 The Design Guidelines provide further standards and guidance in respect of character, levels, access, entries & permeability, views, landscape, massing and building lines & frontages for each street or area for the primary road network: Cartier Circle, North-South Street, South Wharf Street and North Wharf Street.

### Spaces

- 15.24 The Parameters secure four key spaces: High Street & Market Square; Junction Square; East Park; and, South Dock Park along with a re-imagination of Montgomery Square which is located on the Canary Wharf Estate.

#### High Street & Market Square

- 15.26 High Street & Market Square lies at the heart of the site with the proposed bridge to Montgomery Square across Water Square to its west and Junction Square to its east. It will perform a vital role in establishing a formal east-west axis to the Canary Wharf estate.
- 15.27 The Design Guidelines envisage High Street as a busy and active high street with generous footpaths with the character of a boulevard. It is intended that this location will be a retail destination. The Guidelines secure appropriate standards in respect of levels, ground floor frontages and views.
- 15.28 Market Square will be a hard landscaped linear pedestrian space, bordered by active frontages to north and south with High Street to the west and Junction Square to the east. It too will be a retail destination and natural continuation of High Street. The Guidelines secure appropriate standards in respect of levels, ground floor frontages, views, landscaping and enclosure.

#### Junction Square

- 15.29 Junction Square is located in the centre of the site. It is envisaged that it'll be a busy and active space with a mix of uses including shops, restaurants and bars so that it is an active space during day and evening. It will be designed so that it is capable of hosting a range of temporary events e.g. art installations or stage performances. The

Design Guidelines secure appropriate standards in respect of levels, permeability, links to Market Square and routes through to East Park, active frontages, views, landscaping and enclosure.

#### East Park

- 15.30 East Park will be a key green space located near residential buildings on the eastern side of the development with a formal park envisaged as a contemporary interpretation of a London Square and a significant active play area to the north of North Wharf Street. The buildings to the east and west will be no closer than 50m to ensure that East Park is of sufficiently generous proportions to achieve its intentions. The Design Guidelines secure appropriate standards in respect of levels, permeability, views, landscaping and enclosure.

#### South Dock Park

- 15.31 South Dock Park is located to south-west of the site adjacent to the water's edge along South Dock and Bellmouth Passage. It will be a soft landscaped, sculptured park, similar in some respects to the Jubilee Park on the Canary Wharf Estate. On its southern and western edge it will be bounded by a low-level boardwalk ensuring a positive relationship with the water. The Design Guidelines secure appropriate standards in respect of levels, permeability, views, landscaping and enclosure.

#### Montgomery Square

- 15.32 Montgomery Square is an existing public space within Canary Wharf Estate. It is a hard landscaped place, that isn't as successful as other places within Canary Wharf. The intention is to transform the Square into an active public space and establish a strong connection to Wood Wharf. The road network will be remodelled to include an east bound lane to the north and a west bound lane to the south, creating a vehicular link between the estates across Montgomery Bridge. The Design Guidelines secure appropriate standards in respect of levels, permeability, views and landscaping.

#### Green Grid

- 15.33 Policies SP04 and DM10 of the Local Plan seek to ensure development is required to contribute to an improved network of open spaces in accordance with the Council's Green Grid and Open Spaces Strategies. Development on areas of open space will only be allowed in exceptional circumstances where, inter alia, it is part of a wider proposal where there is an increase of open space and a higher quality open space outcome is achieved. The development provides a range of open spaces, described above, and the Development Specification secures as a minimum 25,000sqm of publically accessible open space. The Indicative Scheme would provide circa 29,500sqm of publicly accessible open space and, consequently, contributions may be in the region of £5.7m to provide and/or improve publically accessible open space in the area. The development is in accordance with the aforementioned policies.

#### Water

- 15.34 Wood Wharf is largely surrounded by water and is almost an island surrounded by the historic dock system. There are four principal water spaces surrounding the site: Blackwall Basin, Graving Dock, South Dock and the area around Bellmouth Passage / Middle Cut. In this section, the omission of the canal is also addressed.

#### Blackwall Basin

- 15.35 This body of water lies to the north of Wood Wharf, is bounded in part by listed dock walls and its northern edge is defined by houseboat moorings with residential buildings behind. The proposed development is intended to define its southern and western edge that would highlight its original 'puddle dock' form. A continuous low-level boardwalk would create a positive relationship with the water's edge. The development will also create a floating dock for residential houseboat moorings reflecting that in the north of the basin. The Design Guidelines secure appropriate standards in respect of levels, permeability, views, landscaping and enclosure.

#### Graving Dock

- 15.36 Graving Dock is a body of water to the east of Wood Wharf. It has a quiet character and is divided by the Lovegrove Walk Bridge which connects Wood Wharf to Preston's Road. A publicly accessible route will border its western edge to the north of the bridge and in its southern part 'eco-islands' will be established as a habitat for water birds and wildlife. The south-western edge of the Dock may be bordered by a school with the potential for learning terrace that engages with the waters' edge. The Design Guidelines secure appropriate standards in respect of levels, permeability, views, landscaping and frontages.

#### South Dock

- 15.37 South Dock is the large expanse of water separating Wood Wharf from South Quay. The development seeks to reclaim land from South Dock on the south-western edge of Wood Wharf and create the potential for boat moorings along this edge. The proposals would create a straight edge to Wood Wharf in this location (unlike the extant permission which created 'islands' in this section of South Dock). Whilst the proposal does reduce the expanse of water within the docks, this new land assists to maximise the ability of the development to deliver houses and commercial floorspace and adds incremental value to the development which assists in supporting the delivery of affordable housing, open space and community infrastructure.

#### Water Square (Bellmouth Passage / Middle Cut)

- 15.38 This is the area between the Site and the Canary Wharf estate that will include the bridges to Montgomery Square and Montgomery Street. The proposals seek to connect these two areas and introduce floating bars and restaurants into this space. The Design Guidelines secure appropriate standards in respect of levels, permeability, views, landscaping and enclosure.

#### Canal

- 15.39 The Local Plan Site Allocation for Wood Wharf sets out Design Principles which includes a north-south canal through the centre of site, broadly where Junction Square is proposed. The proposed development does not include a canal through the development. It is noted that the application was advertised as a Departure from the Plan. However, during the assessment of the application, Officers are now confident that the application does not depart from the Development Plan, when read as a whole. The omission of the canal is considered acceptable for the following reasons:

- The canal would result in a significant reduction in useable space. Whilst it would create a visual amenity, unlike public realm it could not be used as such;

- A canal would have the potential to segregate the site, between the high-value west of the site with the commercial core and the lower value east of the site, where the affordable housing is more likely to be located;
- The site is largely surrounded by water; creating additional 'blue' amenity is not considered a priority given the competing pressures for various uses of the land;
- The Canal is unlikely to provide a significant practical function. Blackwall Basin is already served by a navigational route via Bellmouth Passage and the houseboats tend to be permanent and are not regularly moved;
- The costs associated with in the canal such as service routes, dividing the basement, 'lifting' bridges complicating the road network would affect the ability of the development to maximise it affordable housing and community benefits.

15.40 It is noteworthy that Canals and Rivers Trust do not object to the proposed scheme and the development secures boat access through Bellmouth Passage, thereby ensuring access to and from Blackwall Basin and South Dock.

15.41 It is Officers' opinion that, for the reasons given above, high quality place-making would be hindered and not helped if a canal was provided as part of this development.

#### Blue Ribbon Network

15.42 According to the London Plan, the Blue Ribbon Network is spatial policy covering London's waterways and water spaces and land alongside them. As mentioned previously, the site is surrounded by water. There is however currently poor public access and little positive use of the water's edge as a public amenity.

15.43 Blue Ribbon Network policies within the London Plan and Local Plan policy DM12 requires Council's, inter alia, to:

- Encourage uses of the Blue Ribbon Network and land alongside it to be prioritised in favour of those uses that specifically require a waterside location;
- To protect and promote facilities for sport and leisure;
- To protect and enhance the biodiversity of the Blue Ribbon Network;
- They state that developments into the water will only be allowed in exceptional circumstances where they add to London's world city status;
- To protect and improve existing access points to, alongside and over the Blue Ribbon Network;
- New sections to extend existing or create new walking and cycling routes alongside the Blue Ribbon Network as well as new access points should be provided as part of development proposals for Opportunity Areas;
- To protect the unique character and openness of the Blue Ribbon Network and requires proposals for new structures to be accompanied by a risk assessment detailing the extent of their impact on navigation, hydrology and biodiversity, and mitigation measures;
- To ensure existing and new safety provision is provided and maintained;
- Development proposals adjacent to canals should be designed to respect the particular character of the canal to reflect London's rich and vibrant history; and,

- To promote the vitality, attractiveness and historical interest of London's remaining dock areas by promoting their use for water recreation and promoting their use for transport.

15.44 The proposal seeks to greatly increase access and activities at the water's edge, offering opportunities to connect employees and residents together with the public with the water's edge in contrast to the Canary Wharf estate which largely divorces pedestrians from the water's edge. The development includes provision for boardwalks, pedestrian bridges, mooring points, floating restaurants and ecology islands. These elements are considered to contribute to allowing people to engage with the water. It is considered that the development accords with the intentions of the London and Local Plans' blue ribbon policies.

#### Building Typologies

15.45 Whilst the design of the buildings is a reserved matter, the Design Guidelines secure some key principles including but not limited to:

- Lobbies to be designed as active frontages;
- To maximise transparency of the base of buildings;
- Level access from the street;
- Cores to be easily accessible from basement car park (where applicable);
- Community amenity space to be provided an entry or podium level and opportunities taken for roof level amenity space;
- Flats to have private amenity space in the form of balconies or winter gardens;
- The height of any one tower should vary by a minimum of four storeys from each of its directly adjacent neighbours;
- Towers shall have a clearly differentiated top, middle and bottom;
- The minimum horizontal separation between residential tower buildings should be 18m;
- Roof-tops as a principle should be treated as a fifth elevation and should have an uncluttered and simple profile;
- Roofs should incorporate either amenity space or green/brown roofs where possible;
- Entrances to buildings should have an appropriate level of prominence, be fully integrated into the architecture of the building and where recessed they should be gated;
- The soffit level of awnings should be a minimum of 2.5m above grade;
- All shopfront shutters may not be fitted externally and solid shutters are not acceptable.

15.46 Whilst Landscape is a reserved matter, the Design Guidelines secure some key principles including but not limited to:

- All spaces should be designed to maximise access to all parts of the development for less-able people;
- Landscaping should be designed to encourage biodiversity and use of local or indigenous species;
- Consideration should be given to the use of landscaping as an effective method of sustainable urban drainage;
- Light spillage should be minimised;
- Suitable soil depth to be provided for trees appropriate to that species, typically the height of the growing medium being between 1000-1100mm.

## Tall Buildings

- 15.47 Given the application reserves 'scale', it must set upper limits for height along with the width and length of each Development Plot within the site boundary to establish a 3-dimensional building envelope within which the detailed design of the buildings could be constructed. These are set out in Parameter Plan PP-003 and PP-010.
- 15.48 The Design Principles section of this Report sets out the key policies when assessing tall buildings. The London Plan defines tall buildings as buildings 30m and/or 10 stories or more in height. The Council's policies refer to the CABI/English Heritage guidance on tall buildings (2007) which defines tall buildings as substantially taller than its neighbours and/or which significantly change to the skyline.
- 15.49 A significant number of development plots exceed 30m in height and the Parameter Plans allow for 11 buildings in excess of 90m AOD in height. The Townscape views analysis clearly shows a significant change to the skyline. Site Allocation 16 (Wood Wharf) within the Local Plan sets out the design principles for the site which require, inter alia, development should complement the tall building cluster in Canary Wharf through appropriate taller buildings and focus tall buildings in the west of the site stepping down to the east.
- 15.50 This scheme approaches this site allocation requirement by having tall buildings fronting the docks and lower buildings in the centre of the site defining streets, open spaces and parks. This approach ensures creating a more clearly defined dockside context whilst maintaining the lower rise blocks along the principal streets. Generally, building heights step down towards Preston's Road in the east, integrating with the more modest heights and urban grain in the Coldharbour area.
- 15.51 The proposed development plots (buildings) would not compete for dominance in the skyline with 1 Canada Square. They have the potential however, to provide new landmarks consistent with the national and international role and function of the area. The new buildings will assist in consolidating the cluster of tall buildings in the North Docklands area and is a coherent location for economic clusters of related activity.
- 15.52 The approach taken with this application is supported by officers and is consistent with relevant policies and guidance.

## Townscape

- 15.53 Due to the scale of the development, it has the ability to affect a range of local and strategic views which have been assessed within the Environmental Statement. A development of this scale will have an impact on a range of strategic and local views; in the context of the transforming ambitions for this site set out in the Council's Local Plan this proposal would not be out of context. The Design Guidelines focus on five views which may be particularly sensitive. These are from Greenwich Park, Preston's Road Drawbridge, Coldharbour South, Preston's Road/Steward Road and Blackwall Basin/Poplar Cut.

## Greenwich Park

- 15.54 The view at present is dominated in the distance by the Canary Wharf cluster. The Design Guidelines requires that new buildings should preserve or enhance the setting of the identified landmarks within these views and the relationship between them. Consideration should also be given to the definition of individual buildings to ensure they are individually identifiable and do not merge with their neighbours.



Figure 62: View from Greenwich Park – Indicative Scheme shown in blue, cumulative schemes shown in orange

#### Preston's Road Drawbridge

- 15.55 The view at present is dominated by the industrial cranes with Canary Wharf in the distance. The Design Guidelines require the buildings closest to these cranes to provide an appropriate backdrop and enhance the setting of these cranes and that each building has its own identity with a readily distinguishable top, middle and bottom.

#### Coldharbour South

- 15.56 The existing view comprises a mix of period terraced housing and contemporary development with the Docklands cluster evident in the background. The Parameter Plans and Design Guidelines secure the reduction in heights of buildings fronting Preston's Road compared to the buildings on the western side which are more similar in height to the Canary Wharf buildings.

#### Preston's Road/Steward Road

- 15.57 The existing view is dominated in the foreground by terraced housing. The proposed development would be visible above the roofs of these properties. The Design Guidelines ensure that the residential towers would have minimum separation of 18m to ensure they do not merge in these views and in particular J3 and J4 will have a significant component of sky between these buildings when viewed from this location.

#### Blackwall Basin/Poplar Cut

15.58 This view is dominated by the cluster of buildings at Canary Wharf, with Blackwall Basin in the foreground and the low-level warehousing on Wood Wharf evident. The Design Guidelines secure the buildings providing appropriate enclosure to the Basin, the residential towers are at least 18m apart to ensure they do not merge and the design and heights are sufficiently varied to break up the massing of the development when viewed from this location.

#### Microclimate

15.59 Tall buildings can have an impact upon the microclimate, particularly in relation to wind. Where strong winds occur as a result of a tall building it can have detrimental impacts upon the comfort and safety of pedestrians and cyclists. It can also render landscaped areas unsuitable for their intended purpose.

15.60 The Environmental Statement accompanying the planning application has carried out wind tunnel testing in accordance with the widely accepted Lawson Comfort Criteria. The criteria reflects the fact that sedentary activities such as sitting requires a low wind speed for a reasonably level of comfort whereas for more transient activities such as walking, pedestrians can tolerate stronger winds.

15.61 The modelling found that the existing site conditions are relatively calm, suitable for sitting, standing or leisure walking throughout the year with the exception of Montgomery Square which is suitable for business walking only.

15.62 The modelling tested five scenarios: existing site and surrounds; maximum Parameters with surrounds; Indicative Scheme with surrounds; maximum Parameters with cumulatives; and, Indicative Scheme with cumulatives. Broadly speaking, the most affected areas were similar in all the development scenarios. Generally, microclimate conditions are suitable for the intended range of uses. An increased number of receptors were only suitable for leisure walking during the windiest season for the development scenarios compared to the existing site and a number of areas are in need of mitigation. In particular, the windiest conditions are expected in the vicinity of Development Plots D2 and J5, and mitigation would be required to shelter these thoroughfares from prevailing winds. This mitigation is likely to take the form of sensitive landscaping, consideration of the design and location of building entrances and/or screening. As part of Reserved Matters applications, the wind tunnel modelling will be updated to reflect the detailed design and appropriate mitigation measures will be required to be incorporated. This will be secured by condition. Particular care will need to be given at detailed design stage if balconies rather than winter gardens are proposed on buildings at height.

#### Secure by Design

15.63 Policy 7.3 of the London Plan seeks to ensure that developments are designed in such a way as to minimise opportunities for crime and anti-social behaviour. The built form should deter criminal opportunism and provide residents with an increased sense of security.

15.64 Given that this is an outline application with all matters reserved, there are no detailed design elements to assess against secure-by-design principles. Nevertheless, the Metropolitan Police Crime Prevention Design Advisor has provided some general comments about the development which the applicant confirms can be incorporated into the detailed design.

- 15.65 In general the proposed layout, mix of uses and proposed provision of clear, legible routes through the development would help to minimise crime and anti-social behaviour through significant natural surveillance and by creating opportunities for activity through different times of the day and into the evening, with much greater permeability and connectivity with the surroundings than is afforded at present or would be if the site was developed with a lesser mix of uses.
- 15.66 A condition has been attached requiring the detailed elements of the scheme to demonstrate full secure by design accreditation.

#### Inclusive Design

- 15.67 Policy 7.2 of the London Plan (2011) Policy SP10 of the CS and Policy DM23 of the MDD seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 15.68 A growing awareness of the importance of creating environments that are accessible for all people has led the Council to emphasise the importance of 'inclusive design'. The development has been designed with the principles of inclusive design in mind.
- 15.69 In relation to the streetscape, the use of tactile paving assists with visually impaired people when walking across the shared drop-off space and delineating where the pavement finishes and highway begins. The Design Guidelines ensure that shop entrances will be level access. Wayfinding strategies will be designed will less-able and less-mobile pedestrians in mind. Streets will have benches at certain intervals allowing pedestrians to rest and streets will not have a gradient of more than 1:20. Appropriate detailed design and finishes will be secured via conditions and reserved matters applications.
- 15.70 The applicant's Design and Access Statement sets out that all homes will comply with 'Lifetime Homes' standards, and that 10% of housing units will be wheelchair adaptable (or wheelchair accessible for the affordable rent tenure) across a range of tenures and unit sizes. Alongside this, 10% of parking spaces will be sized so they wheelchair accessible and located conveniently near entrances and lifts. This will be conditioned appropriately and commitments are set out in the Design Guidelines.
- 15.71 10% of all hotel rooms must be wheelchair accessible or capable of being adapted to be wheelchair accessible. The applicant has confirmed that this can be achieved and will be conditioned appropriately. In addition, the feasibility of incorporating a Changing Places facility will be investigated via condition.
- 15.72 The application is in accordance with the aforementioned policies and the detail will be secured through the reserved matters applications and conditions.

#### Security and Zone N

- 15.73 It is vital that the development integrates into the wider Isle of Dogs area. Unlike Canary Wharf, it would be a residential as well as a commercial area. Accordingly, it is crucial that it does not create the impression (inadvertently or not) of a gated community. The applicant has advised that they would seek vehicular entrance security arrangements in Zone N; by the south-eastern entrance from Preston's Road. They further advise that whilst it would provide a security deterrent its primary function would be to form part of CWG's 'unique' commercial offer to potential residents and business occupiers.

15.74 To secure an inclusive development, officers recommend that a condition to ensure that Zone N is the only entrance/exit security control within Wood Wharf. Officers further recommend a condition to ensure that the security arrangements within Zone N only come forward in accordance with the following principles:

1. They shall not create any perception, reasonably held, of a gated community;
2. They shall result in a 'step-change' from security measures currently in place at Cartier Circle and Heron Quays in that they shall be discreet and welcoming;
3. There shall be no security barrier. Retractable bollards are the only identified acceptable physical barrier;
4. Security control shall only be from foyer of an adjacent building or in a purpose built structure that does not appear designed as a security cabin. Its' design shall integrate into high-quality design of the development and shall be as small and discreet as possible; and,
5. Any CCTV or other camera like structures shall be integrated discreetly into the landscape so as to be unnoticeable to a casual pedestrian entrant.

15.75 Subject to securing such a condition, Officers are confident that the development can come forward in such a way that is inclusive and embodies the principles of good place-making.

## **Heritage**

### Introduction

- 16.1 The environmental statement (ES) assesses the likely effects of the proposed development on cultural heritage assets and archaeology on and around the site.
- 16.2 A separate heritage statement has also been submitted that considers the impact of the proposed development on the listed dock walls (including setting), on the setting and character and appearance of the Coldharbour Conservation Area (including the proposed works of demolition), and on the setting of Grade II listed buildings near to the site.
- 16.3 It is noted that the ES identifies a minor adverse effect on the All Saints Conservation Area. This was not addressed in the heritage statement, however Officers are confident that sufficient information is available to reach an informed decision and the impact on this conservation area is addressed within this report.

### Heritage Policies and Guidance

#### Development Plan

- 16.4 Policies 7.3, 7.4, 7.8, 7.9 and 7.10 of the London Plan (2011) and the draft London World Heritage Sites – Guidance on Settings SPG (2011) policies SP10 and SP12 of the CS and policies DM24, DM26, DM27 and DM28 of the MDD seek to protect the character, appearance and setting of heritage assets and the historic environment, including World Heritage Sites.
- 16.5 London Plan (2011) policies 7.11 and 7.12, policy SP10 of the Core Strategy Development Plan Document (2010) and policies DM26 and DM28 of the Managing

Development Document seek to ensure large scale buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.

#### NPPF

- 16.6 Detailed Government policy on Planning and the Historic Environment is provided in Paragraphs 126 – 141 of the NPPF. The Coldharbour Conservation Area, The Maritime Greenwich and Tower of London World Heritage Sites, the listed buildings on and around the application site and surrounding conservation areas are all ‘designated’ heritage assets, whilst the three cranes adjacent to the south-east of the site and potential archaeological remains are ‘non-designated’ heritage assets.
- 16.7 Annex 2 (Glossary) of the NPPF provides the following definition of heritage assets:
- ‘A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).’*
- 16.8 NPPF Paragraph 128 requires applicants to describe the significance of any heritage assets affected by a proposal. The applicant has provided a heritage statement that includes a statement of significance for the built heritage assets directly affected by the application proposals, although not for All Saints Conservation Area.
- 16.9 Paragraph 128 also says that applicants should be required to submit appropriate desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. A desk-based assessment has been enclosed with the heritage statement.
- 16.10 Under NPPF Paragraph 129, local planning authorities are advised to identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. This assessment should take account of the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.
- 16.11 NPPF Paragraph 131 goes on to state that in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and,
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 16.12 ‘Conservation’ is defined in the NPPF Annex 2: Glossary as ‘The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.’
- 16.13 NPPF Paragraph 132 notes that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the

asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

16.14 Annex 2 (Glossary) of the NPPF provides the following definition of "Significance"

"the value of a heritage asset to this and future generations because of its heritage interest...Significance derives not only from a heritage asset's physical presence but also from its setting"

16.15 The NPPF at Paragraphs 133 and 134 respectively refer to proposals which cause substantial harm, or less than substantial harm, to designated heritage assets and establish the relevant tests:

- Paragraph 133 states that where a development proposal will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
  - the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.
- Paragraph 134 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

16.16 The online National Planning Practice Guidance (NPPG) provides the following advice with regard to assessing whether or not substantial harm is caused to heritage assets:

*'What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.'*

*Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.*

*While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example,*

*when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.'*

- 16.17 This guidance makes it clear that it is not the scale of development that is to be assessed rather it is the harm to the asset's significance. It advises that in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest.
- 16.18 However, in considering the significance of the asset, NPPF paragraph 138 notes that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance and paragraph 137 advises local planning authorities to look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. In addition, paragraph 137 states that proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 16.19 NPPF Paragraph 135 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 16.20 Specifically relating to archaeology, NPPF Paragraph 139 advises that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.
- 16.21 This section of the report considers the implications for the application in respect of strategic views, archaeology, listed buildings and conservation areas and non-designated heritage assets.

### Strategic Views

- 16.22 The development has the potential to affect three views, which are designated as Strategic within the London View Management Framework; the London Panorama's from those from Greenwich Park (LMVF View 5A.1) and Primrose Hill (LMVF View 4A.1) and the River Prospect from Waterloo Bridge (LMVF View 15B.1).
- 16.23 In respect of the Greenwich WHS, English Heritage note that the '*scale and volume of proposed development will... result in a build-up in the appearance of development in the backdrop of the view of Greenwich World Heritage Site (LVMF 5A.1)*'. The Mayor of London's World Heritage Sites – Guidance on Settings notes that 'The towers of Canary Wharf have a profound impact on the setting of the Maritime Greenwich World Heritage Site but they are at sufficient distance to allow the significance of the axial view of the Royal Observatory to be appreciated.'
- 16.24 The view from the General Wolfe Statue is an important consideration in relation to the impact on the Maritime Greenwich World Heritage Site (WHS) – LVMF5A.1. Whilst there are more towers now proposed compared to the 2008 development proposal, they are now narrower in relation to their height and more slender on plan; reducing the overall visual impact of the development in views from the WHS. The

proposed development is also at sufficient distance to allow the significance of the view to be appreciated and the impact is thus lessened. Given the very great significance of a WHS, the impacts of any proposal in strategic views then should be considered with particular care, mindful of the heritage designations. The LVMF and Mayor's special guidance on development in the settings of WHSs are also material considerations.

- 16.25 Due to the distance of the application site from the Primrose Hill LVMF Assessment Point 4A.1, the proposed development is not significantly visible within the existing cluster of tall buildings in the Docklands. Notwithstanding this, the proposed buildings are visible and will add to the strength of the Docklands clusters and the general form of the skyline,
- 16.26 Due to the distance and orientation of the proposed development from the Waterloo Bridge LVMF Assessment Point 15A.1 the proposed development does not appear highly visible from this location, resulting in a negligible effect on this view.
- 16.27 It is noteworthy that the GLA, Historic Royal Palaces, English Heritage and the Royal Borough of Greenwich raise no objections in the respect of the impact on strategic views.

#### Archaeology

- 16.28 The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. As set out above, Paragraph 128 of the NPPF says that applicants should be required to submit appropriate desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development.
- 16.29 This application will affect designated and undesignated heritage assets of industrial archaeological interest forming part of the West India Docks built from 1800 onwards. The national importance of these docks is recognised through listing and their significance is described in the applicant's heritage assessment.
- 16.30 Specifically, the site includes the southern edge of Blackwall Basin, the infilled Junction Dock and part of the infilled Graving Dock. These are likely to survive as below-ground structures in-whole or in-part along with remains of the associated dockside structures.
- 16.31 In addition, the desk-based assessment highlights the discovery of a 'fossil forest' at Blackwall and more recently an early Neolithic burial and Bronze Age timber platform. This indicates the presence of a well preserved buried prehistoric landscape which includes heritage assets of national significance. Within the docks basins themselves such remains will almost certainly have been destroyed but between the basins there could be good survival potential having regard to the local buried landscape topography.
- 16.32 The CgMs desk-based assessment concludes that the sites potential for important prehistoric and post-medieval remains is high. As set out above, such remains could be considered of national significance having regard to NPPF policy 139.
- 16.33 English Heritage (archaeology) advises that the submitted documentation appropriately assesses the likely archaeological remains. Given the likely nature,

depth and extent of the archaeology involved, they advise that further fieldwork prior to the determination of the application is not necessary and recommend a condition to agree and implement a Written Scheme of Investigation. The Scheme of Investigation is likely to include targeted trenching and geoarchaeological and/or palaeoenvironmental work coupled with investigation and recording and the post-medieval docks and provision made for analysis, publication and dissemination of the results and archive deposition. Subject to this condition, the impact of the development on archaeology is acceptable.

#### Coldharbour Conservation Area and Grade II listed Gun Public House

- 16.34 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 16.35 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 sets out that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 16.36 In the recent case of *East Northamptonshire, English Heritage and The National Trust v. Secretary of State for Communities and Local Government and Barnwell Manor Wind Energy Ltd (2014)*, the Court of Appeal clarified that the desirability of preserving the setting of a listed building or the character or appearance of a conservation area should be given "considerable importance and weight" by the Council in making their decision. The Court has stated that there is a strong presumption against granting planning permission for development which would harm the conservation area, listed building or its setting although this presumption may be overridden in favour of development if the decision maker concludes that the development has some advantage or benefit which outweighs the considerable importance and weight that must be given to any harm that would occur.
- 16.37 A small section of the Conservation Area is located within the application site, including the Graving Dock. The proposal seeks to introduce 'eco-islands' into this Dock, which is of historic interest in the context of the Conservation Area. Whilst the eco-islands are not entirely sympathetic to the historic character of the docks which were hard edged, industrial structures; the original form of the dock would remain clearly discernable and the harm would be less than substantial. Moreover, they have the potential to create significant biodiversity improvements and may serve as an ecological learning tool for the proposed school. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.
- 16.38 A small single storey building to the north of the lock to the South Dock is proposed to be demolished. It is not statutorily or locally listed. However, it is within the Coldharbour Conservation Area. The applicant's Heritage Statement sets out that the building was probably a subsidiary building to the former Dockmaster's office which is located on the south side of the lock and east of the road bridge. It is part of the later development of the South Dock east entrance that took place from 1927-9. The building is of limited significance and makes a neutral contribution to the character and appearance of the Coldharbour Conservation Area. It is proposed to replace the building with high quality contemporary architecture and landscape. It is therefore considered that the proposed demolition is acceptable as it doesn't contribute to the

significance of the Conservation Area and would, therefore preserve its character and appearance.

16.39 In relation to the impact of the proposed development on the setting of Coldharbour Conservation Area, it will have an impact on some views from within the northern part of the conservation area. However, it will not be prominent in key views along Coldharbour itself which forms the historic spine of the Conservation Area. Whilst there will be some impact on the setting of the Grade II Listed Gun Public House, this will be minimal given the distance of the development to the west and overall, a more legible urban context. The southern part of the Conservation Area comprises, amongst others things the river lock to the dock, blue bridge and cranes. At this location, the Conservation Area is at such a significant industrial scale that it is considered that the new buildings to the north on Wood Wharf will preserve the special interest and the overall setting of the Conservation Area. The proposals include the restoration of the dockyard cranes (see below), which would result in direct enhancements of the conservation area.

16.40 The development results in less than substantial harm to the Coldharbour Conservation Area and Grade II Listed Gun Public House. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.

#### Listed Dock Walls

16.41 Listed Building Consent and Planning Permission is sought for the partial demolition and alteration of section of the Grade I listed dock walls to Blackwall Basin and the East Quay of the Export Dock and Middle Cut between the Export Dock and the South Dock.

16.42 The site includes the southern edge of Blackwall Basin which was listed at Grade I in 1983 along with a part of the West India and Import and Export Dock which is was also listed at Grade I in 1983. Grade I structures are of exceptional interest and together the two docks form a key part of the surviving historic dock system within Tower Hamlets.

16.43 The list description relating to Blackwall Basin is brief - it states: *'1800-02 William Jessop engineer. The first non-tidal basin in the Port of London. Same construction as Import and Export Docks with concave buttressed quay walls, the copings, mostly, surviving here, of good ashlar masonry. The locks enlarged in the 1890s follow in the tradition with brick lined chambers and granite quays. The lock into the Poplar Railway Dock dates from the 1890s, see under Preston's Road.'*

16.44 Whilst there has been some debate, over the years with regard to the Grade I status of the Basin, the letter of 22 January 2014 from English Heritage is clear that *'Although Blackwall Basin was altered by subsequent stone walling and the rebuilding of the entrance lock, it is highly significant historically and fully merits its Grade I listed status'*. The historic significance of the Basin is recognised within the relevant Heritage Statement submitted with the Listed Building Consent and Planning Permission applications. That significance lies, however, as much in the Basin's historical associations – as communicated by its plan and extent and location as it does derive from the fabric of the wall itself.

16.45 The listing description relating to the Grade I listed 'Quay Walls, coping and buttresses to Import Dock and Export Dock' states that: *'Following the Act of 1799, the West India Docks were opened in 1802, the first and greatest of the enclosed*

*security commercial docks, a pioneering civil engineering design by William Jessop with Ralph Walker, that created the modern Port of London after 1000 and set the precedent for commercial dock design. The Import Dock is the earliest, 1800-02, followed to south by the Export Lock of 1803-06. Totalling 54 acres and 2,600 ft long with an original impounded south of 23 ft, the quay wall are of sophisticated brickwork having a profile and counterfort buttresses, on a gravel bed. The ashlar granite copings have largely been renewed or concealed by jetties. The locks to the Blackwall Basin were enlarged later in the C19 but see West Ferry Road for the Limehouse Entrance lock to the former City Canal subsequently in the 1860s enlarged as the present South Dock. Expenditure on works from 1800 to 1806 amounted to the vast sum of 1.1 million. These docks with Nos 1 and 2 warehouses (qv) are now the only surviving examples of the first intensive period of London dock construction: 1800-10.'*

- 16.46 The letter of 22 January 2014 from English Heritage notes that *'The Import and Export Docks have also been altered and much of the ashlar granite copings have been replaced or concealed. However, they remain of great historic significance representing the first intensive period of London dock construction and are also Grade I listed'*.
- 16.47 The Listed Building Consent application provides existing and proposed sections at eight locations along with part plans at a scale of 1:200. The drawings are supplemented by a Heritage Statement which includes an Assessment of Significance (dated March 2007) and Hydrographic Survey (dated June 2007) and are further supplemented by a document entitled 'Structural Summary in Support of Works to Blackwall Basin'.
- 16.48 The dock edges bear physical evidence of their long working history as key components at the heart of London's dock system and are therefore of value. Blackwall Basin, in particular, also exhibits evidence of the prolonged period of relative decline as shipping moved away from the enclosed dock system. The existing 'rough around the edges' character exhibited in this part of the dock complex is now rare as quaysides and docks have been transformed over the last few decades as part of regeneration projects.
- 16.49 Section 16 (2) of Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on the Local Planning Authority when making a determination on a Listed Building Consent application to *"have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
- 16.50 As set out above, Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 sets out that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 16.51 Chapter 12 of the NPPF provides further guidance, in particular Paragraphs 133 and 134 (set out in detail above), which set out "public benefit" tests to judge whether they are appropriate reasons for approving Listed Building Consent or Planning Permission applications where substantial harm or less than substantial harm to the significance of designated heritage assets has been identified. Paragraph 137 advises Local Planning Authorities to seek opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

- 16.52 In relation to the impact on Blackwall Basin and its setting, it is noted that the broad form and alignment of the feature is retained with the exception of infilling a 'V' shaped section of dock wall that was formerly part of the access from the Blackwall Basin to the Export Dock, as well as part of the former entrance to the Junction Dock (now infilled). The broad shape has survived more than 200 years and is of particular value. The actual physical fabric proposed to be removed has been heavily altered and makes a limited contribution to the significance and special interest of the heritage asset, which are both largely derived from historical associations and their overall form. Whilst some demolition and alteration is proposed it is considered that these works would not cause anything approaching the complete loss of significance of the heritage asset. Consequently, the development would cause *less than substantial* harm. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.
- 16.53 In relation to the impact of the development upon its setting, the current low-grade warehousing on the site is not considered to contribute positively to the significance of the heritage asset. The redevelopment of the warehousing is encouraged under NPPF Paragraph 137, which advises local planning authorities to look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Whilst the detailed design and appearance of the new development is subject to reserved matters applications, it is clear that the Design Guidelines will secure significantly higher quality architecture and landscape than currently exists. Moreover, the proposal would increase permeability and access to the dock edge and water body, and would introduce a scheme of interpretation. These outcomes of the proposed development would better reveal the significance of the heritage asset. On the other hand, the introduction of pontoons for residential moorings is likely to detract from the setting of the Basin as it impinges on the large body of open water. On balance, these effects of the listed building's setting, reaffirms the view that the proposal would cause *less than substantial harm* to Blackwall Basin. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.
- 16.54 Turning to the effects on the East Quay of Export Dock and Middle Cut between the Export and South Docks, the proposal involves the creation of new land and a cantilevered walkway structure. Two bridges would be constructed in this area linking the Canary and Wood Wharf Estates. As a result of these works, along with the alteration to the levels of the dock edge and creation of surface water drainage outfalls, the development would cause harm to the listed asset. Mindful of the advice contained within the NPPG it is not considered that the proposal would have an impact approaching complete loss of significance of the heritage asset and consequently is considered less than substantial harm. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.
- 16.55 The two bridges (in particular the more substantial vehicular bridge) along with the proposed structures in 'Water Square' would be a significant intrusion into the open body of water and harm the relationship between the listed structures either side of Middle Cut, detracting from the setting of these listed structures.
- 16.56 On the other hand, and for the reasons given above in respect of Blackwall Basin, the proposed development (other than the two bridges and water square) has the potential to enhance the setting of the listed building compared to the existing buildings, as the Design Guidelines will secure significantly higher quality architecture and landscape than currently exists. Moreover, the increased permeability and

access to the dock edge and water body, and the introduction of a scheme of interpretation would better reveal the significance of the heritage asset.

- 16.57 On balance, it is considered that the proposal would cause *less than substantial harm* to these listed structures. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.

#### Surrounding Conservation Areas, Listed Buildings and non-designated heritage assets

##### *Conservation Areas*

- 16.58 Given the scale of the proposed development it would be visible in views from other Conservation Areas, namely West India Dock, Naval Row, St Mathais, All Saints, St Fridewide's and Lasbury, and Balfron conservation areas. The effects of the proposed development on these conservation areas are summarised below:
- 16.59 West India Dock Conservation Area is located over 700m from the site. The proposed development is likely to be screened from view by interposing, high scale development at Canary Wharf. The proposed development will, therefore, preserve its setting.
- 16.60 Naval Row Conservation Area occupies an elevated position within the general area and thus affords wider views to the south from the listed wall on which the conservation area is based than the general built environment. The immediate context of the industrial park to the south of Naval Row and Blackwall DLR Station detracts from the setting of the conservation area; however, Canary Wharf provides a visually interesting and modern backdrop in the distance. The development of the scale proposed could potentially harm the setting of this conservation area. However, the proposed development will comprise contemporary architecture, in keeping with the existing character of the Canary Wharf complex. It is considered that the proposal would preserve its setting.
- 16.61 St Mathias Church Conservation Area is located approximately 700m from the site. The focus of the conservation area is the church and terraced housing surrounding the green open space of Poplar Recreation Ground. The immediate setting of the conservation area has a varied character. Canary Wharf has already significantly altered the setting of the conservation area, creating a visual interesting juxtaposition of old and new. A development of the scale proposed could potentially harm the setting of the conservation area. However, the proposed development will comprise contemporary architecture and the high scale development will perpetuate this visually interesting contrast and the profiles and silhouettes of the buildings are likely to be appreciable at this distance. It is considered that the proposal would preserve its setting.
- 16.62 All Saints Conservation Area is located approximately 800m from the site. The focus of the conservation area is the church, churchyard and late Georgian terraces that enclose the square. The conservation area retains much of its original historic character; the modern development at Canary Wharf is largely screened from view, although is visible in a view from the churchyard. The proposed development is likely to be visible from more of the conservation area, including Newby Place and the churchyard. While the profiles and silhouettes of the buildings are likely to be appreciable at this distance, the proposed development will change the historic character of the conservation area. Because the setting of the conservation area has already been changed by Canary Wharf, the effect on the setting of this conservation

area would be considered to be less than substantial harm. Following the NPPF paragraph 134 test, an assessment of whether the public benefits outweigh the identified harm is considered below.

- 16.63 St Fridewide's and Lansbury Conservation Areas are located 1km and over 900m from the site respectively. The effect of the proposed development at this distance is therefore negligible because it will be largely screened from view by interposing development and trees. It is considered that the proposal would preserve its setting.
- 16.64 Balfron Tower Conservation Area is located over 1 km from the site. The effect of the proposed development at this distance is therefore negligible because it will be largely screened from view by interposing development and trees. It is considered that the proposal would preserve its setting.

#### *Listed Buildings*

- 16.65 Given the context of the cluster of tall buildings in Canary Wharf and the north-south orientation of the roads on which surrounding Listed Buildings are situated, it is considered that the proposed development will have no impact or minimal impact on the settings of other Listed Buildings in the Coldharbour Conservation Area (other than the Gun Public House) and in the wider area. The likely effects of the proposed development on these listed buildings is summarised below:
- 16.66 The setting of the Poplar Dock and the Accumulator Towers on the west side and south-east corner of the Dock will be significantly altered by the proposed development. A development of the scale proposed could potentially harm the setting of these listed buildings. However, the proposed development will replace the poor quality buildings and townscape currently on the Site with contemporary architecture and landscape. Although the existing development on the Site is largely screened from view by the modern residential development on the west side of Poplar Dock, the taller elements of the proposed development will be visible which will signal the regeneration of the area, and it is likely that it will be possible to appreciate the profile and silhouette of the buildings at this distance. It is considered the setting of these Grade II structures will be preserved.
- 16.67 Bridge House, 26 Prestons Road: Bridge House was constructed for the superintendent of the dock and its relationship to the docks at this key strategic location will not be altered by the proposed development. A development of the scale proposed could potentially harm its setting. Recent residential development detracts somewhat from the setting of Bridge House. The setting has also been changed by the development of Canary Wharf, which indicated the location of the financial district nearby. The taller elements of the Proposed Development are likely to be visible above the residential development in the immediate setting. The proposed development will replace the poor quality buildings and townscape currently on the Site with contemporary architecture and landscape. It is considered the setting of these listed structures will be preserved.
- 16.68 Isle House, No. 1, No.3, No. 5-7, No.15 & Blackwall River Police Station, Coldharbour: The existing buildings on the Site are not visible from most of the streets of Coldharbour, but are screened by interposing development. Given the scale of the proposed development it is likely that some of the proposed buildings will be visible from these listed buildings. Certainly, the proposed development will be prominent in views of the listed buildings from the Greenwich Peninsula where their river frontages are best appreciated. The setting of these listed buildings has already been substantially altered by the development of Canary Wharf, which is prominent

in the backdrop of the view and illustrates the different phases in the historic development of the Isle of Dogs, and provides a dynamic contrast of visual interest. A development of the scale proposed could potentially harm the setting of these listed buildings. However, the proposed development will remove the poor quality buildings at the entrance to South Dock and be replaced with contemporary architecture. It is considered the setting of these listed structures will be preserved.

- 16.69 Warehouses and General Offices at Western End of Northern Quay, West India Dock Road: The warehouses at the western end of Northern Quay are located over 750m from the application site. The proposed development will be screened from view by interposing development at Canary Wharf, which is of a considerable scale. Therefore the proposed development will preserve the setting of the grade I listed warehouses.
- 16.70 St Mathias Church is located approximately 700m from the Site. The churchyard and Poplar Recreation Ground forms the immediate setting of the Church to the north. Modern development at Canary Wharf has already significantly altered the setting of the church. There is a dramatic contrast in the scale and style of the development at Canary Wharf and the church, which illustrates the different phases in the development of this part of London, and provides a visually interesting juxtaposition of old and new. The proposed development will change the setting of the church further, perpetuating the existing contrast between old and the new development. The profiles and silhouettes of the buildings are likely to be appreciable at this distance. The proposed development will preserve its setting.

#### *Non-designated heritage assets*

- 16.71 The three cranes to the south-west of the application site derive their significance due to their relationship with the dock edge, rather than the unattractive low-grade warehousing to the north. Whilst the proposed development would result in a build-up in the backdrop of these cranes, it would not harm the relationship between the cranes and the dock.
- 16.72 Turning to the Tower of London WHS, the Environmental Statement Visual Impact Study show that these tall towers would just be visible in the sky-space between the bascules of Tower Bridge (view D9 from HMS Belfast Pier), but their impact would be no more significant than that of the existing tall buildings at Canary Wharf. The effect on the setting of the Tower of London World Heritage Site would therefore be minimal.

#### Harm and consideration of Public Benefits

- 16.73 NPPF Paragraph 132 notes that when considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The paragraph advises that 'substantial harm to or loss of designated heritage assets of the highest significance, notably...grade I and II\* Listed buildings...and World Heritage Sites, should be wholly exceptional.'
- 16.74 It is not however considered that substantial harm would be caused. As set out in this Chapter it is considered that some elements of the development would cause *less than substantial harm* to designated heritage assets.
- 16.75 In this case Paragraphs 133 and 134 of the NPPF apply and advise that where a development proposal will lead to less than substantial harm to the significance of a

designated heritage asset, such harm (understood in the light of statutory requirements set out above) should be weighed against the public benefits of the proposal.

- 16.76 However, in carrying out this balancing exercise, and following clarification from the Court of Appeal in Barnwell, considerable importance and weight should be placed on the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and in the case of conservation areas the desirability of preserving or enhancing the character or appearance of that area.
- 16.77 Consideration should, therefore be given, to the public benefits (including heritage benefits) arising from the proposal. The applicant has offered a heritage mitigation package which includes funding (£100,000) for repair and restoration works to the three dock cranes located outside the southern boundary of the site, a scheme of interpretation for the site (with input from Museum of London Docklands) and funding for potential public realm improvements. The applicant considers that the enhanced public access to the site particularly along the southern edge of Blackwall Basin adjacent to the listed structure allows greater appreciation of the asset. It is also noted that conditions would ensure a good standard of repair to the retained dock walls and the re-use of masonry wherever possible. Landscape improvements and increased activity in the setting of the heritage assets would also be achieved.
- 16.78 There are substantial wider public benefits associated with the scheme that otherwise could not be achieved. These include additional housing, affordable housing, improved connectivity (in particular with the public transport links on Canary Wharf Estate), improved biodiversity, jobs, community infrastructure etc.
- 16.79 It is considered that whilst having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which the listed structures possess and the desirability of preserving or enhancing the character or appearance of the conservation area, and having ascribed considerable weight and significance to those identified instances of harm, this proposal provides significant public benefits that outweigh the less than substantial harm that has been identified to the heritage assets.

### Conclusion

- 16.80 Having regard to the heritage impacts as a whole, it is considered that less than substantial harm would result from the proposed development and whilst giving considerable importance and weight to this harm it would significantly be outweighed by the public benefits that would accrue from this development.
- 16.81 The Council, in reaching its conclusions, has assessed the material submitted (in particular the ES and heritage statement) by the applicant along with relevant representations including from statutory consultees and local amenity groups and residents in order to determine the significance to be attached to each asset and the likely impact of the scheme on each asset. In each case, officers have concluded that there is less than substantial harm and have therefore given consideration to the scale of the public benefits arising from the scheme, both in terms of the wider enhancement of heritage assets and the overarching benefits of the scheme as they relate to sustainable development, place making, infrastructure delivery, housing supply and job generation which are considered to be significant.

### **Neighbouring amenity**

- 17.1 Policy DM25 of MDD requires development to protect, and where possible improve, the amenity of surrounding existing and future residents as well as the amenity of the surrounding public realm. The policy states that this should be by way of protecting privacy, avoiding an unacceptable increase in sense of enclosure, avoiding a loss of unacceptable outlook, not resulting in an unacceptable material deterioration of sunlighting and daylighting conditions or overshadowing to surrounding open space and not creating unacceptable levels of noise, vibration, light pollution or reductions in air quality during construction or operational phase of the development.
- 17.2 The effects on microclimate, noise and air quality are assessed elsewhere in this report. However, the cumulative impacts of all these potential effects on neighbouring amenity are considered in the conclusion of this section.

### Privacy

- 17.3 In the preamble to MDD Policy DM25, the document advises that a distance of 18m is normally sufficient to mitigate any significant loss of privacy between habitable facing windows.
- 17.4 The proposed development is surrounded by commercial development to the west and Blackwall Basin and South Dock to the north and south respectively. Accordingly, the closest development is to the east. Development to the south-east (to the south of the Blue Bridge) is in excess of 40 metres from the nearest proposed Development Plot. To the east (on the far side of Preston's Road) there are three-storey buildings which are at least 40 metres from the nearest proposed Development Plot. To the north-east, the closest development is on Lancaster Drive which is approximately 33 metres from the nearest proposed Development Plot. Accordingly, the development is not considered to result in any undue overlooking issues to surrounding residents, in accordance with Local Plan policy DM25.

### Outlook / sense of enclosure

- 17.5 The assessment of sense of enclosure or the impact upon outlook is not a definable measure and the impact is a matter of judgement. If there are significant failures in daylight and sunlight or infringements of privacy it can be an indicator that the proposal would also be overbearing and create an unacceptable sense of enclosure. As explained elsewhere in this Chapter, there is not considered to be significant detrimental impact in terms of a loss of light or privacy in the context of this location and the proposal is not considered to unduly affect neighbours' outlook or sense of enclosure, having regard to the urban context and the Council's strategic aspirations for Wood Wharf.
- 17.6 Moreover, the proposed development should be considered in context of the extant scheme. The extant scheme proposed six massive floorplate commercial buildings whilst this application proposes Development Plots which promotes much more slender buildings which will vary significantly in height and design. Consequently, outlook and sense of enclosure for neighbouring residents would be improved as compared to the extant scheme.

### Effect on daylight and sunlight of neighbouring dwellings

- 17.7 DM25 of the MDD and SP10 of the CS seek to ensure that existing and potential neighbouring dwellings are safeguarded from an unacceptable material deterioration of sunlight and daylight conditions.

- 17.8 For calculating daylight to neighbouring properties, affected by a proposed development, the primary assessment is the vertical sky component (VSC) together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 17.9 The VSC is a quantified measurement of the amount of skylight falling on a vertical wall or window. The BRE handbook suggests a window should retain at least 27% VSC or retain at least 80% of the pre-development VSC value.
- 17.10 The NSL is a measurement of the proportion of the room which receives direct sky light through the window i.e. it measures daylight distribution within a room. The BRE Handbook states that if an area of a room that receives direct daylight is reduced to less than 0.8 times its former value the effects will be noticeable to its occupants.
- 17.11 Where the assessment considers neighbouring properties yet to be built then Average Daylight Factor (ADF) may be an appropriate method to supplement VSC and NSL. British Standard 8206 recommends Average Daylight Factor (ADF) values for new residential dwellings, these being:
- >2% for kitchens;
  - >1.5% for living rooms; and
  - >1% for bedrooms.
- 17.12 For calculating sunlight the BRE guidelines state that sunlight tests should be applied to all main habitable rooms which have a window which faces within 90 degrees of due south.
- 17.13 In relation to sunlight, the annual probable sunlight hours (APSH) considers the amount of sun available in both the summer and winter for each given window which faces within 90° of due south. If the window reference point can receive more than one quarter (25%) of APSH and at least 5% of APSH during the winter months, between 21st September and 21st March, then the room should still receive enough sunlight.
- 17.14 If the available annual and winter sunlight hours are less than 25% and 5% of annual probable sunlight and less 0.8 times their former value, either the whole year or just during the winter months, then the occupants of the existing building will notice the loss of sunlight.
- 17.15 The application is supported by a Daylight and Sunlight Assessment (DSA). There are numerous scenarios presented, however the report focuses on the Parameter Plans with additional results and comment in respect of the Indicative Scheme. Our consultants, DPR, advise that this is a robust approach. DPR further advise that whilst cumulative analysis has been provided, as this consists of only two additional developments, located to one side of the proposed development and of relatively slender form, they do not make a significant difference in any event.

#### Daylight (Parameter Plans)

17.16 The following properties were assessed:

- 116-417 Poplar Dock;

- 1-16 Landon's Close;
- 1-14 Bridge House Quay;
- Arran House, 1-22 Preston's Road;
- Kintyre House, Coldharbour;
- Lewis House, Coldharbour;
- 1-43 Lancaster Drive;
- 1-21 and 24-38 Vantage Mews;
- 1-5 and 7 Coldharbour;
- 1-22 Concordia Wharf, Coldharbour;
- 1-15 Horatio Place;
- 71-101 and 416 Preston's Road;
- 607-615 Manchester Road;
- 1-67 Stewart Street;
- 1-52 Antilles Bay;
- 1-18 Dollar Bay;
- 1-114 Meridian Place;
- Houseboats moored at Blackwall Basin.

17.17 The table below summarises the results for these surrounding buildings in terms of existing VSC and NSL:

<b>TABLE 12.7: SUMMARY OF BASELINE RESULTS FOR EXTERNAL RECEPTORS</b>			
<b>Address</b>	<b>Total that meet VSC criteria (&gt;27%)</b>	<b>Total no. of rooms that receive NSL in excess of 80%</b>	<b>Total no. of windows that meet APSH criteria</b>
116-417 Poplar Dock	189 of 583 (32.4%)	394 of 474 (83.1%)	341 of 495 (68.8%)
1-16 Landon's Close	23 of 117 (19.6%)	58 of 63 (92%)	70 of 108 (64.8%)
1-14 Bridge House Quay	25 of 96 (26%)	48 of 52 (92.3%)	55 of 83 (66.2%)
Arran House, 1-22 Preston's Road	39 of 72 (54.1%)	48 of 49 (97.9%)	36 of 57 (63.1%)
Kintyre House, Coldharbour	27 of 39 (69.2%)	31 of 33 (93.9%)	30 of 34 (88.2%)
Lewis House, Coldharbour	9 of 17 (52.9%)	13 of 17 (76.4%)	8 of 8 (100%)
1-43 Lancaster Drive	114 of 289 (39.4%)	136 of 142 (95.7%)	169 of 272 (62.1%)
1-21 and 24-38 Vantage Mews	98 of 131 (74.8%)	123 of 125 (98.4%)	37 of 38 (97.3%)
1-5 and 7 Coldharbour	13 of 27 (48.1%)	15 of 21 (71.4%)	N/A
9-19a&b and 35-60 Coldharbour	171 of 250 (68.4%)	164 of 172 (95.3%)	90 of 109 (82.5%)
1-22 Concordia Wharf, Coldharbour	22 of 37 (59.4%)	19 of 33 (57.5%)	2 of 6 (33.3%)
1-15 Horatio Place	18 of 20 (90%)	19 of 20 (95%)	N/A
71-101 and 416 Preston's Road	93 of 147 (63.2%)	113 of 127 (88.9%)	416: 18 of 32 (56.2%)
607-615 Manchester Road	27 of 52 (51.9%)	27 of 30 (90%)	10 of 15 (66.6%)
1-18 Dollar Bay	30 of 46 (65.2%)	34 of 35 (97.1%)	7 of 12 (58.3%)
1-67 Stewart Street	9 of 44 (20.4%)	11 of 29 (37.9%)	10 of 20 (50%)
1-52 Antilles Bay	54 of 92 (58.6%)	80 of 80 (100%)	N/A
1-114 Meridian Place	201 of 363 (55.3%)	166 of 209 (79.4%)	78 of 160 (48.7%)
Houseboats moored at Poplar Dock	29 of 37 (78.4%)	Not assessed	32 of 32 (100%)
<b>Total</b>	<b>1191 of 2459 windows (48.4%)</b>	<b>1499 of 1711 rooms (87.6%)</b>	<b>993 of 1481 windows (67%)</b>

Figure 63: Table summarising Baseline VSC, NSL and APSH results for neighbouring properties

- 17.18 The results show that with respect to VSC 1191 out of the 2459 windows (48.4%) comply with the BRE standard and 1499 out of the 1711 (87.6%) comply with the NSL standard. It is noteworthy that due to the low level nature of development on Wood Wharf currently, these are unlikely to be causing the failures identified above. It is more likely that these are a result of the urban grain outside of the site or where architectural features such as balconies and eaves overhang the windows.
- 17.19 The tables below summarises the VSC and NSL results if the Parameter Plans for Wood Wharf were developed out (the 20-20.9% reduction equates to a minor adverse effect, 30-39.9% reduction equates to a moderate adverse effect and in excess of 40% a major adverse effect):

<b>TABLE 12.8: PARAMETER PLANS VSC SUMMARY BY EXTERNAL RECEPTOR</b>						
Address	Total that meet 2011 BRE Guidelines	Below BRE Guidance				Total no. of windows
		Loss 20-29.9%	Loss 30-39.9%	Loss >40%	Loss Total	
116-417 Poplar Dock	294	87	79	123	289	583
1-16 Landon's Close	58	21	20	18	59	117
1-14 Bridge House Quay	44	22	13	17	52	96
Arran House, 1-22 Preston's Road	64	0	4	4	8	72
Kintyre House, Coldharbour	37	1	1	0	2	39
Lewis House, Coldharbour	17	0	0	0	0	17
1-43 Lancaster Drive	130	21	23	115	159	289
1-21 and 24-38 Vantage Mews	80	41	10	0	51	131
1-5 and 7 Coldharbour	27	0	0	0	0	27
9-19a&b and 35-60 Coldharbour	218	25	3	4	32	250
1-22 Concordia Wharf, Coldharbour	37	0	0	0	0	37
1-15 Horatio Place	6	14	0	0	14	20
71-101 and 416 Preston's Road	59	20	54	14	88	147
607-615 Manchester Road	24	20	4	4	28	52
1-67 Stewart Street	27	5	2	10	17	44
1-52 Antilles Bay	0	1	27	64	92	92
1-18 Dollar Bay	7	20	14	5	39	46
1-114 Meridian Place	217	12	27	107	146	363
Houseboats moored at Blackwall Basin	1	6	10	20	36	37
<b>Total</b>	<b>1347</b>	<b>316</b>	<b>291</b>	<b>505</b>	<b>1112</b>	<b>2459</b>

<b>TABLE 12.9: PARAMETER PLANS NSL SUMMARY BY EXTERNAL RECEPTOR</b>						
Address	Total that meet 2011 BRE Guidelines	Below BRE Guidance			Total	Total no. of rooms
		Loss 20-29.9%	Loss 30-39.9%	Loss >40%		

TABLE 12.9: PARAMETER PLANS NSL SUMMARY BY EXTERNAL RECEPTOR						
Address	Total that meet 2011 BRE Guidelines	Below BRE Guidance			Total	Total no. of rooms
		20-29.9% Loss	30-39.9% Loss	>40% Loss		
116-417 Poplar Dock	433	28	9	4	41	474
1-16 Landon's Close	59	4	0	0	4	63
1-14 Bridge House Quay	52	0	0	0	0	52
Arran House, 1-22 Preston's Road	49	0	0	0	0	49
Kintyre House, Coldharbour	32	1	0	0	1	33
Lewis House, Coldharbour	17	0	0	0	0	17
1-43 Lancaster Drive	92	16	3	31	50	142
1-21 and 24-38 Vantage Mews	123	1	1	0	2	125
1-5 and 7 Coldharbour	21	0	0	0	0	21
9-19a&b and 35-60 Coldharbour	144	27	0	1	28	172
1-22 Concordia Wharf, Coldharbour	31	2	0	0	2	33
1-15 Horatio Place	6	9	5	0	14	20
71-101 and 416 Preston's Road	45	14	18	50	82	127
607-615 Manchester Road	27	1	0	2	3	30
1-67 Stewart Street	13	6	3	7	16	29
1-52 Antilles Bay	63	12	5	0	17	80
1-18 Dollar Bay	32	0	2	1	3	35
1-114 Meridian Place	198	5	2	4	11	209
Total	1437	126	48	100	274	1711

Figures 64 and 65: Tables summarising the effects on neighbouring properties' VSC and NSL if the Parameter Plans were developed out.

17.20 The results show that the required standards are met in terms of the BRE's 0.8 times former value guidance for Lewis House, Coldharbour, and, 1-5, & 7 Coldharbour. In relation to the remaining properties they are discussed in more detail below:

116-417 Poplar Dock;

17.21 Of the 583 windows at these set of properties, 123 experience a VSC reduction of more than 40% from the existing. This is in part due to the limiting effect of these properties balconies and recesses. Only 41 rooms out of 433 do not meet the NSL standard.

1-16 Landon's Close;

17.22 18 of the 117 windows will experience a reduction 40% or more in VSC. 4 of the 63 rooms do not meet the NSL standard.

1-14 Bridge House Quay;

17.23 The results show that 17 of the 96 windows will experience VSC reductions of more than 40%. All of the 52 rooms will pass the NSL standard.

Arran House, 1-22 Preston's Road;

- 17.24 The results show that 8 of the 72 windows do not meet the VSC standard. All of the 49 rooms will pass the NSL standard.

Kintyre House, Coldharbour;

- 17.25 The results show that 2 of the 39 windows do not meet the VSC standard. Of the 3 rooms, 1 does not meet the NSL standard.

1-43 Lancaster Drive;

- 17.26 115 of the 289 will experience a reduction of 40% or more in VSC. 50 of the 142 do not meet the NSL tests. However, the grouping of these properties mask different effects, 7-27 Lancaster Drive experience worse effects than others and in particular 7-9 Lancaster Drive. These two properties experience reductions of between 40-50% VSC and one window experience a reduction of 70%. These properties also experiences significant reductions in NSL around 50% for 6 of the 9 rooms tested.

- 17.27 Further testing was undertaken in respect of 7-27 Lancaster Drive, in particular determining the ADF figures for these rooms. The results demonstrate why there are poor VSC results and why the proposed development can be considered as not having an undue impact. The poor results are substantially to ground floor rooms, which have an overhanging storey above, cutting their sky visibility. As noted on pages 5 and 8 of the BRE Guidelines, a larger relative reduction in daylight may be unavoidable when windows are recessed into buildings or comprise balconies For the Indicative Scheme the NSL results improve, this is logical given that these properties will have an open aspect across the Dock onto open parts of the site (East Park).

- 17.28 On balance, therefore, the effects on these properties is acceptable, particularly when regard is had to the fact the site is low-rise/undeveloped and consequently has unusually high baseline values. It would be difficult to make substantial improvements on sky visibility to these properties without compromising the design concept of the scheme. The development would not cause an unacceptable material deterioration in daylighting conditions to these properties.

1-21 and 24-38 Vantage Mews;

- 17.29 The results show that 51 of the 131 windows will not meet the VSC standard but none more than 40%. Of the 125 rooms, 2 will not meet the NSL standard.

1-22 Concordia Wharf, Coldharbour;

- 17.30 All 37 of the windows pass the VSC standard and 31 of the 33 rooms pass the NSL standard.

1-15 Horatio Place;

- 17.31 The results show that 14 of the 20 windows will experience a reduction in VSC between 20-29.9%. Of the 20 rooms, 14 will not meet the NSL standard, but none by 40% or more.

71-101 and 416 Preston's Road;

17.32 The results show that 14 of the 147 windows will experience a reduction in VSC by 40% or more. Of the 127 rooms, 50 will not meet the NSL standard.

17.33 41-101 Preston's Road comprises a three storey block located directly to the east of the site. The applicant's daylight and sunlight consultant advise that based on an external site inspection the principal habitable rooms face east (away from the site) and the west facing windows are small and appear to be of secondary importance.

17.34 416 Preston's Road is a four-storey block to the south-east of the site. It is noted that many of the west facing windows are located underneath balconies recessed within the façade and are dependent on light received in a horizontal direction across the application site. As previously mentioned, windows with balconies above them typically receive less daylight and because the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a large relative impact.

607-615 Manchester Road;

17.35 The results show that 4 of the 52 windows will experience a reduction in VSC by 40% or more. Of the 30 rooms, 3 will not meet the NSL standard.

1-67 Stewart Street;

17.36 The results show that 10 of the 44 windows will experience a reduction in VSC by 40% or more. Of the 29 rooms, 16 will not meet the NSL standard. It is noted that each of the windows that receive very little daylight in the existing situation because they are recessed within the façade and underneath balconies. Thus, the small absolute changes in daylight will result in a disproportionately large percentage change.

1-52 Antilles Bay;

17.37 The results show that 64 of the 92 windows will experience a reduction in VSC by 40% or more. Most of these windows are located beneath balconies. Of the 80 rooms, 17 will not meet the NSL standard. It is noted however, that these properties are over circa 100m away across South Dock and will, in mitigation, continue to experience a pleasant aspect over the water.

1-18 Dollar Bay;

17.38 5 of the 46 windows will experience a VSC reduction from the existing of 40% or more. In mitigation only 3 of the 35 would not meet the NSL standard.

1-114 Meridan Place;

17.39 The results show that 107 of the 363 windows at these properties will experience a reduction of 40% or more in their VSC. In mitigation only, 11 out of the 209 rooms would not meet the NSL standard.

Houseboats moored at Blackwall Basin.

17.40 The BRE guidance does not propose a test for houseboats. Nevertheless the results show that 20 of the 37 windows will experience reductions in VSC of more than 40%. To some extent this relates to their inherent design i.e. small windows. The NSL standard cannot usefully be applied to houseboats. Whilst the effect on VSC is major

adverse, it would be difficult to reconcile the Council's ambition for a high-density development at this location without significant effects on these properties.

### Dollar Bay

- 17.41 In relation to cumulative schemes, the only extant but unbuilt development that could be significantly affected by this scheme is at Dollar Bay. Results demonstrate that the first floor (likely to be the worst affected) would be able to achieve appropriate ADF figures under both the Indicative and Parameter Plan scenarios.

### Daylight (Indicative Scheme)

- 17.42 The tables below show the VSC and NSL achieved for the Indicative Scheme (the 20-20.9% reduction equates to a minor adverse effect, 30-39.9% reduction equates to a moderate adverse effect and in excess of 40% a major adverse effect):

<b>TABLE 12.11: INDICATIVE SCHEME VSC SUMMARY BY EXTERNAL RECEPTOR</b>						
Address	Total that meet 2011 BRE Guidelines	Below BRE Guidance				Total no. of windows
		Loss 20-29.9%	Loss 30-39.9%	Loss >40%	Loss Total	
116-417 Poplar Dock	345	85	49	104	238	583
1-16 Landon's Close	70	23	12	12	47	117
1-14 Bridge House Quay	52	24	8	12	44	96
Arran House, 1-22 Preston's Road	64	2	6	0	8	72
Kintyre House, Coldharbour	38	1	0	0	1	39
Lewis House, Coldharbour	17	0	0	0	0	17
1-43 Lancaster Drive	140	31	35	83	149	289
1-21 and 24-38 Vantage Mews	112	19	0	0	19	131
1-5 and 7 Coldharbour	27	0	0	0	0	27
9-19a&b and 35-60 Coldharbour	240	6	0	4	10	250
1-22 Concordia Wharf, Coldharbour	37	0	0	0	0	37
1-15 Horatio Place	18	2	0	0	2	20
71-101 and 416 Preston's Road	64	62	11	10	83	147
607-615 Manchester Road	36	11	4	1	16	52
1-67 Stewart Street	32	1	4	7	12	44
1-52 Antilles Bay	5	12	40	35	87	92
1-18 Dollar Bay	22	14	8	2	24	46
1-114 Meridian Place	226	22	41	74	137	363
Houseboats moored at Blackwall Basin	4	5	17	11	33	37
<b>Total</b>	<b>1549</b>	<b>320</b>	<b>235</b>	<b>355</b>	<b>890</b>	<b>2459</b>

<b>TABLE 12.12: INDICATIVE SCHEME NSL SUMMARY BY EXTERNAL RECEPTOR</b>			
Address	Total that	Below BRE Guidance	Total no. of

	meet 2011 BRE Guidelines	20-29.9% Loss	30- 39.9% Loss	>40% Loss	Total	
116-417 Poplar Dock	463	7	4	0	11	474
1-16 Landon's Close	62	1	0	0	1	63
1-14 Bridge House Quay	52	0	0	0	0	52
Arran House, 1-22 Preston's Road	49	0	0	0	0	49
Kintyre House, Coldharbour	33	0	0	0	0	33
Lewis House, Coldharbour	17	0	0	0	0	17
1-43 Lancaster Drive	133	9	0	0	9	142
1-21 and 24-38 Vantage Mews	124	1	0	0	1	125
1-5 and 7 Coldharbour	21	0	0	0	0	21
9-19a&b and 35-60 Coldharbour	171	0	0	1	1	172
1-22 Concordia Wharf, Coldharbour	32	1	0	0	1	33
1-15 Horatio Place	17	3	0	0	3	20
71-101 and 416 Preston's Road	59	33	22	13	68	127
607-615 Manchester Road	28	0	2	0	2	30
1-67 Stewart Street	17	5	6	1	12	29
1-52 Antilles Bay	76	4	0	0	4	80
1-18 Dollar Bay	33	2	0	0	2	35
1-114 Meridian Place	204	2	0	3	5	209
Total	1591	68	34	18	120	1711

Figures 66 and 67: Tables summarising the effects on neighbouring properties' VSC and NSL if the Indicative Scheme were developed out.

17.43 Comparing them to the Parameter Plans, they show that there are improvements in VSC and NSL across the board. For example 1347 (54%) windows pass the VSC standard under the Parameter Plans whilst this is improved to 1549 (59%) for the Indicative Scheme. For NSL 1437 (84%) pass in the Parameter Plans scenario whilst 1591 (92.9%) pass in the Indicative Scheme scenario. There are no external receptors which have worse results under the Indicative Scheme scenario for either VSC or NSL. In relation to the houseboats moored at Blackwall Basin, there is some variation in the VSC effects, but for the better overall. Again, it is worth considering the effects identified above in the context of the unusually high baseline in an urban location.

#### Sunlight (Parameter Plans)

17.44 The following properties were assessed:

- 116-417 Poplar Dock;
- 1-16 Landon's Close;
- 1-14 Bridge House Quay;
- Arran House, 1-22 Preston's Road;
- Kintyre House, Coldharbour;
- Lewis House, Coldharbour;
- 1-43 Lancaster Drive;

- 1-21 and 24-38 Vantage Mews;
- 9-19a&b and 35-60 Coldharbour;
- 1-22 Concordia Wharf, Coldharbour;
- 416 Preston's Road;
- 605, 607 and 615 Manchester Road;
- 1-67 Stewart Street;
- 1-18 Dollar Bay;
- 1-114 Meridian Place;
- Houseboats moored at Blackwall Basin.

17.45 Figure 63 summarises the results for these surrounding buildings in terms of existing APSH.

17.46 The results show that with respect to APSH 993 of 1481 (67%) meet the BRE guidance in the existing situation.

17.47 The table below summarises the APSH results if the Parameter Plans for Wood Wharf were developed out (20%-30%, 30%-40% and in excess of 40% reductions represent minor, moderate and major adverse effects respectively):

TABLE 12.10: PARAMETER PLANS APSH SUMMARY BY EXTERNAL RECEPTOR										
Address	Total that meet 2011 BRE Guidelines	No. of windows below the APSH stated in 2011 BRE Guidelines								
		% Below threshold for Winter APSH				% Below threshold for Total APSH				
		20-30%	30-40%	>40%	Total	20-30%	30-40%	>40%	Total	Total no. windows
116-417 Poplar Dock	321	6	5	163	174	14	40	117	171	495
1-16 Landon's Close	69	9	3	27	39	20	8	10	38	108
1-14 Bridge House Quay	50	7	3	23	33	8	8	17	33	83
Arran House, 1-22 Preston's Road	54	0	0	3	3	2	1	0	3	57
Kintyre House, Coldharbour	32	0	0	2	2	1	0	1	2	34
Lewis House, Coldharbour	7	0	1	0	1	0	0	0	0	8
1-43 Lancaster Drive	156	4	2	109	115	3	4	109	116	272
1-21 and 24-38 Vantage Mews	35	0	0	3	3	0	0	3	3	38
9-19a&b and 35-60 Coldharbour	105	0	0	3	3	3	1	0	4	109
1-22 Concordia Wharf, Coldharbour	6	0	0	0	0	0	0	0	0	6
416 Preston's Road	32	0	0	0	0	0	0	0	0	32
605, 607 and 615 Manchester Road	15	0	0	0	0	0	0	0	0	15
1-67 Stewart Street	20	0	0	0	0	0	0	0	0	20
1-18 Dollar Bay	12	0	0	0	0	0	0	0	0	12

**TABLE 12.10: PARAMETER PLANS AP SH SUMMARY BY EXTERNAL RECEPTOR**

Address	Total that meet 2011 BRE Guidelines	No. of windows below the AP SH stated in 2011 BRE Guidelines								
		% Below threshold for Winter AP SH				% Below threshold for Total AP SH				
		20-30%	30-40%	>40%	Total	20-30%	30-40%	>40%	Total	Total no. windows
1-114 Meridian Place	160	0	0	0	0	0	0	0	0	160
Houseboats moored at Blackwall Basin	26	0	0	6	6	0	0	6	6	32
Total	1100	26	14	339	379	51	62	263	376	1481

Figure 68: Table summarising the effects on neighbouring properties' winter and annual Sunlight if the Parameter Plans were developed out.

17.48 The following properties met the standard required by BRE in respect of AP SH:

1-22 Concordia Wharf, Coldharbour;  
 416 Preston's Road;  
 605, 607 and 615 Manchester Road;  
 1-67 Stewart Street;  
 1-18 Dollar Bay; and,  
 1-114 Meridian Place.

17.49 The remaining properties are discussed in more detail below:

116-417 Poplar Dock

17.50 The results show that 321 of the 495 windows meet the BRE test for sunlight. 117 windows experience a reduction of more than 40% for annual sunlight and 163 experiences a reduction of more than 40% in winter sunlight. There are some rooms which experience a 100% loss of winter sunlight and 50% of annual sunlight.

1-16 Landon's Close

17.51 69 of the 108 windows tested pass the BRE test. In relation to the windows that do not pass the test it is noteworthy that the existence of balconies overhanging these windows will inhibit sunlight to these windows. 38 windows are unable to meet the standard in the existing, unobstructed situation.

1-14 Bridge House Quay

17.52 50 of the 83 windows tested pass the BRE test for sunlight. The majority of these windows that do not pass the test, already receive low levels of sunlight, so small absolute reductions in their sunlight result in disproportionate percentage reductions.

Arran House, 1-22 Preston's Road

17.53 54 of the 57 windows pass the BRE test. The remaining 3 windows are at lower levels and 2 of those do not pass the test in the existing situation.

Kintyre House, Coldharbour

17.54 32 of the 34 windows pass the BRE test. The remaining two windows already receive low levels of sunlight, so small absolute reductions in their sunlight result in disproportionate percentage reductions.

Lewis House, Coldharbour

17.55 7 of the 8 windows tested pass.

1-43 Lancaster Drive

17.56 156 of the 272 windows pass the BRE test. 109 of these experience a reduction of 40% or more from the existing for both annual and winter sunlight. Some of those experience reductions of in APSH of more than 50% and reductions in winter sunlight of 100%. In particular 12, 13, 14, 15-20, 21, 26 and 27 Lancaster Drive are most significantly affected.

17.57 Given Lancaster Drive are the closest residential buildings to the site and to the north-east of much of the proposed massing, it is unsurprising that they are significantly affected. These failures are not arbitrary but rather a consequence of the Council's intention for a high-density development of the site along with the inherent architectural features (i.e. overhangs and recessed windows) of the properties on Lancaster Drive. Regard must also be had to the unusually high baseline results for an urban location.

1-21 and 24-38 Vantage Mews

17.58 35 of the 38 windows pass.

9-19a&b and 35-60 Coldharbour

17.59 105 of the 109 windows pass.

Houseboats moored at Blackwall Basin

17.60 26 out of the 32 windows assessed pass the BRE test. For the 6 windows that do not pass the test, these face west and as the sun is at a lower altitude a greater effect is to be expected.

Sunlight (Indicative Scheme)

17.61 The table below show the annual and winter sunlight for the Indicative Scheme (20%-30%, 30%-40% and in excess of 40% reductions represent minor, moderate and major adverse effects respectively):

TABLE 12.13: INDICATIVE SCHEME APSH SUMMARY BY EXTERNAL RECEPTOR		
No. of windows below the APSH stated in 2011 BRE Guidelines		
% Below threshold for Winter APSH	% Below threshold for	Total APSH

Address	Total that meet 2011 BRE Guidelines	20-30%	30-40%	>40%	Total	20-30%	30-40%	>40%	Total	Total no. windows
116-417 Poplar Dock	351	3	6	135	144	23	48	71	142	495
1-16 Landon's Close	80	4	4	19	27	14	6	5	25	108
1-14 Bridge House Quay	55	6	2	19	27	9	12	7	28	83
Arran House, 1-22 Preston's Road	56	0	0	1	1	1	0	0	1	57
Kintyre House, Coldharbour	32	0	0	2	2	1	1	0	2	34
Lewis House, Coldharbour	7	0	1	0	1	0	0	0	0	8
1-43 Lancaster Drive	178	1	9	83	93	2	23	69	94	272
1-21 and 24-38 Vantage Mews	35	0	0	3	3	0	2	1	3	38
9-19a&b and 35-60 Coldharbour	106	0	0	2	2	2	0	0	2	109
1-22 Concordia Wharf, Coldharbour	6	0	0	0	0	0	0	0	0	6
416 Preston's Road	32	0	0	0	0	0	0	0	0	32
605, 607 and 615 Manchester Road	15	0	0	0	0	0	0	0	0	15
1-67 Stewart Street	20	0	0	0	0	0	0	0	0	20
1-18 Dollar Bay	12	0	0	0	0	0	0	0	0	12
1-114 Meridian Place	160	0	0	0	0	0	0	0	0	160
Houseboats moored at Blackwall Basin	26	0	0	6	6	0	0	6	6	32
Total	1171	14	22	270	306	52	92	159	303	1481

Figure 69: Table summarising the effects on neighbouring properties' winter and annual Sunlight if the Indicative Scheme were developed out.

17.62 Comparing them to the Parameter Plans, they show that there are improvements in APSH. 1100 (74.2%) windows pass the APSH under the Parameter Plans whilst this is improved to 1171 (79%) for the Indicative Scheme. There are no properties which have worse results under the Indicative Scheme scenario. In relation to the houseboats moored at Blackwall Basin, there is some variation in the APSH effects, but for the better overall. When reading the Development Plan as a whole it is not considered the proposed development results in an unacceptable material deterioration in sunlighting conditions.

### Shadow Analysis

Permanent Overshadowing / Sun hours on the ground

17.63 The BRE guidance advise that for a garden area or amenity area to appear adequately sunlit throughout the year no more than two-fifths and preferably no less than one-quarter of such garden or amenity areas should be prevented by buildings from receiving any sun at all on 21st of March.

17.64 There are five sensitive amenity areas: Open courtyard spaces within Fraser Place; Open courtyard spaces within Poplar Dock; Open space adjacent to Poplar Dock Cut; Open space between Landon Close and Bridge House Quay; and Blackwall Basin (including houseboats).

17.65 The results show that all five areas fully comply with the BRE guidance (see Chapter 32: Appendix for the Sun Hours on Ground Key to these images):

- Area 1 (courtyard within Fraser Place) – 81% Parameters Plans to 85% Indicative Scheme;
- Area 2 (courtyard within Fraser Place) – 89% Parameters Plans to 92% Indicative Scheme;
- Area 3 (open space adjacent to Poplar Dock Cut) – 94% Parameters Plans to 94% Indicative Scheme;
- Area 4 (land between Landon Close and Bridge House Quay) – 87% Parameters Plans to 88% Indicative Scheme;
- Area 5 (Blackwall Basin) – 78% Parameters Plans to 82% Indicative Scheme.

17.66 Baseline v Parameters

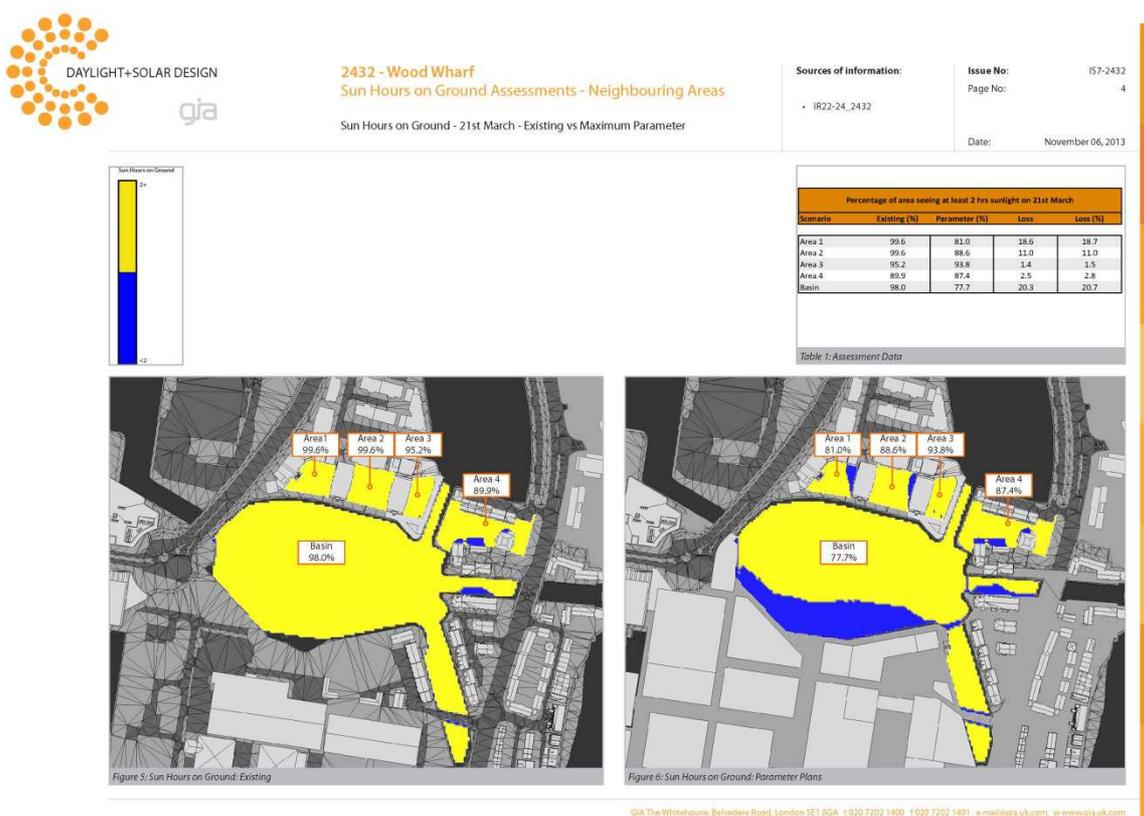


Figure 70: Image showing sun hours on the ground (21<sup>st</sup> March) – Baseline vs Parameters

## 17.67 Baseline v Indicative Scheme

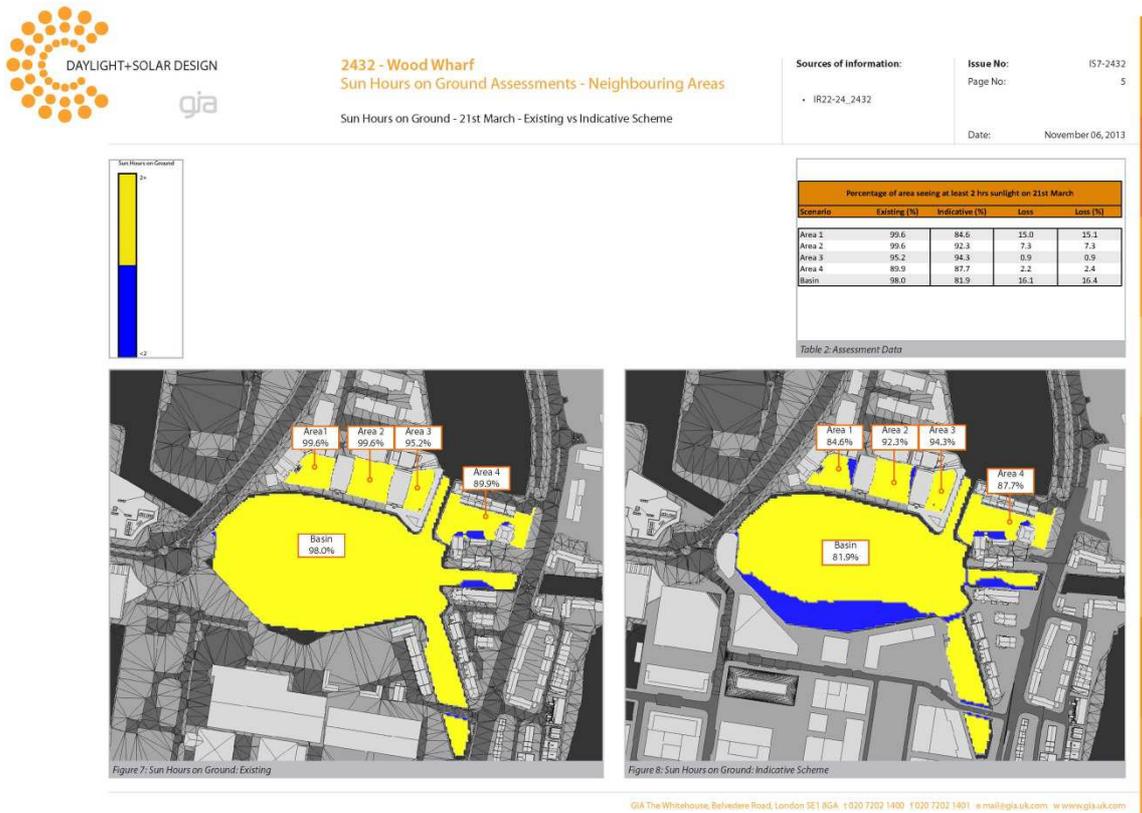


Figure 71: Image showing sun hours on the ground (21<sup>st</sup> March) – Baseline vs Indicative Scheme

### Transient Overshadowing

- 17.68 The BRE guidance give no criteria for the significance of transient overshadowing other than to suggest that by establishing the different times of day and year when shadow will be cast over surrounding areas an indication is given as to the significance of the proposed development's effect. As such, assessment of the potential effect associated with transient overshadowing is made based on expert judgement.
- 17.69 Transient overshadowing diagrams (on hourly internals throughout the day) have been undertaken at three dates: 21<sup>st</sup> March, 21<sup>st</sup> June and 21<sup>st</sup> December in order to understand the shadowing effects of the development.
- 17.70 The results from the Baseline vs Parameter Plans + Cumulative developments scenario show that on 21<sup>st</sup> March up to 14:00pm the shadows cast are long and broken. Between 15:00 to 16:00 Blackwall Basin will be completely overshadowed. At around 17:00 the baseline shows that Blackwall Basin is already largely overshadowed and the Parameter shadows would just sit on top of these. There is likely to be additional shadow to the residential properties and associated amenity spaces on the northern side of Blackwall Basin between 12:00 to 16:00. After this time existing surrounding buildings already cast a shadow over these properties and

amenity areas. In relation to properties on the eastern side, there are likely to be additional shadow between 14:00 to 17:00.

- 17.71 On 21<sup>st</sup> June there is some additional shadow to Blackwall Basin. However, due to the angle of sun in the sky at this time of year, the shadows are much shorter and do not reach the properties on the other side of the Basin and for the most part do not reach the houseboats on the northern side. The properties to the eastern side of the site do receive some additional shadowing.
- 17.72 On 21<sup>st</sup> December, the effects described above are magnified as a result of the low angle of sun in the sky.
- 17.73 The results from the Baseline Vs Indicative Scheme + Cumulative developments scenario, are similar to the above analysis, however as the buildings are smaller, the shadows are generally thinner and shorter on the ground.

#### Solar Glare / Light Pollution to external receptors

- 17.74 The same conclusions are reached in respect of this section as for that assessed in the section Solar Glare / Light pollution to internal receptors. It is noted that surrounding waterspace (for ecological reasons) is a sensitive receptor.

#### Conclusion

- 17.75 Having regard to the effects of this proposed development on neighbouring amenity in regards to microclimate, noise and air quality along with the effects on privacy, outlook, sense of enclosure, daylight, sunlight, overshadowing and solar glare and light pollution it is considered that the development would not result in an unacceptable material deterioration/loss of amenity and would ensure adequate levels of daylight and sunlight, in the context of the Development Plan as a whole and having regard to the principles of the Wood Wharf Site Allocation.

#### **Transport, Connectivity and Accessibility**

- 18.1 The NPPF and Policy 6.1 of the London Plan 2011 seek to promote sustainable modes of transport and accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within the relative capacity of the existing highway network.
- 18.2 Core Strategy policies SP08 and SP09, together with policy DM20 of the Local Plan seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity. They require the assessment of traffic generation impacts and also seek to prioritise and encourage improvements to the pedestrian environment and focus development within areas such as the Isle of Dogs.
- 18.3 As detailed earlier in this report, the site has a moderate to good public transport accessibility level (PTAL) of 3 in the east to 4 in the west. The introduction of Crossrail in 2018 will further improve public transport accessibility, moving the PTAL boundary further east. Blackwall station to the north-east and Canary Wharf and Heron Quay stations to the west are the closest DLR stations to the site. The Canary Wharf station also provides access to the Jubilee line. There are six TfL bus services and one dedicated night bus which serves the site including the D3, D6, D7, D8 135, 277 and the N550. These bus routes provide access to the Isle of Dogs and the wider area. The Canary Wharf Estate are private roads, Preston's Road to the east is a local

road, with Aspen Way, off Preston's Road roundabout, being the closest strategic road, designated as part of the Transport for London Road Network (TLRN).

### Trip rates and Impact

- 18.4 The transport assessment is based on the Parameter Plans, Development Specification and Design Guidelines along with the Indicative Scheme. In addition to the Indicative Scheme, two sensitivity scenarios have been considered. The first is for a 'maximum residential' scenario and the second for a 'maximum commercial' scenario to appropriately reflect the flexibility inherent within the application. These sensitivity scenarios have been further sensitivity tested to consider the impacts on re-sizing the residential units to allow for more residential units as a whole.
- 18.5 The Indicative Scheme is forecast to generate around 100,000 daily two-way person trips. The effects of the AM and PM peaks are forecast to have around 13% and 9% of these trips respectively. The tables below show the Indicative Scheme's Forecast trips at AM and PM Peaks broken down by mode:

Indicative Scheme's Forecast trips at AM and PM Peaks by Mode						
Mode	AM Peak (0800-0900)			PM Peak (1700-1800)		
	IN	OUT	TOTAL	IN	OUT	TOTAL
<b>Car/Service Vehicle Driver</b>	326	259	585	172	219	391
<b>Taxi</b>	41	33	74	28	30	58
<b>Car Passenger</b>	146	125	271	76	75	151
<b>LUL</b>	4,173	1,022	5,195	802	3,031	3,832
<b>Bus</b>	489	397	886	253	362	615
<b>DLR</b>	1,854	460	2,314	359	1,348	1,707
<b>Cycle</b>	331	108	439	77	247	324
<b>Walk</b>	1,022	618	1,640	378	569	947
<b>Other</b>	156	25	181	19	112	131
<b>Crossrail</b>	1,736	444	2,181	346	1,266	1,612
<b>Total Person Trips</b>	<b>10,274</b>	<b>3,491</b>	<b>13,766</b>	2,509	7,259	9,768

Figure 72: Table showing Forecast trips at Peak Periods for the Indicative Scheme

- 18.6 The trip generation exercise concluded that the AM peak hour maximum commercial scheme provides a worst case scenario. This scenario (sensitivity tested with an assumption that units are built to London Plan standards) was therefore considered in detail within the TA analysis. The total person trips generated by the sensitivity test are 44% higher than the Indicative scheme in the AM peak and 4% higher in the PM Peak. The table below shows the maximum commercial scheme sensitivity test (assuming units are constructed to London Plan standards) forecast trips for the AM peak:

Maximum Commercial (with LP unit standards) Forecast trips AM Peaks by Mode			
Mode	AM Peak (0800-0900)		
	IN	OUT	TOTAL
<b>Car/Service Vehicle Driver</b>	411	276	687

<b>Taxi</b>	47	33	80
<b>Car Passenger</b>	156	128	284
<b>LUL</b>	6567	1398	7965
<b>Bus</b>	658	427	1085
<b>DLR</b>	2920	627	3547
<b>Cycle</b>	520	138	658
<b>Walk</b>	1260	660	1920
<b>Other</b>	256	40	296
<b>Crossrail</b>	2730	600	3330
<b>Total Person Trips</b>	<b>15526</b>	<b>4327</b>	<b>19853</b>

Figure 73: Table showing Forecast trips at AM Peak for a sensitivity test on the maximum commercial scheme

- 18.7 The Council's Transport Consultant and TfL have reviewed the applicant's modelling and consider it is robust and credible conclusions can be drawn from it. The model predicts, inter alia, that the development exacerbates existing capacity issues at Preston's Road Roundabout. The capacity results show that the Aspen Way (East) arm of the Preston's Road roundabout is significantly over capacity in the AM peak and the Preston's Road arm is even more over capacity in the PM peak.
- 18.8 This indicates that the impact of the development on the network should be mitigated and/or demand management measures should be secured.
- 18.9 The applicant has offered to create a fund of up to £500,000 to facilitate post-permission traffic, modelling and highway design studies to inform the spend of the further offer of £2.5m towards improvements to Preston's Road roundabout and £1.5m for wider highway improvements.
- 18.10 This mitigation package is supported by TfL, the Council's Highway Department and the Council's Transport Consultant, WYG.

#### Vehicular Access

- 18.11 Where access is a reserved matter, the application for outline planning permission shall state the area or areas where access points to the development proposed will be situated. Accordingly, the access point areas have been defined and are discussed below.
- 18.12 Vehicular access to the site is proposed to be from a bridge to Montgomery Square to the west, Cartier Circle to the north-west, Preston's Road to the south-east and exit only to Preston's Road to the north-east.
- 18.13 Cartier Circle is a 4 arm junction for which a 5th arm will be added for Wood Wharf access.
- 18.14 At Preston's Road South /Site Junction, the Council is likely to require a traffic signal option for this junction at the junction of Preston's Road with a new road to be created at the south of the development. Indicative s278 works have been sketched up in conjunction with the Council's transport consultants and highways officers. The detailed s278 works will be secured and agreed as part of a condition for a Scheme of Highway Improvement works.

- 18.15 Preston's Road North/Site junction would be a one-way egress only road, over the existing Lovegrove Walk Bridge.
- 18.16 At Montgomery Square, a two-way vehicular bridge is to be constructed over to Wood Wharf. This would entail a remodelling of Montgomery Square such that it is one way with an eastbound northern road and westbound southern road.
- 18.17 As a result of these vehicular accesses, the development is considered to be well-connected to the surrounding road network. This approach is supported by TfL, LBTH Highways and the Council's transport consultants.

### Car Parking

- 18.18 Policy SP09 of the CS and Policy DM22 of the Local Plan seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision. The standards set parking levels for this site should be less than 0.3 for one and two bedroom units and 0.4 for three bedrooms or larger. Parking for office use is 1 space per 1,000-1,500sqm of office floorspace. The parking standards for other uses are generally restricted to operational requirements.
- 18.19 Given that this is an application for outline permission with flexible parameters, the Development Specification sets a minimum and maximum for vehicular parking of 600-1300 spaces. The Indicative Scheme would provide circa 3,100 units, a 0.3 per unit this would result in 932 spaces. The Scheme also would provide 240,000sqm of office floorspace; at 1 space per 1,000sqm of floorspace this would generate a maximum parking provision of 240 spaces. A further 51 spaces have been agreed for various other uses including operational requirements, car clubs etc, resulting in the Indicative Scheme providing 1,229 spaces. This demonstrates that the parking range set out in the Development Specification is credible within the context of prevailing policy requirements. TfL's comments acknowledge that the 1,300 range is within London Plan and Tower Hamlets maxima.
- 18.20 10% of these spaces will be provided as compliant disabled parking bays and for use by blue badge holders. 20% of the car parking provision is actively provided for electric charging and 20% for passive provision. These are to be secured by conditions and are compliant with policy. As detailed applications come forward, appropriate parking for operational requirements will be secured, including for uses such as the health facility.
- 18.21 Whilst not controlled through this outline application, the Indicative Scheme proposes the overwhelming majority of the parking in the basement(s). This is, in practice, the only credible way of delivering this quantum of parking and will be secured at reserved matters stage. Parking at grade, will generally be restricted to car clubs, some operational parking and short-stay parking spaces to support the retail uses in the town centre. The Indicative Scheme envisages access to the basement at four points across the site.
- 18.22 The development would be secured as a permit free development, meaning that residents would not be able to apply for a parking permit for the surrounding (local authority) streets.

### Cycle and Walking

- 18.23 Pedestrian and cycle access is the same as for vehicular access with the addition of a pedestrian bridge on the south-west side of the street, connecting to Montgomery

Street quayside and a pedestrian walkway between Development Plots H1 and H4 to Preston's Road.

- 18.24 Pedestrian movements are predicted to increase significantly as a result of this development. The closest local roads are Preston's Road. Improvements to that part of Preston's Road directly opposite the development site will be secured through an s278 agreement. The s106 agreement secures a streetscene contribution (circa £116,000) to make further improvements, which is likely to be focussed on paving in the Coldharbour Conservation Area. A further £500,000 for pedestrian works has also been secured, which is likely to be focussed on Preston's Road further to the north.
- 18.25 The Development Specification proposes as a minimum 3,000 cycle parking spaces. Conditions ensure that as detailed elements of the scheme come forward, the cycle parking provision will be in accordance with current policy standards set out in Appendix 2 of the Local Plan. Cycle spaces for residents, employees and visitors will be secured through condition. Whilst not secured through this outline application, the Indicative Scheme proposes the overwhelming majority of the parking (circa 6,100 spaces) in the basement(s). This, in practice, is the only credible way of delivering this quantum of parking and will be secured at reserved matters stage. Cycle parking at grade, will generally be limited to some visitor spaces as well as TfL run cycle hire scheme ("Boris Bikes") (two docking stations). Conditions and reserved matters applications will also ensure that the location of the parking is convenient as well ensuring there is sufficient lift capacity (where applicable), showers and changing rooms.
- 18.26 Carriageway and footway widths and the network of routes within the site have been secured with the convenience of cyclists and pedestrians in mind.
- 18.27 For all publicly accessible areas, the s106 agreement will ensure public access is secured and maintained by the developer.
- 18.28 Within the development, there will be a continuous network of pedestrian routes at the quayside level adjacent to the water's edge.
- 18.29 The development will significantly improve the environment for pedestrians, as the proposals specifically include new pedestrian routes to stations and stops to create direct and secure facilities and links. Levels, surfaces and wayfinding strategies will be secured with less-able users in mind.
- 18.30 Further to this, discussions have been had with the applicant regarding the delivery of bridge(s) over South Quay to the Canary Wharf estate and / or the Wood Wharf estate. Where Canal and River Trust and Canary Wharf Group have an interest in the delivery of the bridge(s) (bridge landing and air rights), the Council has requested from the applicant their agreement to use reasonable endeavours to assist the Council in bringing these bridge(s) forward where appropriate. Whilst the bridge(s) are not required from a transport planning requirement, it is considered good urban planning and may require safeguarding land at Wood Wharf for the landing of the bridge. This matter will be addressed by s106 obligation.
- 18.31 A travel plan framework and individual residential and commercial travel plans will be appropriately secured through the s106 to encourage residents, employees and other site users to use sustainable methods of transport.

18.32 The s106 will secure an east-west pedestrian and cycle link throughout the various stages of development along with a permanent vehicular link before the second phase is commenced.

### Public Transport

#### Buses

18.33 TfL is seeking to ensure the site is capable of being served by buses. The Indicative Scheme would enable buses to operate from Preston's Road to Cartier Circle and/or to Montgomery Square via the proposed Montgomery Bridge. As such the potential for increasing bus movement through this part of the Isle of Dogs represents a significant improvement from the previous consented design and is therefore strongly supported. Appropriate carriageway widths have been secured through the design guidelines and a condition is recommended to require provision of appropriately located stops, stands and driver toilets.

18.34 The forecast bus trip generation indicates demand for up to 9 double deck buses. To mitigate this, a section 106 contribution of £5m is required towards additional bus capacity and a contribution of £250,000 towards the upgrade of bus stands is also required. The applicant has offered these same sums as part of the s106 package.

#### Docklands Light Railway

18.35 TfL advises that they previously secured £9 million to mitigate the impact of additional DLR trips on the network within the previous application. Since then, 3-car operation has been implemented on all Bank-Woolwich Arsenal weekday services. The DLR is forecast to continue operating within capacity with the development in place. As such this request for mitigation is no longer considered necessary as the development would not cause undue impacts on the DLR.

#### Crossrail SPG "Top-up"

18.36 A Crossrail SPG compliant contribution will be secured as part of the s106 package.

#### Underground

18.37 The development will have an adverse effect on the Jubilee Line. However, when Crossrail opens in 2018 some of the demand will transfer across. The transport assessment predicts that from 2018 rail based trips would be broadly split: 50% on Jubilee Line, 25% on the DLR and 25% on Crossrail. With the planned Jubilee line fleet expansion to enable higher frequency peak services, the impact and also ability of Jubilee line to cope with the proposed development has improved. With relatively little development coming forward prior to 2018 and having regard to the anticipated transfer of demand to Crossrail this will mitigate the impact of additional rail based trips on the capacity of the Underground network.

### Demolition and Construction Traffic

18.38 The Transport Assessment (TA) confirms that the river will be used to transport construction material wherever possible. However, a worst case assessment where all materials are imported and exported by road has also been undertaken. This is

updated in the Transport Addendum which considers construction over four phases between 2014 and 2026.

18.39 The TA indicates that Preston's Road is likely to be used for the bulk of construction vehicle access and predicts construction traffic is equivalent to approximately 3% of traffic flows on Preston's Road. The TA Addendum predicts that construction traffic will be at its highest from the fourth quarter of 2019 to the end of 2022. During this time construction traffic flows will be in the region of 54 vehicles per hour (27 vehicles in each direction) and operate between 08:00 – 18:00 on weekdays.

18.40 As each reserved matters application comes forward, a detailed Construction Traffic Management Plan will need to be submitted and agreed by the Council to ensure that as much of this traffic as possible can be assigned to river transport, that the predicted traffic volumes are reasonable and that construction traffic can be managed with minimum disruption to the movement of other road traffic including bus operations, cyclists, pedestrians and in relation to noise and disturbance to local residents.

18.41 Construction vehicles are to be confined to defined and signposted haul routes. River barges should also be used where feasible for the movement of construction and waste material.

Servicing and Deliveries

18.42 Wood Wharf will have vehicular access from Cartier Circle and Montgomery Street to the west and Preston's Road to the east. The access routes will provide connections to internal drop-off, parking and servicing areas. The Indicative Scheme envisages pairs of truck lift accesses at three locations around the site, to provide access to loading/servicing areas located within the basement. The majority of loading and servicing for the office, retail, residential community and hotel use on the western side of the site will take place in the basements. More minor servicing needs may be undertaken at street level.

18.43 Forecast Servicing Trips are shown below:

Forecast Servicing Trips						
Land Use	0800-0900		1700-1800		Daily	
	IN	OUT	IN	OUT	IN	OUT
<b>Residential</b>	12	12	12	12	235	235
<b>Office</b>	38	38	30	30	377	377
<b>Retail (shops)</b>	9	9	0	0	57	57
<b>Retail (Food and Drink)</b>	12	12	0	0	82	82
<b>Hotel</b>	3	3	1	1	24	24
<b>Cultural</b>	0	0	0	0	2	2
<b>School</b>	1	1	1	1	9	9
<b>Total</b>	75	75	44	44	786	786

Figure 74: Table showing predicted servicing trip generation by land-use for the Indicative Scheme

18.44 A Delivery and Servicing Plan is a recommended condition and will ensure each of the detailed phases of the development comes forward in a manner which ensures

the development can be serviced appropriately without harming the safety or free flow of pedestrian, cycle or vehicular traffic.

## **Waste**

- 19.1 A Waste Strategy has been submitted in support of the application. The Strategy sets out the approach for:
- Waste minimisation, re-use and recycling;
  - Maximising the use of recycled building materials; and,
  - Providing residents and tenants with convenient, clean and efficient waste management systems that promote high levels of recycling.
- 19.2 In terms of construction waste, a Site Waste Management Plan is required by condition to ensure, inter alia, that excess materials are not brought to the site and then wasted and that building materials are re-used or recycled wherever possible.
- 19.3 In terms of operation waste, the proposed Strategy will ensure that residential waste is separated into three separate streams: non-recyclable, recyclable, and compostable, which will be stored in 1,100, 1,280 and 660 litre bins respectively.
- 19.4 In relation to non-residential parts of the proposed development, a different approach is required as collection, handling, treatment and disposal of waste will be contracted out. The Strategy requires the waste to be separated into three streams: non-recyclable, recyclable, and glass. The Indicative Scheme would provide two days of non-residential waste storage and the Strategy envisages 'compaction' wherever possible.
- 19.5 The Council's Waste Officer has commented that the proposed Strategy is satisfactory and no objections are raised. Conditions and detailed design at Reserved Matters stage will secure the necessary detail to deliver the Strategy's objectives.

## **Energy & Sustainability**

- 20.1 At a National level, the NPPF encourage developments to incorporate renewable energy and to promote energy efficiency.
- 20.2 The London Plan sets out the Mayor of London's energy hierarchy which is to:
- Use Less Energy (Be Lean);
  - Supply Energy Efficiently (Be Clean); and
  - Use Renewable Energy (Be Green)
- 20.3 The London Plan 2011 also includes the target to achieve a minimum 25% reduction in CO<sub>2</sub> emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy (Policy 5.2).
- 20.4 Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. The London Borough of Tower Hamlets Core Strategy Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.

- 20.5 Policy DM29 within the Managing Development Document requires developments to achieve a minimum 50% reduction in CO<sub>2</sub> emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. Policy DM29 also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is for all residential development to achieve Code for Sustainable Homes Level 4 and the commercial elements to achieve a BREEAM rating of 'excellent'.
- 20.6 The Energy Statement follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean). The integration of communal heating schemes, incorporating a Combined Heat and Power (CHP) engine to provide hot water and space heating requirements for all of the site uses is in accordance with policy 5.6 of the London Plan.
- 20.7 The anticipated CO<sub>2</sub> emission reductions from the CHP system (Be Clean) are 18%. The current proposals for delivering the space heating and hot water are acceptable.
- 20.8 A photovoltaic array is proposed to provide a source of on-site renewable energy (Be Green). The technologies employed would result in a 1% carbon savings over the regulated energy baseline. Through the maximisation of the communal system to deliver space heating and hot water it is acknowledged that achieving a 20% reduction in CO<sub>2</sub> emissions through renewable energy technologies is technically challenging and not feasible for all developments. Whilst the proposed development is not meeting Core Strategy Policy SP11, it has been demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible.
- 20.9 The total anticipated CO<sub>2</sub> savings from the developments are 31%, through a combination of energy efficiency measures, a CHP power system and renewable energy technologies. The CO<sub>2</sub> savings are 19% short of where they need to be to meet Policy DM29 requirements. Accordingly, there is an offer of a financial contribution to make up the difference. This would be based on the following formula: Xtonne shortfall \* GLA figure. For the Indicative Scheme and based on GLA's current figure, this would result in a contribution of **£4,059,000**.
- 20.10 The calculation for this figure is as follows:
- Building Regulation 2010 Baseline is 11,978 tonnes/CO<sub>2</sub>;
  - Proposed development is at 8,244 tonnes/CO<sub>2</sub>;
  - 50% DM29 reduction would therefore be 5,989 tonnes/CO<sub>2</sub>;
  - Shortfall to meet DM29 requirements = 2,255 tonnes/CO<sub>2</sub> x £1,800 = £4,059,000 offset payment to meet current policy requirements.
- 20.11 The proposal is supported by the sustainable development team. It is recommended that the energy strategy is secured by condition and delivered in accordance with the submitted Energy Statement and Addendum.
- 20.12 In terms of sustainability, the submitted information commits to achieving a Code for Sustainable Homes Level 4 rating (or future equivalent) and a pre-assessment has been submitted to demonstrate how this level is deliverable for the residential units. The submitted pre-assessments show that achieving BREEAM 'Excellent' ratings in accordance with Policy DM29 is deliverable for all the commercial elements of the

scheme, with the exception of the basement Leisure facility and smaller retail units where it may be the case that only 'very good' is a reasonably achievable standard. Condition(s) will secure the above.

## **Environmental Considerations**

### Air quality

- 21.1 Policy SP03 of the Core Strategy suggests air quality improvements will be addressed by continuing to promote the use of public transport and reduce reliance on private motor vehicles and introducing a 'clear zone' in the borough. Policy DM9 also seeks to improve air quality within the Borough, and outlines that a number of measures would contribute to this such as reducing vehicles traffic levels, controlling how construction is carried out, reducing carbon emissions and greening the public realm.
- 21.2 In this case, the development provides a level of car parking in accordance with the Council's parking standards, placing a reliance on more sustainable methods of transport. The use of a decentralised energy centre helps to reduce carbon emissions and the soft landscaping around the site including green roofs.
- 21.3 Subject to a condition to ensure that mitigation measures for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>) are in place for the residential units and other sensitive receptions; the scheme, once complete, is not objectionable in air quality terms.
- 21.4 Turning to the potential impact on the proposed school. As presented in paragraph 15.46 of the ES, predicted air quality at Receptor 18 is representative of the proposed school development. Receptor 18 is located at a proposed residential block as part of the development within the vicinity of the school. The results of the air quality assessment indicated that pollutant concentrations in the area of the proposed school development are predicted to be within the relevant air quality objectives, by the opening year. The condition will ensure that any necessary mitigation is undertaken.
- 21.5 It should also be noted that measures to control dust from the site during construction will be addressed through a construction management plan.

### Operational noise, vibration and odour

- 21.6 LBTH Environmental Health advise that the submitted Noise Assessment is credible and draws reasonable conclusions in respect of the effect of the development on sensitive external receptors and sensitive internal receptors including the likely locations for community uses such as the school. Given this is an outline application they advise that for the construction and operational phases of the development noise, vibration and odour standards should be secured via conditions. These relate to demolition / construction logistic and management plans, membership of Considerate Constructors Scheme, compliance with the council's Code of Construction Practice, hours of use for retail and leisure uses, control of odour, construction and operational noise and vibration standards; and delivery and servicing plans. These conditions have been recommended.

### Demolition and Construction Noise and Vibration

- 21.7 The Environmental Statement acknowledges the potential for adverse effects from demolition and construction noise and vibration. Noise and vibration levels as a result of the demolition and construction phase can be minimised by the mitigation methods

such as siting stationary noise sources away from noise sensitive locations, fitting equipment with silencers, mufflers and acoustic covers, using appropriate pilings methods etc., which would be employed to ensure that the noise levels are acceptable.

- 21.8 A series of conditions, including Demolition / Construction Traffic Management Plans and Environmental Plans, will seek to minimise the effects and ensure that all works are carried out in accordance with contemporary best practice.

#### Safeguarded Northumberland Wharf

- 21.9 In relation to the safeguarded Northumberland Wharf; it is important to ensure that were the Wharf to return to active [industrial] use, that it would not have an undue effect on the residents of Wood Wharf and, in turn, the efficient operation of the safeguarded Wharf would not be fettered by noise complaints from the residents of Wood Wharf. The Environmental Health Department have concluded, based on their professional judgement, and having regard to the distances involved alongside the pertinent fact that there are sites with approval for residential use closer to the safeguarded Wharf, that it is very unlikely the safeguarded Wharf or Wood Wharf residents would be deleteriously affected by both the implementation of this scheme and the operation of Northumberland Wharf.

#### Contaminated Land

- 21.10 In accordance with the requirements of the NPPF and policy DM30 of the MDD, the application has been accompanied by an Environmental Statement which assesses the likely contamination of the site.
- 21.11 The Council's Environmental Health Officer has reviewed the documentation, and advises that subject to conditions to ensure that appropriate mitigation measures are in place there are no objections on the grounds of contaminated land issues.

#### **Flood Risk**

- 22.1 The NPPF, policy 5.12 of the London Plan, and policy SP04 of CS relate to the need to consider flood risk at all stages in the planning process. Policy 5.13 seeks the appropriate mitigation of surface water run-off.
- 22.2 The site is located in Flood Zone 3. The site is 'allocated' within the Council's Local Plan for a mixed-use redevelopment including for a substantial element of residential use. As part of that Allocation, a Sequential Test had been undertaken. There have been no material changes in policy or site circumstances to question the continued validity of the conclusions of that test. Accordingly, a further Sequential Test is not required to support this application.
- 22.3 The application is supported by a Flood Risk Assessment (FRA) and further supporting information that confirms the flood storage reservoir adequately replaces the lost storage capacity in the dock due to the land encroachment. The development will or has the capacity to raise site level defences to 6.2m AOD in accordance with the Environment Agency's TE2100 plan. Accordingly, it is considered flood risk can be adequately mitigated.
- 22.4 In relation to surface water run-off, storm water discharge from buildings and promenades would be discharged into the docks where possible. This is more sustainable than discharging into the sewer system as the trunk sewer in Preston's

Road is combined, any increase in flows would result in increased volumes of sewage treatment. In addition, it would also increase the risk that combined sewer overflows (CSO's) would discharge foul sewerage into the River Thames during storm events. Secondly, this approach reduces the need to attenuate storm water within the proposed development. On-site attenuation would be required if storm flows from the site are discharged into the sewer system (due to TWUL discharge limits) and stormwater attenuation would require significant land-take. Additionally, reduced stormwater flows should reduce reinforcement costs of the TWUL trunk sewer.

- 22.5 Conditions will ensure that run-off from the road network are appropriately attenuated to ensure that pollutants do not enter the dock system.
- 22.6 Subject to the inclusion of conditions to secure the above, the proposed development complies with the NPPF, Policies 5.12 and 5.13 of the London Plan and Policy SP04 of the CS.

## **Biodiversity**

### Policies

- 23.1 The London Biodiversity Action Plan (2008), policy 7.19 of the London Plan, policy SP04 CS and policy DM11 of the MDD seek to protect and enhance biodiversity value through the design of open space and buildings and by ensuring that development protects and enhances areas of biodiversity value in order to achieve a net gain in biodiversity. Policy DM11 of the MDD also requires elements of living buildings.
- 23.2 The application site includes parts of 2 Sites of Importance for Nature Conservation (SINCs). Blackwall Basin is a Borough Grade 1 SINC, which includes an area of open mosaic habitats to the south of the basin. South Dock is part of Borough Grade 2 SINC. Both SINCs would be adversely affected by the proposed development.

### Site

- 23.3 The site supports some important species. At least 1 pair of black redstart, a bird protected under Schedule 1 of the Wildlife & Countryside Act, regularly breed on the site. The UK breeding population of this species is around 50 pairs. Several pairs of common terns breed on the rafts in Blackwall Basin. This is one of the two regular breeding sites in the borough for this species, which is a priority species in the Tower Hamlets biodiversity action plan (BAP). Three species of gulls nest on the roof of the big warehouse in the middle of the site, including at least 5 pairs of herring gull, a species on the Amber list of birds of conservation concern, and a pair of great black-backed gull, which is a very rare breeding bird in London. The open mosaic habitat south of Blackwall Basin supports nests of the brown-banded carder-bee, a UK, London and Tower Hamlets BAP priority species. The existing habitats used by all these species would be lost under the proposed development. The docks within the site also support diverse fish populations, including the UK BAP priority species smelt.

### Summary of impacts before mitigation

- 23.4 The proposal's impacts if unmitigated would have the following effects:

- A permanent loss of approximately 2.3 hectares of SINC. It is unlikely that any mitigation would lead to the designation of new areas of SINC, so the development would have an adverse effect;
- There would be a permanent loss of about 1.5 ha of water bodies, mostly in South Dock with two small areas in Blackwall Basin. This would reduce the area of habitat available to the fish and aquatic birds using the docks;
- There would be a loss of open water surface in Blackwall Basin, making it unsuitable for nesting common terns and far less valuable to other water birds such as tufted duck and great crested grebe. This would be likely to lead to the downgrading of the SINC from Borough Grade 1 to Local;
- There would be a loss of about 0.8 ha of open mosaic habitats on previously developed land, a UK, London and Tower Hamlets priority habitat, within the Blackwall Basin SINC. This habitat supports nesting brown-banded carder-bee and is important foraging habitat for black redstarts; and,
- There would be a loss of nest sites for at least 1 pair of black redstart, 1 pair of great black-backed gull and 5 pairs of herring gull.

### Mitigation

23.5 To mitigate the above effects, the following mitigation measures will be secured:

- Permanent mitigation for the loss of open mosaic habitats will largely be in the form of biodiverse green roofs. The applicant has agreed to provide a minimum of 0.5ha of biodiverse green roofs, designed in accordance with Buglife's 'Creating living roofs for invertebrates – A best practice guide' to meet the definition of open mosaic habitats. Any shortfall in this figure will be provided offsite.
- Temporary mitigation, to ensure continuity of open mosaic habitats on the site throughout construction, will include landscaping temporarily vacant parts of the site to create open mosaic habitats. A minimum of 0.4 ha of open mosaic habitats should be present on site throughout.
- Landscaping at ground level, especially in South Dock Park and Blackwall Basin Park, will include nectar-rich "prairie planting" vegetation, perhaps with native species. This will help offset the loss of foraging habitat for invertebrates such as bees. There will also be an overall increase in trees on the site, including native species.
- The loss of open water cannot be mitigated in terms of area, but significant habitat enhancements are proposed to the remaining water areas. The Indicative Scheme includes a wetland for nature conservation in Graving Dock, and timber-cladding of dock walls in Graving Dock suitable for aquatic invertebrates and elsewhere to provide places for vegetation to establish. The applicant has also agreed to provide at least 400 m<sup>2</sup> of reed bed within the West India Docks.
- It is proposed to relocate and/or replace the tern rafts in an appropriate part of the docks, to be agreed with the Canal & River Trust. A minimum of 90 m<sup>2</sup>

(the equivalent of 10 of the existing rafts) will be provided, in a minimum of 3 new rafts.

- The applicant has agreed to incorporate nesting tunnels for sand martins in the dock walls, ledges suitable for falcons and to provide at least 20 boxes for swifts would in appropriate places on the new buildings.

23.6 If all this mitigation is carried out successfully, there should be an overall benefit for biodiversity (though the total area of SINC will be reduced).

23.7 Furthermore, to minimise ecology impacts conditions will ensure that, where appropriate, precautionary bat surveys shall be undertaken and if demolition or vegetation clearance should take place inside the bird nesting season (i.e. March and August inclusive), a survey for nesting birds, including a specialist black redstart survey, shall be undertaken immediately before demolition/clearance.

23.8 Having regard to the recommended conditions and mitigation, the proposal has an acceptable impact on Biodiversity and is in accordance with relevant policies.

### **Television and Radio Service**

24.1 The impact of the proposed development on the television reception of surrounding residential areas must be considered and incorporate measures to mitigate any negative impacts should it be necessary.

24.2 In summary, based on the applicant's assessment, the development is likely to have the following impacts during construction phase:

- Cast a terrestrial television reception shadow over existing properties to the north-east;
- Tall structures such as cranes and scaffolding will give rise to satellite shadowing to the north east; and,
- No significant effects on the reception of FM broadcast radio, DAB radio and mobile telephony.

24.3 The effects during operational phases once the development is complete are predicted to be:

- Terrestrial television reception shadowing to the north-east; and,
- No significant effects on terrestrial television reception to the north-west and no significant effects on reception of FM broadcast radio, DAB radio or mobile telephony.

24.4 A more definitive picture of the proposed development's potential effects on telecommunication signals can be obtained by conducting a pre-construction television reception survey ('Before Survey') around the potential areas of effect (identified in the desk-based assessment) and a second, post-construction television reception survey ('After Survey') as soon as the structures are completed and the actual effect of the structures have been deduced by comparing results in the two surveys. The results of these surveys can be used to help demonstrate the level of deterioration experienced by a residential receptor and the form of any mitigation.

24.5 The implementation of mitigation measures commensurate with the level of deterioration experienced can be addressed by appropriately worded S106

obligations and/or planning conditions. Mitigation measures for terrestrial television signals may take the form of provision of Freesat or local boosters to amplify signals or relay transmitters. Mitigation measures for satellite television signals could be relocation of satellite dishes or the provision of cable services.

### **London City Airport Safeguarding Zone**

25.1 The application site is located underneath the London City Airport Safeguarding Zone and the proposal includes tall buildings. Therefore, an assessment of the proposal on the Zone is necessary. Both the London City Airport and the National Air Traffic Services Ltd have raised no safeguarding objection to the scheme subject to appropriate conditioning relating to heights of buildings, cranes during construction and ensuring the chosen plants and trees are designed so as not to attract birds that can cause airstrikes.

### **Health Considerations**

26.1 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough.

26.2 Policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.

26.3 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:

- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
- Providing high-quality walking and cycling routes.
- Providing excellent access to leisure and recreation facilities.
- Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
- Promoting and supporting local food-growing and urban agriculture.

26.4 The application allows for a health facility (to shell-and-core) with a floor area of up to 1,076sqm (GIA) in accordance with the Site Allocation. This could accommodate up to 9 GPs. The facility would form an important element of health provision within Tower Hamlets and significantly assist the Council's NHS partners rationalise and improve their estate over the coming years. In the event the NHS chose not to exercise the option in respect of facility, a Planning Obligations SPD compliant financial contribution would be made in its place. The relevant NHS organisations, in particular Tower Hamlets Clinical Commissioning Group are fully supportive of this offer.

26.5 The application will also propose open spaces within the site which are to be delivered. This will also contribute to facilitating healthy and active lifestyles for the future occupiers of the development and existing residents nearby. In particular, the Indicative scheme includes East Park which would contain 0.89Ha of open space, with a likely focus on active playspace in the northern section of the park and South Dock Park which is 1.2Ha in size along with a range of other publically accessible open spaces and communal amenity space.

26.6 It is therefore considered that the proposal will meet the objectives of London Plan Policy 3.2 and Policy SP03 of the Council's Core Strategy which seek the provision of health facilities and opportunities for healthy and active lifestyles.

### **Impact upon local infrastructure / facilities**

27.1 Core Strategy Policy SP13 seeks planning obligations to offset the impacts of the development on local services and infrastructure in light of the Council's Infrastructure Delivery Plan (IDP). The Council's 'Planning Obligations' SPD sets out in more detail how these impacts can be assessed and appropriate mitigation.

27.2 The NPPF requires that planning obligations must be:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and,
- (c) Are fairly and reasonably related in scale and kind to the development.

27.3 Regulation 122 of the CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

27.4 Securing appropriate planning contributions is further supported policy SP13 in the CS which seek to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development.

27.5 The Council's Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides the Council's guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. The document also set out the Borough's key priorities being:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education

27.6 The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

27.7 The development is predicted (based on the Indicative Scheme) to have a population yield of 5867, 715 of whom will be aged between 0-15 and are predicted to generate a demand for 390 school places. The development is also predicted to generate 16,330 (net) on-site jobs once the development is complete. Therefore, the development will place significant additional demands on local infrastructure and facilities, including local schools, health facilities, idea stores and libraries, leisure and sport facilities, transport facilities, public open space and the public realm and streetscene.

27.8 In relation to Enterprise and Employment Skills and Training, the developer has offered to commit themselves through the S106 agreement to use reasonable endeavours to meet at least 20% local procurement of goods and services, 20% local labour in construction and 20% end phase local jobs. In addition, the developer has

offered apprentice places and work placements during the full construction period as well as end-user phases. As part of a commitment to skills training for both construction and end-user phases the developer will make a contribution in accordance with formulae within the Planning Obligations SPD. For the Indicative Scheme this would represent a contribution of circa £27.5m.

- 27.9 The s106 also will include an end-user engagement strategy so that the developer will work with end-users to ensure that appropriate commitments are in place to promote employment, enterprise and training opportunities.
- 27.10 In order to ensure that the proposed development was deliverable and viable, a financial appraisal was submitted by the applicants. This was independently assessed on behalf of the Council, and through the course of negotiations the proportion of affordable housing will be secured at 25% affordable housing by habitable room with an 80:20 split between affordable rented and intermediate product. In addition a review mechanism for a commuted sum up to the equivalent of 15% affordable housing has also been secured. The independent advice concluded that affordable housing has been maximised on this site for this development.
- 27.11 Officers are satisfied that the scheme viability has been appropriately and robustly tested. It is therefore considered that affordable housing and financial obligations have been maximised in accordance with London Plan (2011)(as amended), Core Strategy (2010), Managing Development Document (2013) and Planning Obligations SPD (2012).
- 27.12 The development is making financial contributions in accordance with the planning obligations SPD formulae and guidance. The SPD provides a robust approach basis for assessing and determining the contributions that will be necessary to mitigate the impacts of the impacts of the development coming forward, having regard to the CIL Regulation 122 duty. Applying the SPD to the Indicative Scheme, it would result in contributions of approximately £27.5m, set out in more detail below. It is noteworthy that the transport, streetscene and heritage-related contributions are fixed i.e. they will not vary regardless of the nature of the detailed elements as they come forward:

:

#### Financial Obligations

##### Indicative

- A contribution of £4,244,363.60 towards enterprise & employment
- A contribution of £2,118,080 towards leisure facilities
- A contribution of £88,005 towards sustainable transport
- A contribution of £5,440,064.94 towards public open space
- A contribution of £4,059,000 towards off-setting carbon emissions

##### Fixed

- A contribution of £100,000 towards Heritage works (renovating the three cranes on the northern quayside of South Dock)
- A contribution of £116,376 towards streetscene improvements

- A contribution of £10,720,000 towards transport improvements including £5m towards buses, £2.5m towards Preston's Road Roundabout, £1.5m towards off-site highway improvement works, £500,000 towards pedestrian works, £500,000 towards modelling, £420,000 towards cycle hubs, £250,000 towards bus infrastructure and £50,000 towards travel plan monitoring
- A capped contribution up to £81,500 towards Navigational Safety

Total: £26,967,389.54

- A 2% contribution of the total above towards the planning obligations monitoring fee. This equates to £539,347.79 for the Indicative Scheme

**Overall Total: £27,506,737.33**

- An estimated combined contribution from the "top-up" Crossrail contribution and Mayoral CIL of approximately £61m

#### Non-Financial Obligations

- 25% on-site affordable housing by habitable room at a ratio of 80% affordable rent and 20% intermediate housing
  - For the Indicative Scheme this would equate to 1,637 Affordable Rent habitable rooms (444 Affordable Rent Units) (126 x 1-beds and, 123 x 2-beds, 132 x 3-beds, 39 x 4-beds, 24 x 5-beds at Tower Hamlets preferred 'POD' rent levels, subject to indexation up to RPI+0.5% per annum); and, 416 Intermediate habitable rooms (160 intermediate product units) (80 x 1-beds, 64 x 2-beds and 16 x 3-beds)
- Review Mechanism for up to an additional 15% affordable housing by habitable room by way of commuted sum
- Provision of a 2 Form of Entry (420 pupils) primary school to shell and core – circa 2,770sqm GIA for a 125 year lease. In the absence of physical delivery, a financial contribution would be made in accordance with the Planning Obligations SPD. A financial contribution for the Indicative Scheme would be £6.72m
- Provision of 1,076sqm Health facility (9 GPs) to shell-and-core for a 25 year lease. In the absence of physical delivery, a financial contribution would be made in accordance with the Planning Obligations SPD. A financial contribution for the Indicative Scheme would be £4.78m
- Provision of Idea Store 1,050sqm (NIA) and an option for a further 100sqm (NIA) to shell-and-core for a lease up to 2041. In the absence of physical delivery, a financial contribution would be made in accordance with the Planning Obligations SPD. A financial contribution for the Indicative Scheme would be £1.09m
- Leisure Facility; on-site facility with provision for the school to access the Sport England compliant Sports Hall and prices commensurate to LBTH leisure centres for Tower Hamlets residents. In the absence of physical delivery, an

additional financial contribution would be made in accordance with the Planning Obligations SPD. An additional financial contribution for the Indicative Scheme would be £2.29m

- Enterprise, Employment, Apprentice, Training and End User Engagement Strategy (seek to achieve 20% Local Procurement; 20% Local Labour in Construction; 20% end phase local jobs)
- Parking Permit-free development
- Travel Plans
- Land safeguarded for two on-site Barclays Cycle Hire Docking Stations
- Electronic Vehicle Charging Units (20% active : 20% passive)
- Car Clubs
- Safeguard and maintenance of on-site public realm and highways
- Public Art Strategy and confirmation that the value of on-site public art will be no less than £500,000
- 400sqm of reed beds in the docks
- 5,000sqm of biodiverse roofs on or off site
- 90sqm of tern rafts within the docks
- Strategy for providing affordable retail space for local independent retailers
- Assistance in delivering bridge(s) over South Quay
- Mitigation of Radio and Television signal effects
- Any minor amendments or other planning obligation(s) considered by the Corporate Director Development & Renewal should be secured having regard to Regulation 122 of the CIL Regulations.

## **Other Financial Considerations**

### Localism Act (amendment to S70(2) of the TCPA 1990)

28.1 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the relevant authority to grant planning permission on application to it. Section 70(2) requires that the authority shall have regard to:

- The provisions of the development plan, so far as material to the application;
- Any local finance considerations, so far as material to the application; and,
- Any other material consideration.

- 28.2 Section 70(4) defines “local finance consideration” as:
- A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
  - Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
- 28.3 In this context “grants” might include New Homes Bonus.
- 28.4 These are material planning considerations when determining planning applications or planning appeals.
- 28.5 Officers are satisfied that the current report to Committee has had regard to the provision of the development plan. As regards to local finance considerations, the proposed S.106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.
- 28.6 As regards Community Infrastructure Levy considerations, following the publication of the Inspector’s Report into the Examination in Public in respect of the London Mayor’s Community Infrastructure Levy, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. Based on Indicative Scheme, the likely net CIL and Crossrail payment associated with this development would be in the region of £60m.
- 28.7 The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides un-ring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.
- 28.8 Using the DCLG’s New Homes Bonus Calculator, and based on the Indicative Scheme this development may generate £4,646,466 in the first year and a total payment of £27,878,798 over 6 years.

### **Human Rights Considerations**

- 29.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:-
- 29.2 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the

determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;

- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and,
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

29.3 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

29.4 Members need to satisfy themselves that the measures which are proposed to be taken to minimise, inter alia, the adverse effects of noise, construction and general disturbance are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

29.5 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.

29.6 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

29.7 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

29.8 In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement to be entered into.

### **Equalities Act Considerations**

30.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty, inter alia, when determining all planning applications. In particular the Committee must pay due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and,
  3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 30.2 The contributions towards and in-kind provision of various community assets/improvements and infrastructure improvements addresses, in the short and medium term, the potential perceived and real impacts of the construction workforce on the local communities, and in the longer term support community wellbeing and social cohesion.
- 30.3 Furthermore, the requirement to use local labour and services during construction enables local people to take advantage of employment opportunities.
- 30.4 The community related contributions and in-kind provision mitigate the impact of real or perceived inequalities, and will be used to promote social cohesion by ensuring that sports and leisure facilities provide opportunities for the wider community.
- 30.5 The contributions to affordable housing support community wellbeing and social cohesion.
- 30.6 The proposed development allows for an inclusive and accessible development for less-able and able residents, employees, visitors and workers. Conditions secure, inter alia, lifetime homes standards for all units, disabled parking, wheelchair adaptable/accessible homes and hotel rooms.

## **Conclusions**

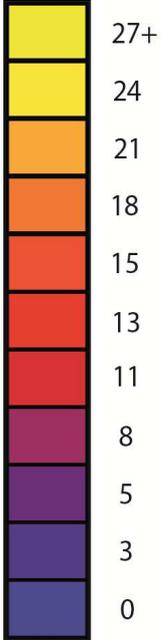
- 31.1 All other relevant policies and considerations have been taken into account. Planning Permission and Listed Building Consent should be granted for the reasons set out and the details of the decisions are set out in the RECOMMENDATIONS at the beginning of this report.

## Appendix

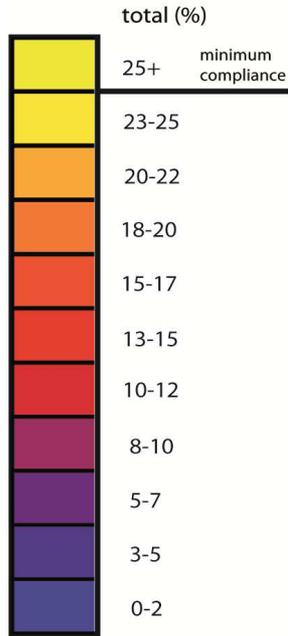
32.1 Below are the keys for the Sunlight, Daylight and Shadowing images.

### DAYLIGHTING

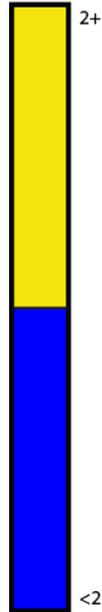
Vertical sky Component (VSC)



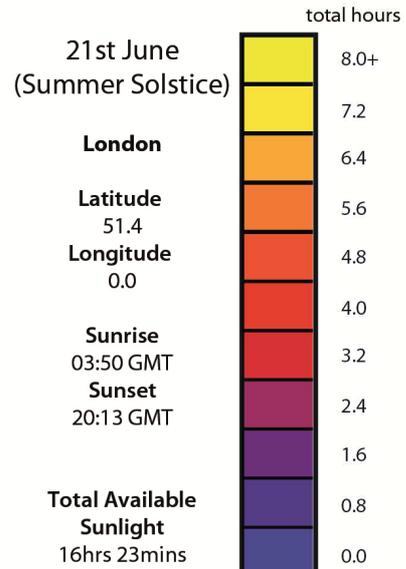
### Annual Probable Sunlight Hours



Sun Hours on Ground



Sun Exposure



21st June  
(Summer Solstice)

**London**

**Latitude**  
51.4  
**Longitude**  
0.0

**Sunrise**  
03:50 GMT  
**Sunset**  
20:13 GMT

**Total Available Sunlight**  
16hrs 23mins