

London Thames Gateway Development Corporation

Planning Committee Meeting: 8th February 2007

Update report

Re: 302-312 Stratford High Street

The Corporation has received correspondence dated 6 and 7 February 2007 from the solicitors acting on behalf of the appellant.

The correspondence expresses disappointment at what the applicant considers to be factual inaccuracies within the committee report on matters relating to pre-application consultation, the number and nature of local objections and the recommended reasons for refusal.

The following provides a summary of the points raised and the officer response:

1. The appellant has undertaken an extensive consultation exercise with the relevant planning authorities, including the London Borough of Newham, Greater London Authority and the Corporation. The appellant states that this pre-application process commenced in October 2003. The appellant reports that matters arising during the pre-application process were resolved prior to submission, including matters relating to the form and density of the proposed building, and the provision of affordable housing.

The applicant has held pre-application discussions with the London Borough of Newham, Greater London Authority and the Corporation prior to submission of the application on 28 April 2006. The Corporation first met the applicant on 15 December 2005 after receiving its planning powers on 31 October 2005. While the principle of redeveloping the site with a tall building was agreed, this did not extend to the form and density of the proposed development. The Corporation sought input from CABE and Design for London (formerly GLA Architecture and Urbanism Unit) following submission of the application which culminated in an assessment of the building design set out in correspondence dated 18 August 2006 and 20 November 2006. While it is acknowledged that negotiations on housing mix and affordable housing provision took place during the pre-application discussions, the Corporation has to consider the application before it and has no record of any formal agreement between LBN Housing and the appellant. While it is accepted that the principle of providing affordable housing both on-site and off-site is acceptable, further clarity is required on how the off-site proportion will be delivered. Furthermore, the housing mix is considered to result in an over-concentration of 1 and 2 bedroom units.

2. The appellant refers to a lack of clarity within the committee report as to the number of objections received. The appellant states that the objections submitted by the Environment Agency and London Underground Ltd. have since been resolved. The appellant claims that the objection submitted by the Carpenters Company is (1) a commercial objection that it has been given considerable and

unbalanced influence in the committee report and (2) has no credibility because it is not based on a detail review of the submitted Environmental Statement.

Following neighbour consultation three letters of objection were received from the owner of 1a Lett Road (Worshipful Company of Carpenters), the Carpenters Estate Tenants Management Organisation and a local resident. The reasons for objection are set out at section 7.1 of the committee report. Objections were also received from the Environment Agency and London Underground Ltd.

The Environment Agency advises that following submission of its letters of objection, they only received a Final Flood Risk Assessment on 6 February 2007. They will review the submission before deciding whether to maintain their objection.

London Underground advises that following submission of its letter of objection, the issues raised remain outstanding.

The Worshipful Company of Carpenters can seek to protect the commercial viability of their development proposals by submitting an objection to the application on planning grounds. Their objection is considered to be based on planning grounds and in formalising its position on the application, the Corporation is required to report and consider the weight to be attached to the objection. Notwithstanding the appellant's failure to enter into a joint venture with the Worshipful Company of Carpenters following advice it received by LBN that a comprehensive redevelopment solution would help overcome the development challenges presented by piecemeal development, this does not preclude the need for the application to consider and mitigate its impact on the amenity and development potential of surrounding land.

3. In response to the first recommended reason for refusal, the appellant refers to the CABE response dated 18 August 2006 and how attempts are being made to address the issue raised. The appellant argues that where all matters are resolved, including the principle of development, planning permission should be granted subject to conditions requiring the resolution of design issues.

The appellant has so far failed to address the concerns raised by CABE in correspondence dated 18 August 2006. The Corporation and Greater London Authority (Planning Decision Unit and Design for London) officers have been involved in continued discussions with the appellant to resolve CABE's concerns and those set out in correspondence dated 20 November 2006 in relation to building form, height, massing, scale and appearance. In an attempt to address these issues the appellant submitted a revised scheme to CABE for informal review on 30 November 2006. CABE concluded that "the proposal is fundamentally flawed; despite the revision our deep concerns with the width of the building remain and we consider it is an ungainly slab that will not contribute to Stratford. Having looked at the revisions we do not believe the design will be improved by tinkering. Unfortunately we feel unable to support this design and we do not believe it should be built".

It is considered that until such a fundamental issue is resolved, in addition to matters relating to access, amenity space, sunlight and daylight, housing and flood risk, would officers be in a position to recommend planning permission is granted subject to conditions relating to detailed design (e.g. finishing materials, hard and soft landscaping etc).

4. In response to the second recommended reason for refusal, the appellant refers to the submitted Environmental Statement consideration of sunlight and daylight and overshadowing issues and its conclusion that the impact is moderate or minor. The appellant identifies 23-43 Jupp Road, Adrian House, 21 and 45 Jupp Road and 15-23 Rosher Close as experiencing a moderate or minor loss of sunlight and daylight.

While the submitted Environmental Statement concludes that the proposed development will result in the minor and moderate loss of sunlight and daylight to existing residential properties in Jupp Road, Rosher Close and Adrian House, it also concludes that the impact is in breach of Building Research Establishment (BRE) guidelines. Furthermore, the Environmental Statement does not fully consider the impact on proposed residential development at 1a Lett Road and adjacent existing non-residential land.

5. In response to the third recommended reason for refusal, the appellant states that, following detailed negotiations, an agreed position has been established on housing mix and affordable housing provision.

While it is acknowledged that negotiations on housing mix and affordable housing provision took place during the pre-application discussions, the Corporation has to consider the submitted application and has no record of any formal agreement between LBN Housing and the appellant.

6. In response to the fourth recommended reason for refusal, the appellant states that the access and egress arrangements had been agreed by Transport for London and argue that there are no impacts on the surrounding road network in relation pedestrian and vehicular impact and/or increased likelihood of queuing on the surrounding road network. The appellant argues that the initial objection by LBN Planning and Transportation has been fully resolved. The appellant has enclosed with the letter a supplementary technical note by Alan Boreham Associates.

The responsibility for approving the proposed access and egress arrangements with Stratford High Street and Lett Road is with the London Borough of Newham and not Transport for London Road. Stratford High Street and Lett Road form part of the local road network and not the Transport for London Road Network. LBN Planning and Transportation assessed the submitted Environmental Statement and plans and concluded that the proposed access and egress arrangements would result in the loss of public highway, create pedestrian and vehicular conflicts and increase the likelihood of queuing on the surrounding road network. This position was set out in correspondence dated 27 June 2006 and remains unchanged.

7. In response to the fifth recommended reason for refusal, the appellant argues that the type and amount of amenity space provided in the scheme is a factor of design and that attempts are being made to address the issues raised by CABE.

While it is accepted that the provision of amenity space will be influenced by building design there is a requirement for the scheme to demonstrate how it complies with planning policies designed to ensure an acceptable type, quantum and function of amenity space is provided.

8. In response to the sixth recommended reason for refusal, the appellant states that detailed discussions have taken place with the Environment Agency culminating in an agreed position set out in the Final Flood Risk Assessment dated October 2006. The appellant refers to a shared desire to see the Channelsea River returned to a more natural format.

The Environment Agency reviewed the submitted Environmental Statement and submitted letters of objection dated 27 June and 17 July 2006. The EA confirm that the Final Flood Risk Assessment was only received on 6 February 2007. The Environment Agency will review the information submitted on 6 February 2007 before deciding whether to maintain its objection.

9. In response to the seventh recommended reason for refusal, the appellant argues that an agreement has been reached with London Underground Ltd. relating to foundations and access.

London Underground Ltd. has confirmed that objection it submitted on 12 June 2006 remains outstanding in relation to the impact of the development on the effective and safe operation of the railway.

Case Officer: Will Steadman

GISBY HARRISON GOFFS OAK HOUSE, GOFFS LANE, GOFFS OAK, CHESHUNT, HERTFORDSHIRE EN7 5HG DX: 98302 - Cuffley

Mr Peter Andrews
Chief Executive
London Thames Gateway Development
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Our ref: DW.AD
Your Ref:
Date: 07 February 2007

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Sent by Fax: 0207 517 4778

Dear Sir

Planning Committee Meeting : 8th February 2007
Agenda Item 5
Case Number: LTGDC 06-048-PP
Form of Committee Report

We would refer to our letter of the 6th February.

We have now completed our final review on behalf of the Applicant.

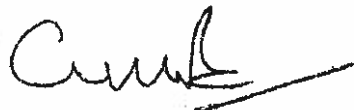
The Applicant remains concerned that the Report fails to accurately report the terms of objection in two fundamental respects. The objection of The Carpenters Company submitted to LBN on the 27th June 2006 is specifically caveated by the following words "*we should however stress that we have not yet had the opportunity to review in detail the Environmental Statement*" and in the penultimate paragraph "*the above represents our initial comments on the application proposal. As discussed, however it will be our intention to undertake a detailed review of the Environmental Statement and the other supporting documents.*" It is the Applicant's understanding that no further representations were made and therefore the objection of The Carpenters Company can be given no credibility whatever. Any objection should have full regard to the form of application in the round.

In connection with the objection of LUL the form of objection is not accurately reported. The objection made to LBN on the 12th June 2006 was specifically caveated by the words "*until these issues are addressed by the Applicant I am instructed to tell you that LUL objects to the granting of planning permission.*" All issues have been addressed by the Applicant.

We trust you will make these matters specifically clear to the Members of your Planning Committee.

Please confirm by return.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gisby Harrison', with a long horizontal stroke extending to the right.

Gisby Harrison

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Howard Bassford
DLA Piper
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Our ref: MN.SC.

Date: 06 February 2007

Email: mn@beadiegrou.com

Dear Sir

ST JOHNS TOWER, 302 -- 312 HIGH STREET, STRATFORD E15

My apologies for writing to you at such short notice. The Report in connection with the above was not available to me until 2.47 p.m. on Friday 2nd February.

I enclose a copy letter sent by my solicitors to Mr Peter Andrews the COE of LTGDC.

I am astonished by the Report submitted to you. My Company has professionally and competently dealt with all technical matters in relation to the Application in full consultation with your Officers.

My Company continues to seek a design acceptable to CABE and to this end we have appointed John Townsend of Jacobs Babbie to finalise the position. Mr Townsend will address you at the Committee Meeting.

In my terms the proper course in relation to this agenda item is to grant subject to appropriate design conditions.

Please ensure your consideration of Agenda Item 5 is in the light of the factual position of the Application in technical terms.

I reiterate this position is not accurately shown in the Report before you.

Regards.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. R. Nutt'.

Milton R Nutt
Managing Director
St John Spencer Estates & Development Limited

RECEIVED
17 FEB 2007

Mr Peter Andrews
Chief Executive
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Dear Sir

Planning Committee Meeting : 8th February 2007
Agenda Item 5
Case Number: LTGDC 06-048-PP
Form of Committee Report

We act on behalf of St John Spencer Estates & Development Limited ("the Applicant").

We are instructed by the Applicant to express its disappointment over the factual inaccuracies of the Report of your Authority ("the Report") in this matter.

We are further instructed to detail the Applicant's position to you and request a formal explanation of the influence which has held sway in the preparation and publication of the Report.

1. Consultation Process

The Applicant is part of the Beadie Group. The Group prides itself on its understanding of the planning process and its ability to deliver competent and reasoned regeneration in respect of constrained sites. Recent examples of a delivery are the Market Place, Romford and Leyton Orient Football Club at Brisbane Road.

It is therefore no surprise the Applicant, pursuant to Group policy, undertook an extensive consultation process with LBN and GLA. This consultation process commenced on the 14th October, 2003 and continued for a period of 29 months prior to the submission of the application the subject of the Report.

Consistently in the consultation process a checklist of matters arose and the Applicant prior to application resolved the matters thereby arising. It is pertinent that in the course of consultation a full inter active dialogue arose in respect of the form and density of the St Johns Tower. This dialogue extended, naturally, to the provision of affordable housing which is as far as the Applicant is concerned an agreed position.

It is of particular concern to the Applicant the Report as a matter of fact inaccurately identifies the matters resolved in the consultation period to your Planning Committee. We are instructed by the Applicant to deal with those inaccuracies at paragraph 3 below.

2. Objectors

It would appear the Report (but this position is not absolutely clear) recites three objections to the application the subject of the Report. In the context of a major project of this nature the extent of objection is testimony to the depth of the consultation process between the Applicant, LBN, GLA and your Authority.

Two of those objections are identified; the resolved objection by LUL and the objection of the Carpenters Company. The third objection is assumed to be the Environment Agency ("EA"), an objection which is resolved.

The resolved objections by LUL and EA are dealt with at paragraph 3 below.

The objection by the Carpenters Company is a commercial objection. Prior to the consultation process with LBN and GLA the Applicant met and sought to negotiate with the Carpenters Company to provide a comprehensive regeneration of the application site and the adjoining land in the ownership of the Carpenters Company. This negotiation was as a result of the desire of LBN to see a comprehensive development. This desire is evidenced at the very initial stages of discussion by a letter from Ms. V. Ramsay of LBN now enclosed and dated 23rd November, 2001 (**Enclosure 1**). The Carpenters Company declined to join in any such comprehensive development and as a result the Applicant proceeded with the application site. LBN were aware of this factual position and the consultation process proceeded in the knowledge of the position of the Carpenters Company who had declined a comprehensive development. It appears to the Applicant that the objection of the Carpenters Company is given considerable and unbalanced sway in the Report. The Applicant seeks an explanation of this position from you.

3. Reasons for Refusal

1. The proposed form, siting, height, scale and appearance of the development relates poorly to the plot and its setting, results in an inadequately designed building and constitutes an overdevelopment of the site by virtue of its excessive density, contrary to Policies 4B.1, 4B.3, 4B.8 and 4B.9 of the London Plan, Policies S3, EQ18, EQ19, EQ26, EQ27, EQ28 and H16 of the Unitary Development Plan and paragraphs 6.2, 6.4 and 6.6 the draft Local Development Framework Core Strategy.

The Applicant has some difficulty with this ground of refusal. In the consultation process the Applicant was requested to refer the design to CABA. We enclose the CABA response of the 18th August 2006 (**Enclosure 2**). The response is broadly consistent with para 5.5 of the Report. The Applicant has attempted to meet the aspirations of CABA and continues to do so. It has appointed John Townsend of Jacobs Babbie to agree a final design and the dialogue continues. The Applicants position is that where all other matters are resolved including, importantly, the principle of development the proper course is a resolution to grant with conditions as to design. For the reasons set down below it is the Applicants position that all other matters are resolved.

2. The proposed height, scale, bulk and massing of the development would result in an unacceptable loss of sunlight and daylight, overshadowing and sense of enclosure to surrounding building occupiers contrary to Policy 4B.9 of the London

Plan, Policies EQ19 and EQ28 of the Unitary Development Plan and the London Borough of Newham Residential Planning Guidelines SPG.

The Applicant has undertaken full due diligence in relation to the matter of daylight, sunlight and overshadowing via specialist members (Gordon Ingram Associates/URS Corporation) of its professional team. The URS Corporation concluded in the Environmental Statement accompanying the application the subject of the Report; daylight, sunlight and overshadowing were moderate or minor. The properties identified as effected and thereby experiencing moderate or minor daylight, sunlight / sunlight impacts and loss were 23-3 Jupp Road, Adrian House, 21 and 45 Jupp Road and 15-23 Rosher Close. In the case of all of these properties appropriate notices have been served at the date of application and the owners are invited to determine the substance of their loss of daylight/sunlight with a view to relevant compensation. **As a question of fact none of the relevant owners have responded.**

The Applicant was not made aware at any material time by LBN or GLA of this ground of refusal.

3. The proposed dwelling mix and type provides a lack of clarity on how the affordable housing will be delivered and would result in a concentration of one and two bedroom units that would not contribute to the creation of a mixed community or secure an adequate level of affordable housing contrary to Policy 3A.4 of the London Plan Policy, Policy H7, H8 and H15 Unitary Development Plan and paragraphs 6.19, 6.21 and 6.22 of the draft Local Development Framework Core Strategy.

It has been self-evident from the earliest meetings in relation to the application the subject of the Report that affordable housing would be provided by negotiation with off site provision. Detailed negotiations have taken place and as far as the Applicant is concerned there is an agreed position. The Applicant does not understand the expression *"provides a lack of clarity on how the affordable housing will be delivered"* and, in the context of detailed negotiations as to provision it is difficult to understand given the length of consultation process such a position can possibly arise. The Applicant anticipated s.106 obligations to the Report reflecting that agreed position.

The Applicant was not made aware at any material time by LBN or GLA of this ground of refusal.

4. The proposed access and egress arrangements would result in the loss of existing highway land, pedestrian and vehicular conflict and the increased likelihood of queuing on the surrounding road network contrary to Policies 3C.15, 3C.20 and 4B.1 of the London Plan and Policies T1, T3 and T14 of the Unitary Development Plan.

The access and egress arrangements in relation to the application the subject of your Authority's Report have been agreed without objection from Transport for London. Once more we would refer you to the Environmental Statement provided by URS Corporation. This identifies that no impacts have been identified and that the position is negligible. Indeed Section 17 of the ES deals with the matter of transportation and access in detail. The site benefits from the highest possible accessibility by public transport – PTAL 6b-. The initial objection by LBN has been fully dealt with and the context of the position should have been made clear in the Report. In this regard we enclose the commentary of the Alan Boreham Associates (**Enclosure 3**). The factual position is not set down in the Report

The Applicant was not made aware at any material time by LBN or GLA of this ground of refusal.

5. The proposed type and amount of amenity space would result in a deficiency given the intensity of development sought contrary to Policies H17 and OS8 of the Unitary Development Plan, the Residential Planning Guidelines SPG and paragraphs 6.62 of the draft Local Development Framework Core Strategy.

This is a factor of design. It is repeated the Applicant has appointed Mr Townsend of Jacobs Babbie to attend to the design objections of CABE. The position is dealt with at paragraph 1 above. Mr Townsend will address your committee by reference to existing Towers in the UK.

6. The application does not provide a robust assessment of the impact of the development on flood risk and the ecological value of the Channelsea River, contrary to Policies EQ62 and EQ63 of the Unitary Development Plan.

Detailed discussions have taken place with the EA and as confirmed by the Environmental Statement undertaken by URS Corporation the position is negligible. Chapter 12 of the Environmental Statement confirms "*the flood risk to the site as a result of the development are found to be negligible*". Subsequently (October 06) URS Corporation has agreed the position with EA by Final Flood Risk Assessment ref 44406897/MAR0001. The Applicant has no knowledge of any ecological matter, merely the desire of EA "*to see the Channelsea River returned to a more natural format*". This is not an objection but a desire which the Applicant would seek to fulfil.

The Applicant was not made aware at any material time by LBN or GLA of this ground of refusal.

7. The proposed development would have an unacceptable impact on the effective and safe operation of the adjacent London Underground contrary to Policy 3C.12 of the London Plan.

The Report of your Authority refers to a standard form objection from LUL. The Applicant has negotiated specific foundation provisions with LUL and the provision of a 3 metre access position. All other matters raised by LUL have been addressed and dealt with by URS Corporation. There are no issues of unacceptable impact on the safe operation of the adjacent London Underground at all. The detailed trail of resolution with LUL is available to your Authority and has been reported.

The Applicant was not made aware at any material time by LBN or GLA of this ground of refusal.

We have not been instructed by our clients to deal in detail with each and every part of the Report of your Authority. However it contains various references to other technical matters e.g. air quality, vibration. All of these matters are dealt with in the Environmental Statement by URS Corporation which accompanies the application the subject of the Report. The Applicant is unable to reconcile many references in the Report to the established matters in the Environmental Statement. The Applicant questions if due regard has been paid to the documents accompanying the application and subsequent reporting of specific matters. This would appear to be so in the context of the Report.

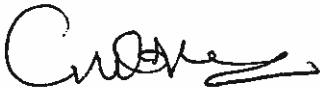
We conclude as does the Applicant that the Report of your Authority could not have been reasonably prepared in its current format in the circumstances where an objective review had taken place in relation to the documents accompanying the application and subsequent reporting and confirmation. The Applicant seeks an explanation of this position as indicated.

You will appreciate the Applicant has over a period of years invested several million pounds in a project, now and perversely, subjected to the Report. It seems reasonable in such circumstances a detailed explanation is provided by your Authority. We trust an explanation will be provided without delay.

It is paramount that in these circumstances your Committee are informed correctly as to the facts of the application the subject of the Report. Please confirm by return your proposals in this regard.

We confirm that our client has written to each of your planning Committee Members to address the Report before them.

Yours faithfully



Gisby Harrison

ENCLOSURE 1

22200



Malcolm Smith

Director of Environment Department

Ms V Ramsey

Development & Building Control Manager

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East Ham

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e-mail: vivienne.ramsey@newham.gov.uk

Mr A Boakes

Andrew Boakes Associates

2 Chalkdown

Stevenage

Herts

SG2 7BGG

23 November 2001

Dear Mr Boakes

Re Town & Country Planning Act 1990 - 306 - 312 High Street E15
Appn. 10. P/00/1375

I refer to our meeting on 23rd November 2001 to discuss the above application.

As I explained at our meeting the Council does not object to the principal of a mixed development on this site, which includes commercial and residential development but would rather that this site was redeveloped as part of a comprehensive scheme which includes 302/304 High Street and the properties in Lett Road.

A comprehensive redevelopment would enable issues of access, parking and servicing to be properly addressed as well as ensuring a high quality scheme, which worked in urban design and townscape terms. Without that the Council cannot support a high-density development.

I recognise that the advice given in this letter is not entirely consistent with advice given over the last 18 months but the Council's policy position has been under review and this is a site, which raises complex issues.

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Making a difference

The policy context for the Council's views towards development in Stratford has been evolving over the last few months as we have been reviewing significant parts of our Unitary Development Plan, particularly issues of design quality, density, and emphasis on mixed use and a review of Stratford and the Lea Valley and the opportunities that are presented by underused land in the area. The revised UDP has only recently been adopted and there is increased emphasis placed on the opportunities for the redevelopment of sites in the A11 corridor to enhance the approach to Stratford.

I believe that a new application for the overall site, with significantly more supporting detail would have a much better chance of success, although this should be seen in the context that the decision on any new application rests solely with the members of the DC and Licensing Committee and officer views are without prejudice to that decision.

As a minimum, I would expect an application to be accompanied by i) an assessment of noise and vibration and giving a clear method/design statement as to how this would be mitigated ii) a transport assessment giving likely traffic/transport impact, peak flows, modal splits, servicing requirements etc. with the premise that the Council would prefer to see no parking on 306-312 and the current access closed if the site is redeveloped. The assessment should also demonstrate the likely impact of the development on the road network during the construction phase iii) an air quality assessment including details of how the residential element is to be protected from air pollution and receives 'clean air' iv) a method statement and plans showing how the requirements of London Underground Ltd. will be met v) a design statement explaining the concept and setting the context for the proposals.

As you are aware the Channelsea River to the rear of the site is an ordinary water course for which the Council has responsibility and it may be possible to 'bridge' over part of the watercourse or put it in culvert in order to achieve a better scheme, similarly (subject to the position of statutory undertakers services and utilities) it may be possible to incorporate part of the Council's highway land on the corner of Lett Road. I will consult the Council's engineers. I consider that the main focus of a

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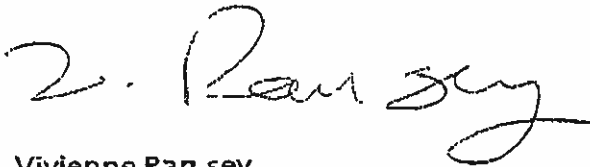
Making a difference

comprehensive scheme should be a landmark building on the site of the pub on the corner of Lett Road with perhaps a pub/restaurant at the ground floor and commercial development above and then buildings which address the street frontages but which reduce in height as they leave that corner. I will consider the matter a little further before giving you advice on the likely height that such a building could attain. As I explained to you at our meeting, that the comprehensive scheme could also demonstrate how the overall site could be developed in phases, should overall site assembly prove impossible.

May I reiterate my apologies for any misunderstanding that might have arisen and the delays encountered with this application.

I trust that this letter adequately addresses all the points that I made at our meeting and shows how we can take the matter forward.

Yours sincerely



Vivienne Ransey
Development & Building Control Manager

CC: Mike Heraty
Brian Russ



Making a difference

ENCLOSURE 2

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18 August 2006

Brian Russ
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London E6 2RT

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RECEIVED		
23 AUG 2006		
JOE RUSSELL	URS	Ann.
V	✓	

Jas,



Our Ref: L25/4206

Dear Brian Russ

Newham: St Johns Towers

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal. This letter is CABE's formal response to the planning application for this scheme. Following a meeting with the architect and visit to the site, the information provided was reviewed at a meeting, chaired by CABE Commissioner Paul Finch on 16 August 2006, with members of CABE's design review panel, and design review staff, and our comments are as follows.

We are broadly supportive of the aspiration to redevelop this site and have no difficulty imagining a tall building here. We can see there is an opportunity to be grasped to improve this part of Stratford, and despite the site being very constrained it has the potential contribute to the transformation of the area. While we feel able to support elements of the proposal our principle concern is with the architectural quality of the building which we do not find convincing. We think that more work needs to be done; In essence we find that the whole is less than the sum of the parts.

Built form

Our main concern with the design is that it has not synthesised the different elements to create the sort of high quality architecture that a building of this height, because of its impact on a wide area, must have. As with all tower proposals it is essential that the quality of the architecture, materials and details are of the highest order.

There is clearly a strong commitment to achieving the Mayor's 10% renewable energy target and we welcome this approach, however, we think that the wind

Commission for Architecture
and the Built Environment

The government's advisor
on architecture, urban design
and public space

turbine appears to be additional to the elevation rather than integral to it, almost as if it is an after thought. The use of an aerofoil wing rising up the elevation is an interesting concept, but somehow it fails to inform the architecture of the whole building. It appears to be little more in appearance than a lift shaft.

We feel that greater attention should be paid to the roof level and the ground plane of the building, a point referred to in CABE/English Heritage 'Guidance on Tall Buildings'. The design at the top of the building has a silhouette that is average, with a lack of articulation and clarity. It therefore appears to be crude, whereas we feel it should be more considered and composed. With regard to the ground plane we worry what the experience of the travelling public will be and whether the street will be a place to enliven the spirits, rather than a muddle of cross overs and access. The plans do not clarify what sort of place the street level will be and this needs more careful consideration.



While we welcomed the curvature of the building we are concerned whether it would appear as a wide slab block in certain views, because the aspect ratio is not comfortable. Our instinct is that a taller slimmer building would be fine. Essentially the height is not the problem but the width is.

Context

We are aware of a number of proposals, either consented or proposed that may alter the context of a tower on this site. As there is currently no specific guidance for tall buildings on Stratford High Street it is difficult to know what relationship this tower may have to a number of potentially scattered towers over quite a wide area. It makes it all the more important that this proposal can stand on its own as a piece of fine architecture, it must be good on its own terms.

Conclusion

The creation of a mixed use building with good sustainable technology is an aspiration we can support, however, we do not believe that the present proposal reaches the Mayor's aspirations for the quality of tall buildings in London, and would encourage the design team to take this project a step further to address the points we have made.

We would like to be kept in touch with the progress of this scheme. If there is any point on which you would like clarification, please telephone me.

Yours sincerely



Kathy MacEwen
Head of design review - programme

cc	Martin Bryant	AHA Architects
	Peter Minoletti	LTGDC
	Sharon Molloy	GLA



The CABE design review panel members who attended the meeting were as follows: Paul Finch (Chair), Eva Jiricna, Taryn Nixon, Joanna van Heyningen, Jim Eyre, Simon Allford.

As this scheme is in the public domain, we will publish our views on our website, www.cabe.org.uk.

ENCLOSURE 3

Response to Highways Reasons for Refusal

PJR/5-2-07

Transport Assessment

- 1.1 The original Transport assessment was complimented by additional information provided to address comments of LB Newham. It is considered that the analysis has been robust, with no discount to traffic flows despite very constrained parking provision.
- 1.2 Suggestions of public transport capacity constraint appear unfounded as the site benefits from the highest possible accessibility by public transport- PTAL 6b- and no individual bus or rail service will have any significant increase in demand. It is noted that no TfL objection on public transport capacity grounds has been raised.

Access

- 1.3 The proposed car park and service access from Lett Road is in the same location as an exiting crossover.
- 1.4 The site is constrained by the Channelsea River, Stratford High Street and the Jubilee Line and as such access options are very limited. It is considered that the low level of traffic flow along Lett Road and the low level of flow associated with the development will mean that the impact of the proposed access on road safety and congestion will be negligible.
- 1.5 The proposed drop off area for the hotel along High Street also represents the most appropriate location for this facility. The crossover will not be a continuous 18 metres but will be 9.3m on the entry to the drop off area.

- 1.6 Pedestrian amenity and safety will be safeguarded by the provision of raising bollards which will prevent vehicles less than 7.5T from crossing the whole area.
- 1.7 In addition there is a minimum of 3 metres of footway provided between the shared surface and the proposed building. This means that although pedestrians will be required to walk slightly further than at present they will be able to do so separate from vehicular traffic.
- 1.8 Finally, the level of flow estimated to be using the facility is low. The TRAVL data discussed in Section 2 indicated that the hotel would generate approximately 3 trips in the peak hours either by taxi or car passenger. There will be undoubtedly be additional residential taxi trips, but it is considered that the vast majority will walk to either the bus stops in High Street or Stratford Bus and Rail Stations. Although it is only 400m to the bus and rail stations, High Street is a dual carriageway and there is a one-way system in place around the town centre meaning that the driving distance would be approximately 2km back to the site. Journey times, particularly those from the stations are likely to be similar to, if not longer, by taxi than walking.

Hotel Component

- 1.9 The proposed development, is within 400m of the town centre, has a PTAL score of 6b, is likely to attract a large number of international clients, particularly when the CTRL station in Stratford is operational, and has no conference or sports facilities. The site is therefore well placed to enable the hotel to operate with only operational parking provided.
- 1.10 To determine likely trips fro the hotel, analysis of comparison of comparable sites enables a likely mode of travel to be determined.

The detailed assessment shows that the main mode of travel was a combination of walking and public transport. The highest proportions were generated by the sites with a PTAL of 6, as per the Stratford site, with this mode representing 74% of all trips in the AM Peak (0800-0900) and 82% in the PM Peak (1800-1900). Car drivers only account for 17% of AM Peak Trips and 12% in the PM Peak.

- 1.11 In both the AM and PM Peaks it is estimated that there will be a 2-way flow of 6 cars to the site.
- 1.12 With regard to the drop-off facility proposed on Stratford High Street it is estimated that there will be 1 car passenger trip and 2 taxi trips in each of the peak hours, as such it is considered that the impact this will have on the amenity and safety of pedestrians will be minimal. The detailing of the arrangement of footways and crossover points would be subject to safety audit in accordance with HA 19/03.