

PLANNING COMMITTEE MEETING: 10 March 2011

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC
 REPORT OF THE DIRECTOR OF PLANNING**

UDC CASE NUMBER:	LTGDC-10-113-OUT	DATE MADE VALID:	26/08/2010
APPLICATION NUMBER:	PA/10/01864/LBTH	TARGET DATE:	Subject to a PPA

APPLICANT:	Clearstorm Limited
AGENT:	GVA
PROPOSAL:	<p>Hybrid planning application for the comprehensive redevelopment of the Leamouth Peninsula for mixed-use development to provide up to 185,077 sqm (GEA) of new floor space (including up to 1,706 residential units (use class C3)) as follows:</p> <p>1) Part Outline, Part Full Planning Application for development of Phase 1, at the southern end of the site, to provide a new pedestrian access (river bridge) across the River Lea (in outline), and for erection of 5 Buildings (in full), namely Buildings G, H, I, J and K, including alterations to existing Building N, to provide:</p> <ul style="list-style-type: none"> • 537 residential units (use class C3) • 5,424 sqm of office and flexible business workspace (use class B1) • 382 sqm of retail, financial and professional services, food and drink (use classes A1, A2, A3, A4, A5) • 1,801 sqm of leisure (use class D2) • 1,296 sqm of community uses (use class D1) • 249 sqm art gallery (use class D1) • 2,390 sqm energy centre • 275 car parking spaces <p>2) Outline Planning Application for Phase 2, at the northern end of the site, comprising Buildings A, B, C, D E, F and M (with all matters reserved except for access and layout) and to provide:</p>

	<ul style="list-style-type: none"> • Maximum of 1,169 residential units (use class C3) • 2,424 sqm of office and flexible business workspace (use class B1) • 1,470 sqm of retail, financial and professional services, food and drink (use classes A1, A2, A3, A4, A5) • 1,800 sqm of arts and cultural uses floorspace (use class D1) • 4,800 sqm of educational floorspace (use class D1) • Storage and car and cycle parking • Formation of a new vehicular access and means of access and circulation within the site, new private and public open space and landscaping and works to the river walls. <p><i>The application is also supported by an Environmental Statement under the provisions of the Town and Country Planning (EIA) Regulations 1999.</i></p>
LOCATION:	Pura Foods Ltd, Leamouth Peninsula North, Orchard Place, London E14

1. SUMMARY

- 1.1 An application is made by Clearstorm Limited (part of the Ballymore Group), for a 'hybrid' planning application, part in full, part in outline, for the comprehensive mixed-use redevelopment of the vacant site at Leamouth Peninsula.
- 1.2 The majority of the application site lies within the London Borough of Tower Hamlets (LBTH), however, a small part is located within the London Borough of Newham (LBN). The application site falls wholly in the planning functions area of the London Thames Gateway Development Corporation (LTGDC).
- 1.3 The application is classified as a 'large scale development' under Part 1, Categories 1A, 1B and 1C of the Schedule to the Town and Country Planning (Mayor of London) Order 2008. The application is also classified as 'development which may affect strategic policies' under Part 3, Categories 3B and 3F of the 2008 Order. Accordingly, the application was referred to the Mayor of London. If the LTGDC resolves to grant planning permission then the application must be referred back to the Mayor of London for his decision as to whether to direct refusal or allow LTGDC to determine the application itself. The application was also supported by an Environmental Assessment.

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- 1.4 This is a new planning application for revised proposals to an extant hybrid planning permission which was granted on 6 September 2007 (Ref. PA/06/00748/LBTH).
- 1.5 The principle of a residential-led, mixed-use development on the site has been established through the extant planning permission.
- 1.6 The application proposal is considered to provide a very high standard of design and will create buildings and spaces that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surroundings. The proposal creates an innovative development that will open up access to the Leamouth Peninsula and draws upon this unique waterside location. The detailed design is acceptable and, in relation to the outline application, the parameter plans submitted indicate that the general layout and maximum heights are appropriate.
- 1.7 Critical to the project is the provision of a bridge across the River Lea to Canning Town in Newham. This will improve the connectivity of a site that has been identified as suffering from poor permeability, as well as significantly improving connectivity for adjacent parts of Tower Hamlets.
- 1.8 It is considered that the proposal is in keeping with the relevant national, regional and local policies and would greatly contribute to the regeneration of the area.
- 1.9 It is recommended that the application be delegated to the Director of Planning to **APPROVE** subject to any direction from the Mayor of London; confirmation from the PLA that the Outline Risk Assessment relating to the bridge, including mitigation measures, is satisfactory; the conditions listed in this report; and the completion of a S106 Agreement securing the Heads of Term set out in this report.
- 1.10 If Members resolve that planning permission should be granted, it is requested that they confirm that in their decision they have taken the environmental information into account as required by Regulation 3 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and are satisfied that the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 are met in relation to the contributions referred to in the Heads of Term.

2. SITE AND PROPOSAL

2.1 Description of Site and Surroundings

- 2.1.1 The application site consists of approximately 4.69 hectares of vacant land at Leamouth Peninsula, located within the London Borough of Tower Hamlets.

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- 2.1.2 However, the application site also includes approximately 0.67 hectares of land within the London Borough of Newham to the north of the River Lea and approximately 0.44 hectares across the River Lea itself for a pedestrian access link to Canning Town Station. Accordingly, a copy of the planning application was also submitted to the London Borough of Newham.
- 2.1.3 The application site falls wholly in the planning functions area of the London Thames Gateway Development Corporation (LTGDC).
- 2.1.4 The site is bounded to the north, east and west by the River Lea and to the south by the Lower Lea Crossing. The site is unique within the Borough, being almost completely surrounded by water and inter-tidal mud flats.
- 2.1.5 To the west of the site is the Limmo Peninsula ecological park, a strip of land bisected by the Docklands Light Railway (DLR).
- 2.1.6 The site was formerly occupied by the Pura Foods oil processing plant (which relocated to a new facility in Essex in 2005). The previous buildings have now been demolished and the site cleared. The applicant confirmed that enabling works were carried out on the site following the previous approval, however, works ceased in 2008 and the site has remained vacant (with the exception of the new Building N in the south-west corner of the site) since then.
- 2.1.7 The area surrounding the site comprises a mix of uses, being predominantly residential to the south-west with some industrial units to the south at Orchard Place and to the north-west along the banks of the River Lea. Residential and retail uses are located to the east and north-east at Canning Town district centre. There are office developments further to the west along East India Dock Road.
- 2.1.8 Bus, Jubilee line, and DLR services are available at Canning Town Station and Canning Town district centre is also located a short distance to the north-east of the application site, however, these facilities are currently separated from the peninsula by the River Lea.
- 2.1.9 East India DLR Station lies 500 metres to the south-west of the site. Bus route 277 is also accessible from Leamouth roundabout.
- 2.1.10 The Public Transport Accessibility Level (PTAL) varies across the site and is as low as PTAL 1 (on a scale of 1-6 where 6 is excellent) in the northern part of the site.
- 2.1.11 To the south, past the Lower Lea Crossing, there is a mixture of uses, including the cultural centre at Trinity Buoy Wharf, and largely vacant industrial buildings on Castle Wharf, Hercules and Union Wharves. The remaining site on the southern part of the peninsula is the safeguarded

Orchard Wharf, for which an application was recently submitted for an aggregates/cement business.

- 2.1.12 A range of existing small scale services and facilities are provided within a 10-minute walk of the southern part of the site, including the retail provision at Aspen Way and Lower Lea roundabout (petrol station) and at East India DLR station (Budgens). Medical and nursery facilities are also within a 10-minute walk.

2.2 Description of Proposal

- 2.2.1 An application is made by Clearstorm Limited (part of the Ballymore Group), for a 'hybrid' planning application, part in full, part in outline, for the comprehensive mixed-use redevelopment of the vacant site at Leamouth Peninsula.

- 2.2.2 The **Part Full, Part Outline** part of this hybrid application relates to the southern part of the site and is referred to as **Phase 1**. In outline, it proposes the formation of a new pedestrian access (river bridge) across the River Lea, and in full, it proposes the erection of a number of buildings, namely Buildings G, H, I, J and K, including alterations to existing Building N (currently an energy centre), to provide:

- 537 residential units (use class C3) (to be located in Buildings G, H, J and K);
- 5,424 sqm of office and flexible business workspace (use class B1) (Buildings I, N and H);
- 382 sqm of retail, financial and professional services, food and drink (use classes A1, A2, A3, A4, A5) (Building I);
- 1,801 sqm of leisure (use class D2) (Building K);
- 1,296 sqm of community uses (use class D1) (Building N);
- 249 sqm art gallery (use class D1) (Building H);
- 2,390 sqm energy centre (Building N); and
- 275 car parking spaces (Building I).

- 2.2.3 The **Outline** part of this hybrid application relates to the northern part of the site and is referred to as **Phase 2**. It proposes a number of additional buildings, referred to as Buildings A, B, C, D E, F and M. Together with these buildings, Phase 2 proposes:

- Maximum of 1,169 residential units (use class C3);
- 2,424 sqm of office and flexible business workspace (use class B1);
- 1,470 sqm of retail, financial and professional services, food and drink (use classes A1, A2, A3, A4, A5);
- 1,800 sqm of arts and cultural uses floorspace (use class D1);
- 4,800 sqm of educational floorspace (use class D1);
- Storage and car and cycle parking (Building E); and
- Formation of a new vehicular access and means of access and

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circulation within the site, new private and public open space and landscaping and works to the river walls.

2.2.4 This is a new planning application for revised proposals to an extant hybrid planning permission which was granted on 6 September 2007 (Ref. PA/06/00748/LBTH). Section 4 of this report outlines the planning history of this site in further detail. However, for clarification purposes it is considered important to note the key changes between the extant permission granted in September 2007 and the current proposal, at this point in the report.

2.2.5 The key alterations can be summarised as follows:

- The omission of the former 'green bridge' which connected the approved 'river bridge' from Canning Town interchange over the rail lines to Canning Town.
- Reduction in the level of affordable housing (35% to 19.6% assuming grant).
- A reduction in the number of residential units by 131 dwellings.
- A reduction in the density of the proposal by 17%.
- Removal of a podium (underground car park) on which the approved building blocks sat and, as such, an overall reduction to the height and mass of the development.
- A reduction in the number of car parking spaces (from 1,050 spaces to 629 spaces) and introduction of an alternative car parking facility in the form of two purpose-built multi-storey car park buildings.
- Increase in the level of public open space and general landscaping.
- A more coherent arrangement of the non-residential uses.
- A revised phasing strategy.

2.2.6 The application site would be accessed via an existing vehicular access (Orchard Place) to the south of the site, as well as via a new pedestrian bridge at the northern end of the site. The new pedestrian bridge is a key feature of the application and proposes to span across the River Lea to provide a pedestrian link to Canning Town Station via the existing rotunda.

2.2.7 A shared surface (vehicular and pedestrian) is proposed which intends to allow for circulation around the perimeter of the peninsula along the river edge, and within the site.

- 2.2.8 A series of 13 buildings varying in height from 3 to 27 storeys is proposed, the tallest of which (Building C) is located towards the northern end of the peninsula.
- 2.2.9 A network of connecting, publicly accessible open spaces is also proposed which lead pedestrians through the site towards the bridge link, with two key spaces being the soft landscaped garden area in Phase 1 and the more urban hard-surfaced plaza in Phase 2.
- 2.2.10 In relation to Phase 1, Buildings I and N are located at the southern entrance of the site and comprise a multi-storey car park with office space, the energy centre base, and community facilities, including a sports pitch at roof level.
- 2.2.11 Buildings G, H and J are located to the north-east of Buildings I and N and comprise three residential blocks sited around a central public open space. Building K is located to the north-west of the edge of the public open space and comprises a leisure use (health club) at ground to second floor levels with residential use on the upper floors.
- 2.2.12 In relation to Phase 2, which is entirely in outline form, the application seeks approval for **Access and Layout** with all matters relating to **External Appearance, Scale and Landscaping** reserved. Section 2 of Circular 01/2006 – ‘Guidance on Changes to the Development Control System’ provides advice on the treatment of Outline Planning Permission and Reserved Matters.
- 2.2.13 The application is considered to contain sufficient information in relation to the above.

3. MAIN ISSUES

The main planning issues raised by this application that the Committee are requested to consider are:

- Principle of Development / Land Use
- Density
- Transport, Connectivity and Accessibility
- Urban Design
- Housing
- Residential Standards
- Amenity
- Air Quality
- Noise and Vibration
- Open Space
- Child Play Space

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- Energy Efficiency
- Sustainability
- Flood Risk
- Biodiversity and Ecology
- Health Considerations
- Environmental Impact Assessment
- Other Issues
- Planning Obligations / S106

4. RELEVANT SITE HISTORY

PA/04/01831

Request for Scoping Opinion as to the information to be provided in an Environmental Impact Assessment to be submitted in support of planning applications for redevelopment to provide 4,000 residential units, offices, retail, restaurants, leisure facilities and a bridge spanning the River Lea. **Scoping Opinion issued on 10/01/2005 confirming EIA was required.**

PA/04/01081

Application to open pedestrian and cycle bridge across the River Lea, linking the Leamouth Peninsula to Canning Town Station and the Lower Lea Crossing including upgrading of flood defences on Hercules Wharf. **Permission granted 18/05/2005.** This is a proposal by Leaside Regeneration Limited to the south of the application site.

PA/05/01409

Combined Outline and Full Planning Application (Hybrid Application) for a mixed-use redevelopment comprising a total of 2,460 residential units (use Class C3) in addition to 21,459 sqm of non-residential development including arts and cultural centre (use Class D1/D2), leisure (use Class D2), management offices (use Class B1), retail (use Class A1/A2), food and drink (use Class A3/A4), healthcare facility (use Class D1) and the provision of public open space, including a bridge linking to Canning Town. **The applicant appealed against non-determination in June 2006. The appeal was withdrawn on 12/01/2007.**

PA/05/01597

Outline Planning Application for a mixed-use development comprising 477 residential units and 400 sqm of non-residential floor space including offices (B1), retail (A1, A2), food and drink (A3, A4) and the

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provision of public open space. **The applicant appealed against non-determination in June 2006. The appeal was withdrawn on 12/01/2007.**

PA/05/01598

Combined Outline and Full Planning Application (Hybrid Application) for a mixed-use development comprising 925 residential units and 1,600 sqm of non-residential floor space including offices (B1), retail (A1, A2), food and drink (A3, A4) and provision of public open space. **The applicant appealed against non-determination in June 2006. The appeal was withdrawn on 12/01/2007.**

PA/05/01600/LBC

Partial demolition and alteration of the listed dock structure and retention of the existing caisson in relation to mixed-use development at Union Wharf. **The applicant appealed against non-determination in June 2006. The appeal was withdrawn on 12/01/2007.**

PA/06/00748/LBTH

Demolition of all existing buildings and structures; comprehensive phased mixed-use development comprising 177,980 sqm GEA of new floorspace for the following uses: residential (C3), business including creative industries, flexible workspace and offices (B1), retail, financial and professional services, food and drink (A1, A2, A3, A4, A5), leisure, arts and cultural uses, primary school and community centre (D1, D2), plus 36,150 sqm for the energy centre, storage and car parking. Formation of a new vehicular access and means of vehicle circulation within the site. Landscaping including a riverside walkway, the provision of public open space, and a bridge linking to Canning Town. **Hybrid application, part full, part outline. This application was recommended for refusal by LBTH and subsequently approved by LTGDC on 06/09/2007.**

With regards to the above application (Ref: PA/06/00748/LBTH), LBTH recommended refusal to LTGDC for a number of reasons, the majority of which were resolved by the applicant following a number of subsequent amendments relating to dwelling mix, uplift in level of affordable housing to 35%, standard of accommodation, daylight/sunlight, energy, inadequate link to Canning Town, flood risk and biodiversity.

PA/06/00749/LBTH (Duplicate Application)

Demolition of all existing buildings and structures; comprehensive phased mixed-use development comprising 177,980 sqm GEA of new floorspace for the following uses: residential (C3), business including creative industries, flexible workspace and offices (B1), retail, financial and professional services, food and drink (A1, A2, A3, A4, A5), leisure, arts and cultural uses, primary school and community centre (D1, D2), plus 36,150 sqm for the energy centre, storage and car parking. Formation of a new vehicular access and means of vehicle circulation within the site. Landscaping including a riverside walkway, the provision of public open space, and a bridge linking to Canning Town. **Hybrid application, part full, part outline. Withdrawn by the applicant on 06/09/2007.**

PA/07/01730/LBTH

Erection of a building (25.5 metres) in the south-western part of the Leamouth Peninsula North; temporary landscaping and parking; building accommodating (a) an electrical sub-station to serve the forthcoming larger development on the Leamouth Peninsula, (b) Community Centre/Sports Hall with temporary interim use as a Marketing Suite for the sale of residential units within the Leamouth North Development. **Approved on 11/04/2008. Construction commenced and partially completed.**

5. CONSULTATIONS/NOTIFICATIONS

CABE

In summary, CABE support the layout, scale, massing and landscape strategy of the proposal and the design of the coherent family of buildings in Phase 1, however they do not support the lack of a direct, 24-hour pedestrian connection from the peninsula to Canning Town.

Other comments include:

- Welcome removal of podium.
- Support the improved balance between spaces and buildings.
- Proposed river bank walkway not an acceptable or safe alternative.
- Support Phase 1 without bridge link if improvements can be made to East India DLR Station.
- Support the proposed accommodation of parking within adaptable multi-storey car park structures but not comfortable with location of structures and façade treatment.
- Support the overall architectural quality, design and materials,

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however concern that the joint masterplan approach has limited architectural expression over individual buildings.

- Welcome spacious and dual aspect units and concept of flexible spaces, however concerns regarding narrower floor plate apartments which have less flexibility.
- Loss of bridge over railway tracks a fundamental concern.
- Concerns regarding management of construction traffic between phases.
- Support rich landscaping proposals.

Welcome principle of connecting to Royal Docks energy network, use of Grounds Source Heat Pumps (GSHPs), ecology and Sustainable Urban Drainage Systems (SUDs), however more work needed on a robust energy, waste and water strategy.

Greater London Authority

The application was referred to the GLA as the development falls under the following categories of the Town and Country Planning (Mayor of London) Order 2008: Category 1A (more than 150 flats); Category 1B (total floorspace of more than 15,000 sqm); Category 1C (building more than 30 metres high outside of the city); Category 3B (>4ha use class B land); and Category 3F (provision of >200 car parking spaces).

Principle of Development:

Principle of development already established through 2007 permission. Provision of all proposed uses supported by consolidated London Plan policies.

Density

Application proposed 364 units per hectare or 887 habitable rooms per hectare. GLA consider the site to be 'central' for density calculation purposes and as such London Plan advises a density range of 240-405 units per hectare, or 650-1,100 habitable rooms per hectare for 'central' sites.

Site considered a potentially highly accessible site within walking distance to Canning Town, and in close proximity to Canary Wharf and Stratford, and as such the proposed density is considered appropriate.

Tall Buildings

Principle of tall buildings established in the previous scheme. Current

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scheme proposes tall buildings of a similar height and scale to the previous permission and are considered acceptable against relevant Tall Building London Plan Policies 4B.8 and 4B.9.

Development not considered to have any adverse impact on views over the Greenwich Park, or the O2 Centre.

Urban Design

Current scheme considered to provide several improvements to the previous scheme in terms of landscaping, larger areas of open space, play areas. Overall scheme considered to have a high standard of design.

Layout, Scale and Massing

Buildings respond positively to the riverside and provide a similar layout to what was proposed previously. Towers are considered to be well proportioned, with medium infill elements that allow sunlight through the development and ensure buildings do not become overbearing on the open space.

Concern raised regarding car park building (N) in Phase 1 – block appears bulky. Materials proposed help reduce massing but the lack of features such as windows contributes to the massing. Concerns regarding successful treatment of external building to ensure ground floor uses interact with larger building and transition between car parking and other elements of the block.

(Officer comment: Design workshop took place between the applicant, and LTGDC and LBTH Officers on 21 January 2011 where improvements to Building N were discussed. Amendment plans were submitted in February 2011. These are discussed in Section 9.4 of this report).

Appearance and Landscape

Comfortable that the scheme will deliver a high finish in terms of architecture and landscaping. Use of common architectural language throughout the buildings welcomed. Active frontage and clear entrances to buildings welcomed. Treatment of car park remains a concern.

Residential Quality

High residential quality and generous internal space standards

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(complying with Mayor's Draft Housing Design Guide) in Phase 1 are supported. Although single aspect buildings are proposed, none are north-facing and many benefit from river views.

Routes and Phasing

One clear north-south route supported. Concerns regarding the management of the phasing especially during construction and the delivery of the bridge in the second phase, therefore isolating those living in Phase 1.

(Officer comment: The bridge is now proposed in Phase 1).

Acknowledges that the proposed bridge does not link across the railway track to Canning Town centre. The removal of this element of the scheme from the previous proposal is considered to be disappointing. However the GLA accept that the feasibility of the railway line crossing and the costs involved mean this is not possible. Recommends that the bridge be secured via S106.

Access

Overall site is considered to have a good level of accessibility.

All units to comply with Lifetime Home Standards and 10% of units to be wheelchair accessible.

Service capsule units in Building J are considered to be inventive.

The 62 blue badge car parking spaces do not equate to the 10% of wheelchair accessible units (170). Parking management plan should be conditioned.

Recommends that the S106 should secure accessible blue badge parking, leisure centre changing rooms, and lifts on pedestrian bridge.

Affordable Housing

With regard to the overall level of affordable housing proposed (20%), an independent review of the applicant's viability assessment is recommended.

In order to secure the maximum reasonable amount of affordable housing, it is suggested that the viability of the scheme be tested on commencement of each phase.

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Concerns raised regarding the ability of the development to create mixed and balanced committee due to 85% of the affordable housing provision being proposed for Phase 1. However, it is acknowledged that the majority of affordable units will be family units and located around a centrally located public space. It is also acknowledged that the delivery of the bulk of the affordable units will help bring the site forward given difficult market conditions.

Tenure split (87:13) does not accord with London Plan target of 70:30.

Support the provision of 45% family sized social rented units in Phase 1 and 20% private family units in Phase 2. Overall range of unit sizes supported.

(Officer comment: Issues relating to affordable housing are discussed in Section 9.5 of this report).

Child Play Space

Support how the development exceeds the GLA's minimum requirement for child play space. Concern however that the spaces proposed are not child designated play spaces and further plans required to clarify this.

(Officer comment: Further plan submitted following meeting held on 21 January 2011 clarifying precise location of play space and connections).

Blue Ribbon Network, Flooding, and Biodiversity

Support the opening up of the site, river walk, extension to Lea River Park, nature conservation area, and general biodiversity measures. Flood walls and new safety measures also supported.

Climate Change Mitigation

Further clarification required on single site-wide energy network; cooling strategy; how GSHP will operate alongside Combined Heat and Power (CHP); why photovoltaics (PVs) are not being considered alongside CHP.

(Officer comment: These issues are discussed in Section 9.12 of this report).

Climate Change Adaptation

Good sustainable urban drainage, including brown and green roofs, and

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the discharge of surface water into the river is supported.

Transport for London's (TfL) comments:

Car Parking

Level of car parking (0.4 spaces per unit) falls within the London Plan's maximum standards. 10% of all parking should be allocated to dedicated blue badge holders. Location of such spaces is required.

Highways Alterations

Concerns regarding proposed signalling to northern arm of Leamouth roundabout which would result in traffic queuing back to the A13.

Connectivity

Pedestrian bridge is crucial to improving the site's accessibility and to justify its scale and density, and is expected to improve the PTAL for the northern part of the site from PTAL 1 to 6.

Further discussion required with TfL to discuss possible ways of enhancing and improving this aspect of the site's connectivity.

Canning Town Station

Confirm that despite pre-application connectivity workshops held with the applicant, access through Canning Town Station outside existing station opening hours is not possible.

Confirm that the 'rotunda' is likely to have sufficient capacity to accommodate expected trips.

East India DLR

Significant additional demand anticipated for East India DLR especially from Phase 1. Contribution requested for improvements to station forecourt and for DAISY screens.

Bus Infrastructure

Contribution to facilitate enhanced bus services is requested to meet the demand on buses particularly from Phase 1.

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Proposed bus stops will be required to be in place prior to the development of Phase 1. Further discussions required to consider appropriate bus locations.

Travel Planning

Travel plan welcomed. Further adjustment needed to reflect proposed phasing.

Environment Agency

In summary, concerns raised regarding the impact of inter-tidal habitat loss. Mitigation measures such as flood defence set-back will be required. Further details required in relation to the proposed bridge and associated pier structures.

(Officer comment: Discussions between the applicant and the Environment Agency are ongoing and an Addendum Report will be prepared to update Members on the conclusions of these discussions).

English Heritage Archaeology

Archaeological excavation of this site was carried out following the 2006 permission and the remains of a 19th century plate-glass manufactory were found.

Whilst the remains were excavated, the previous condition and specification also required post-excavation work, publication and archiving of the site. This back-end work never took place, so a condition is required to ensure this post-excavation work is carried out.

Lea Valley Regional Park Authority (LVRPA)

The LVRPA took this application to their Planning Committee on 11 November 2010 and raised the following material considerations for the Planning Authority's attention if planning permission were to be granted:

- The S106 Agreement should secure funding for improvements to open space and pedestrian links and landscape and habitat enhancements to East India Dock Basin and the Ecology Park.
- Conditions should secure details of all external lighting, details of riverside edge, details of brown and green roofs, bird nesting and bat roosting.

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The LVRPA has requested to be involved in finalising the detail of the ecological riverside edge.

Metropolitan Police Crime Prevention Design Officer

Enormity of the scheme makes it a worrying prospect for crime, and a severe test for local policing. Bridge needs to be safe, easy to view, well-lit, with CCTV coverage. No clear safeguards in the form of Secured by Design.

Welcomes the closure of the rotunda when the DLR Station at Canning Town closes. Concerns regarding lighting arrangements from the river bridge to Canning Town Station when the rotunda is closed.

CGMS on behalf of Metropolitan Police Service / Metropolitan Police Authority

Considers it essential that the S106 secures 115 sqm of floorspace for police facilities and that the scheme complies with the security standards outlined by Secured By Design.

Crossrail

Various conditions recommended by Crossrail relating to design and method statements for ground floor structures to safeguard the proposed location of Crossrail structures and tunnels.

British Waterways

British Waterways acknowledge that Bow Creek is under the control of the Port of London Authority, but note that they do own the adjacent water to the north and are keen that navigation is not adversely affected along Bow Creek to the Thames. Headroom under the new bridge should retain an air draft of at least 5.5 metres.

Port of London Authority (PLA)

A number of concerns raised including:

- Potential noise impacts on Leamouth North from expected cargo handling operations at Orchard Wharf and the need for suitable acoustic insulation;
- Air quality and dust impacts from Orchard Wharf operations;
- Light pollution impacts;

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- Use of the river for the transport of material during construction;
- Need for sufficient air draft (5.2 metres) under pedestrian bridge;
- Details regarding construction and operation of the bridge;
- Clarification on the ecology landscaping and inter-tidal terraces;
- Requirement for river works licence;
- Need for riparian life saving equipment.

(Officer comment: The applicant responded to the PLA's concerns by letter dated 24 November 2010. The PLA responded on 6 January 2011 requesting further information and clarification. The applicant provided a further memo on 2 February 2011. The PLA responded on 9 February 2011 and the applicant provided a further response on 10 February 2011. Many aspects of the PLA's initial concerns identified above have now been addressed by the applicant, however, the PLA maintain their objection relating to the lack of detail regarding the proposed bridge - the northern landing dimensions of the bridge would intrude into the deepest water which is currently unacceptable to the PLA.

The applicant has now agreed that they will prepare an Outline Risk Assessment in order to demonstrate to the PLA that the bridge will not pose any risks to the navigable channel. This Risk Assessment is likely to take a week to prepare. The PLA has indicated that while they are content for the application to be presented to LTGDC Committee, they would require any resolution to grant permission to be subject to the PLA being satisfied with the conclusions of the Outline Risk Assessment which is being prepared. The applicant has accepted this approach).

London Underground

No comments received.

Docklands Light Railway

No comments received.

London City Airport

No comments received.

London Fire and Emergency Planning Authority

No information directly relating to Fire Service access and water supply has been provided. Details of brigade access and water supplies needed (to be conditioned).

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It is also noted that previous discussions on this scheme indicated that there were concerns regarding the provision of water supplies for fire brigade use and it was agreed that a ring main would be installed. This needs to be secured by condition or S106.

London Borough of Greenwich

Raises no observations.

National Air Traffic Services Ltd (NATS)

No safeguarding objections to the proposal.

BBC - Reception Advice

No comments received.

Thames Water Authority

Raises no objection. Suggests a condition regarding minimum pressure head and flow rates and the need for drainage plans for all phases.

EDF Energy Networks Ltd

No comments received.

National Grid

Response received from the Plant Protection Team with comments relating solely to operational gas and electricity apparatus.

General guidance and advice notes provided with regards to the need for no works, excavation, crossings to be carried out which affect the pressure pipelines in the vicinity without consulting National Grid Plant Protection Team.

Response also states that the application would be referred to National Grid's Land and Development Stakeholder and Policy Team. However, no further response has been received.

Civil Aviation Authority

Development might have a potential impact upon aviation activities

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associated with London City Airport. Accordingly, it is essential that the operator/licensee of London City Airport is consulted.

Potentially a need for en-route aviation obstruction lighting at the top of the tallest structure (to be conditioned).

Aerodrome operator should consider issues associated with crane usage related to the proposed development, both from a safeguarding and lighting perspective.

Olympics Joint Planning Authorities Team

No observations or objections raised.

Sport for England

No comments received.

Health and Safety Executive (HSE)

Development does not fall within HSE zones.

LBTH Transportation and Highways

LBTH Highways raised an initial objection citing concerns relating primarily to:

- Poor connectivity, particularly in Phase 1 and lack of alternative provisions for when Canning Town interchange is closed.
- Proposed emergency access to the site.
- Stairs and lift option will preclude use by disabled users, mobility scooter-users, those with prams/buggies, and would be a disincentive to cyclists.
- The proposed alternative walkway in Phase 1 along the northern bank of the Lea and hence to Canning Town is too lengthy and unattractive to be considered a practical route for the disabled, able-bodied pedestrians and cyclists.
- Excessive level of car parking.

Following discussions and negotiations with the applicant, the Highways Officer has removed their objection, citing concern rather than objection. This is as a result of the following mitigation:

- Delivery of the pedestrian bridge during Phase 1 instead of Phase 2.
- Provision of a 24-hour bus service, linking the site to Canning Town

and Canary Wharf.

- Realisation that the vehicular access slip road (emergency access) has already been widened since the previous consent. However, the S106 needs to secure further highway improvements that have not been carried out to date.
- Omission of works to the river walkway along the northern bank.

During the initial consultation stage, the Highways Officer also sought further information on the following issues, all of which have now been addressed by the applicant:

- Exploration of the provision of a ramp to enable unimpeded access.

(Officer comment: The applicant has provided plans demonstrating that the provision of a ramp is not practical due to the height of the bridge (required by PLA), the limited landing area available on the northern bank of the river, and the amount of land required to accommodate a ramp from the peninsula end).

- Clarification and further information requested in relation to proposed modal split in each phase, showing the different trip rates and modal splits at 01.00 in the morning as well as during the daytime.
- Clarification requested in relation to traffic flow figures and impact on highway network and capacity issues for the Leamouth roundabout.

(Officer comment: The applicant has now provided this information and the Highways Officer is satisfied).

- Clarification sought as to whether the proposed perimeter road is intended to be adopted public highway or privately managed.

(Officer comment: At subsequent meetings the applicant clarified that they would manage their roads privately).

- Further clarification needed on how the proposed shared surface will operate and what the intended traffic modes will be.

(Officer comment: At subsequent meetings the applicant set out the principles that would be employed to ensure safety for shared surface users).

- Car Park Management Strategy needed to ensure the disabled car parking provision will be protected for disabled users and not made available to other drivers.

(Officer comment: Car Park Management Strategy can be conditioned).

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On balance the Highways Officer has concluded that the package of improvements proposed regarding connectivity is satisfactory and considered sufficient so that the application does not conflict with relevant transport planning policy.

LBTH Highways Team does however recommend the following:

- Previous Section 278 and S106 terms to be reviewed and updated accordingly and to include the applicant's commitment to the provision of extended bus routes and bus stop to the base of the site.
- Transport improvements need to include localised carriageway widening to enable bus turning; environmental improvements to the south of the site to ensure acceptable pedestrian environment; raised table and pedestrian crossing from site to bus stop; any resurfacing works and improvements around Leamouth roundabout; all at the expense of the applicant.
- Further potential work needed regarding precise location of the bus stop, albeit that ongoing work on 'Option 7' (alighting on the westbound slip and a stand and boarding stop on the eastbound slip) is likely to be the best option, subject to further discussions with London Buses.

LBTH Primary Care Trust (PCT) / Tower Hamlets NHS

Health Impact Assessment (HIA)

Tower Hamlets NHS has recommended that a HIA should be carried out to assess the impact of the scheme on health inequalities. It is suggested that this should be carried out after any permission is granted and then again later in the development process once phases are complete.

The NHS has recommended that a contribution of £50,000 is sought for the initial HIA and a further £25,000 for a follow-up assessment.

Proposed A5 Use

Tower Hamlets NHS suggests that no A5 uses should be permitted in order to comply with Policy SP03 of the Core Strategy.

Healthcare Facilities

Tower Hamlets PCT is not seeking a health facility on the site, but rather

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they have requested a financial contribution of £4,299,387 for Phase 1 (using the Health Urban Development Unit Model version 2).

Emergency Vehicular Access

Concern has been raised regarding the existing sole, single carriageway, vehicular access in to the site for emergency access. Concern that this sole access could be blocked, partially blocked, or inaccessible due to traffic or other disruptions. Suggests LBTH consult London Ambulance, London Fire Brigade and the Metropolitan Police.

(Officer comment: These issues are addressed in the 'Assessment of Main Issues' section of this report).

LBTH Education

The following education contributions are sought:

Phase 1

Primary school places: 100 x £14,830 = £1,483,000.
Secondary school places: 50 x £22,347 = £1,117,350.

Phase 2

Primary school places: 25 x £14,830 = £370,750.
Secondary school places 8 x £33,347 = £178,776.

TOTAL: £3,149,876

LBTH Ecology and Biodiversity

The overall methodology relating to the Ecology and Nature Conservation Section of the submitted ES is considered sound and LBTH is supportive of its conclusions.

If all the recommended mitigation and enhancement is undertaken, there should be an overall benefit for biodiversity in compliance with LBTH's Local Biodiversity Action Plan (LBAP) and relevant policies in the London Plan.

It is recommended that various biodiversity features (as outlined in the ES and/or Landscape Strategy) be secured by condition, such as:

- Provision of an "ecological riverside edge" on the western edge of the

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peninsula, to include reed bed planting and intertidal terraces.

- Provision of at least 6,000 sqm of brown roofs.
- Provision of timber baulking on all sections of the river wall.
- Provision of nest boxes for peregrine falcons on tall buildings.
- Provision of a swift tower to provide multiple nest sites for swifts.
- Provision of 11 nest sites in the river walls for kingfishers and sand martins and other nest boxes for birds including black redstarts, house martins and grey wagtails.

The Ecology Officer notes that the most significant impact which is not mitigated is the potential interruption of a dark corridor along the River Lea, which is likely to be used by commuting bats. It is recommended that LBTH requests further details of lighting, both during the construction phase and on the completed development, and the measures they will take to restrict light spillage over the river.

The other minor failure of the application is the failure to consider otters (protected species) which are currently expanding their range, and are now established further up the Lea Valley. The Ecology Officer notes that it is unlikely that otters regularly use this section of the river. However, recent records indicate that future colonisation of the Lower Lea is possible. As such, there is an opportunity to provide habitat for otters in anticipation of future expansion down the Lea and the applicant should consider the installation of an artificial otter holt.

(Officer comment: These issues are considered in Section 9.15 of this report).

LBTH Leisure, Parks and Open Spaces

LBTH Communities, Localities and Culture note that the proposed increase in permanent population in the development will increase demand on community, cultural and leisure facilities with a predicted population uplift of 3,177 people.

The following S106 financial contributions are requested below:

- Open Space Contribution of **£1,935,375**
- Library/Idea Store Facilities Contribution of **£330,408**
- Leisure and Recreation Contribution of **£409,078**.

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LBTH Trees Officer

No objections in principal, however, the size of the development means that a substantial heat island effect will be created. Therefore a robust tree planting scheme should be secured via a robust S106 agreement to plant 200 street trees to create links and reduce albedo.

LBTH Enterprise and Employment

No comments received.

LBTH Waste Policy and Development

No comments received.

LBTH Environmental Health (Commercial) - Health and Safety

No comments received.

LBTH Environmental Health - Contaminated Land

No comments received.

LBTH Environmental Health – Micro-Climate

The Wind (Microclimate) Assessment undertaken by RWDI using wind tunnel testing dated July 2010 has been reviewed by the Council's Environmental Health Officer (EHO).

The EHO has also taken on board the fact that a similar consented scheme was approved by LTGDC in 2007.

It is noted that there were 167 measurement locations distributed within the scheme using Irwin probes. There are adverse wind impacts that will occur on both Phase 1 and the outline component (Phase 2) of the development, such as thoroughfares, entrances and amenity spaces, however if mitigation methods (such as vertical screening, suitable evergreen, and landscaping) are included, this should reduce the significant criteria to acceptable levels to meet the Lawson Criteria.

LBTH Environmental Health - Daylight and Sunlight

Daylight

Concern was raised regarding Vertical Sky Component (VSC) levels falling below 27%, particularly at lower floors. Further information was sought regarding Average Daylight Factor (ADF) levels, including all the co-efficients.

Sunlight

Levels of Annual Probable Sunlight Hours (APSH) are of minor impact, especially at lower floors in terms of BRE criteria.

(Officer comment: Clarification was sought regarding ADF levels and co-efficients. This information was submitted to the Council's EHO and the ES reviewers and the information submitted was found to be acceptable).

LBTH Environmental Health – Smell / Pollution, Noise and Vibration

Appropriate conditions recommended.

LBTH Environmental Health - Air Quality

Clarification sought regarding:

- Why the impact of the A13 has not been modelled.
- How the potential impacts of the proposed aggregate plant at Orchard Wharf should be taken into consideration.
- Modelling results, contour plots and receptor points. EHO particularly interested in the points of the car park and the energy centre.
- Excessive car parking.
- Potential adverse impacts resulting from the construction and operational phase of the development.
- Impacts regarding construction-related dust emissions.

Also recommends that if development is approved a S106 contribution is secured towards air quality monitoring.

The EHO has requested that an Environmental Management Plan be conditioned to address construction impacts relating to air quality.

(Officer comment: These issues are addressed in the 'Assessment of Main Issues' section of this report).

LBTH Strategic Development Committee

The application will be presented to LBTH's Strategic Development Committee on 7 March 2011. An Addendum Report will set out the details of LBTH's recommendation to LTGDC.

London Borough of Newham

The London Borough of Newham registered their copy of the application under Application No. 10/02420/OUT on 8 November 2010. The London Borough of Newham's recommendation on the application is still awaited. An Addendum Report will set out the details of Newham's recommendation to LTGDC.

6. APPLICATION PUBLICITY

- 6.1 A total of 2,449 properties within the area, together with all individuals and bodies who made representations on the previous application, have been notified about the revised application and invited to comment. The application has also been publicised in East End Life and eight site notices were erected around the site. The application was advertised as being accompanied by an Environment Statement.
- 6.2 A total of six representations were received following publicity of the application and these can be summarised as follows:

No. of Individual Responses:	Object:	Support:	General Observation:
6	1	4	1

- 6.3 No. of petitions received: 0

7. LOCAL REPRESENTATIONS

- 7.1 Three letters of representation were received from local residents, one raising objection and two confirming support for the application in principle.
- 7.2 The sole letter of objection raised concerns regarding:
- Adverse visual impact dominating skyline;
 - Impact on public landscape and views around East India Dock Basin.

(Officer comment: The design of the proposed development is assessed in Section 9.4 of this report).

7.3 The two letters of support comment that the proposal looks promising and makes better use of land and will benefit the area for residents, however, they also note:

- The need for an increase in social housing;
- The need for access, construction and road works to be managed to ensure less traffic problems in the area;
- The cumulative impact of the proposal for Leamouth North, and proposed plans for Orchard Wharf will put added pressure on the local road network.

(Officer comment: Social housing is assessed in Section 9.5 of this report; and transport matters are assessed in Section 9.3 of this report).

Firstplan on behalf of Aggregate Industries (AI) and London Concrete (LC)

7.4 Representation does not confirm objection or support for the application at Leamouth North, but rather draws the Local Planning Authority's (LPAs) attention to current local and strategic policy objectives for Orchard Wharf as a Safeguarded Wharf and requests that the LPA considers the development proposals for Leamouth Peninsula North in light of any potential future operation of Orchard Wharf.

7.5 The representation also confirms Aggregate Industries and London Concrete's aspirations for the re-activation of the wharf for cargo-handling purposes and notes their ongoing consultation with the Ballymore Group and the relevant authorities.

(Officer comment: The above comments are noted).

Trinity Buoy Wharf Trust and Trinity Buoy Wharf Space Management

7.6 Two letters were received from Trinity Buoy Wharf Trust (art charity) and the Wharf Space Management Team confirming their support for the redevelopment of the site and the proposed bridge link. They both note that this bridge will link in with surrounding connections such as the Lea River Park and the approved Orchard Place bridge and footpath/cycleway which the Trust were involved in.

7.7 However, they raise concerns regarding:

- Delay of the proposed bridge to Phase 2.

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- Potential strain on local road network due to scale of development proposed, coupled with possible use of Orchard Wharf as a concrete batching plant.
- Construction period, phasing and other schemes in the area will make access and egress to Orchard Place difficult.

(Officer comment: The proposed bridge will now come forward in Phase 1 of the development and transport matters are assessed in Section 9.3 of this report).

- 7.8 The Trust suggests that the application contributes towards the funding of the permitted Orchard Place bridge.
- 7.9 Additional factual comments by the Trust noted that the primary school based at Trinity Buoy Wharf (Faraday School) is omitted from the Transport Report and Design and Access Statement. Also, Trinity Buoy Wharf is noted in the site context plan on Page 12 of the Design and Access Statement as being a 'safeguarded site'.

8. RELEVANT PLANNING POLICY

The relevant policy and guidance against which to consider the planning application is contained within the following documents:

- National Planning Policy.
- The London Plan (consolidated version 2008) and Supplementary Planning Guidance.
- London Borough of Tower Hamlets Unitary Development Plan (1998) (saved policies) and Supplementary Planning Guidance.
- London Borough of Tower Hamlets Interim Planning Guidance - Local Development Framework Core Strategy and Development Control Submission Document (November 2007).
- London Borough of Tower Hamlets adopted Core Strategy (2010).
- London Borough of Tower Hamlets Local Development Framework Leaside Area Action Plan Submission Document (November 2006) (LAAP).
- London Borough of Tower Hamlets Community Plan.
- London Borough of Newham Unitary Development Plan (2001) (saved policies).

National Planning Policy

PPS1 - Delivering Sustainable Development
PPS – Planning and Climate Change – Supplement to PPS1
PPS3 – Housing
PPS4 – Planning for Sustainable Economic Growth
PPS5 – Planning for the Historic Environment
PPS9 - Biodiversity and Geological Conservation
PPG13 - Transport
PPS22 - Renewable Energy
PPS23 - Planning and Pollution Control
PPG24 - Planning and Noise
PPS25 - Development and Flood Risk

The London Plan Consolidated with Alterations (adopted February 2008)

Policy 2A.1 - Sustainability Criteria
Policy 2A.7 - Areas for Regeneration
Policy 2A.8 - Town Centres
Policy 3A.1 - Increasing London's Supply of Housing
Policy 3A.2 - Borough Housing Targets
Policy 3A.3 - Maximising the Potential of Sites
Policy 3A.5 - Housing Choice
Policy 3A.6 - Quality of New Housing Provision
Policy 3A.7 - Large Residential Developments
Policy 3A.8 - Definition of Affordable Housing
Policy 3A.9 - Affordable Housing Targets
Policy 3A.10 - Negotiating Affordable Housing in Individual Private Residential and Mixed-Use Schemes
Policy 3A.18 - Protection and Enhancement of Social Infrastructure and Community Facilities
Policy 3A.20 – Health Objectives
Policy 3A.23 – Health Impacts
Policy 3B.1 – Developing London's Economy
Policy 3B.2 – Office Demand and Supply
Policy 3B.3 – Mixed Use Development
Policy 3B.8 – Creative Industries
Policy 3C.1 - Integrating Transport and Development
Policy 3C.2 - Matching Development to Transport Capacity
Policy 3C.3 - Sustainable Transport in London
Policy 3C.4 - Land for Transport
Policy 3C.20 - Improving Conditions for Buses
Policy 3C.21 - Improving Conditions for Walking
Policy 3C.22 - Improving Conditions for Cycling
Policy 3C.23 - Parking Strategy
Policy 3C.24 - Parking in Town Centres

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Policy 3D.1 - Supporting Town Centres
Policy 3D.2 - Town Centre Development
Policy 3D.3 – Maintaining and Improving Retail Facilities
Policy 3D.4 – Development and Promotion of Arts and Culture
Policy 3D.8 - Realising the Value of Open Space and Green Infrastructure
Policy 3D.13 - Children and Young People’s Play and Informal Recreation Strategies
Policy 3D.14 - Biodiversity and Nature Conservation
Policy 4A.1 - Tackling Climate Change
Policy 4A.2 - Mitigating Climate Change
Policy 4A.3 - Sustainable Design and Construction
Policy 4A.4 - Energy Assessment
Policy 4A.5 - Provision of Heating and Cooling Networks
Policy 4A.6 - Decentralised Energy: Heating, Cooling and Power
Policy 4A.7 - Renewable Energy
Policy 4A.9 - Adaptation to Climate Change
Policy 4A.10 - Overheating
Policy 4A.11 - Living Roofs and Walls
Policy 4A.12 - Flooding
Policy 4A.13 - Flood Risk Management
Policy 4A.14 - Sustainable Drainage
Policy 4A.16 - Water Supplies and Resources
Policy 4A.17 - Water Quality
Policy 4A.18 - Water and Sewerage Infrastructure
Policy 4A.19 - Improving Air Quality
Policy 4A.20 - Reducing Noise and Enhancing Soundscapes
Policy 4A.33 - Bringing Contaminated Land Into Beneficial Use
Policy 4B.1 - Design Principles for a Compact City
Policy 4B.2 - Promoting World-Class Architecture and Design
Policy 4B.3 - Enhancing the Quality of the Public Realm
Policy 4B.5 - Creating an Inclusive Environment
Policy 4B.6 - Safety, Security and Fire Prevention and Protection
Policy 4B.8 - Respect Local Context and Communities
Policy 4B.9 - Tall Buildings - Location
Policy 4B.10 – Large-scale Buildings – Design and Impact
Policy 4B.15 - Archaeology
Policy 4C.1 - The Strategic Importance of the Blue Ribbon Network
Policy 4C.2 - Context for Sustainable Growth
Policy 4C.3 - The Natural Value of the Blue Ribbon Network
Policy 4C.4 - Natural Landscape
Policy 4C.6 - Sustainable Growth Priorities for the Blue Ribbon Network
Policy 4C.8 - Freight Uses on the Blue Ribbon Network
Policy 4C.10 – Increasing Sport and Leisure Use on the Blue Ribbon Network
Policy 4C.11 - Increasing Access Alongside and to the Blue Ribbon Network
Policy 4C.12 – Support Facilities and Activities in the Blue Ribbon Network

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Policy 4C.14 – Structures Over and Into the Blue Ribbon Network
Policy 4C.15 – Safety On and Near to the Blue Ribbon Network
Policy 5C.1 – The Strategic Priorities for North East London
Policy 5C.3 – Opportunity Areas in North East London

London Borough of Tower Hamlets Unitary Development Plan (UDP) 1998 (saved policies)

Proposals

Designations within the vicinity of the site are as follows:

- Areas of archaeological importance or potential
- Industrial employment areas
- Flood protection areas
- Within 200 metres of East-West Crossrail
- Aviation use and bird attracting
- Wind turbine development by City Airport
- Urban Development Corporation
- Potential contamination

Strategic Policies

Policy ST1 - Addressing the Needs of Residents
Policy ST15 - Local Economy
Policy ST17 – High Quality Work Environments
Policy ST23 – Housing Quality
Policy ST25 – Housing and Infrastructure
Policy ST28 – Restrain Use of Private Car
Policy ST30 – Safety and Convenience for all Road Users
Policy ST37 – Improvement of Local Environment
Policy ST41 – Art and Entertainment
Policy ST43 – Public Art
Policy ST46 – Education and Training
Policy ST47 – Skills Requirements & Training Initiatives
Policy ST49 – Social & Community Facilities
Policy ST50 – Medical Services
Policy ST51 – Public Utilities

Environment

Policy DEV1 – Design Requirements
Policy DEV2 – Environmental Requirements
Policy DEV3 – Mixed Use Developments
Policy DEV4 – Planning Obligations
Policy DEV9 – Control of Minor Works

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Policy DEV12 – Provision of Landscaping in Development
Policy DEV17 – Siting and Design of Street Furniture
Policy DEV44 – Preservation of Archaeological Remains
Policy DEV46 – Protection of Waterway Corridors
Policy DEV48 – Riverside Walkways & New Development
Policy DEV50 – Noise
Policy DEV51 – Contaminated Soil
Policy DEV53 – Conditions on Consents
Policy DEV55 – Development and Waste Disposal
Policy DEV56 – Waste Recycling
Policy DEV57 – Development Affecting Nature Conservation Area
Policy DEV69 – Efficient Use of Water

Employment

Policy EMP1 – Promoting Economic Growth and Employment Opportunities
Policy EMP6 – Employing Local People
Policy EMP8 – Encouraging Small Business Growth
Policy EMP10 – Development Elsewhere in the Borough

Housing

Policy HSG7 – Dwelling Mix and Type
Policy HSG13 – Internal Space Standards
Policy HSG15 – Residential Amenity
Policy HSG16 – Housing Amenity Space

Transport

Policy T1 – Improvements to the Underground
Policy T3 – Extension to Bus Services
Policy T8 – New Roads
Policy T10 – Priorities for Strategic Management
Policy T16 – Traffic Priorities for New Development
Policy T18 – Pedestrians and the Road Network
Policy T19 – Priorities for Pedestrian Initiatives
Policy T21 – Pedestrians Needs in New Development

Shopping

Policy S7 – Special Uses
Policy S10 – Requirements for New Shopfront Proposals

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Open Space & Leisure

Policy OS8 – Allotments
Policy OS9 – Children’s Playspace
Policy OS13 – Youth Facilities

Arts, Entertainment & Tourism

Policy ART1 – New Facilities
Policy ART6 – Definition & Purpose
Policy ART10 – Encouraging Visitor Facilities

Education

Policy EDU10 – Contribution Towards Childcare Facilities

Social & Community

Policy SCF8 – Encouraging Shared Use of Community Facilities
Policy SCF11 – Meeting Places

Utilities

Policy U2 – Development in Areas at Risk from Flooding
Policy U3 – Flood Protection Measures

London Borough of Tower Hamlets Interim Planning Guidance (IPG) 2007

Proposals

Designations within the vicinity of the site are as follows:

- LDF Development Site Allocation LS23
- Flood Risk
- Site of Importance for Nature Conservation
- Green Chain
- Within 200 metres of East-West Crossrail
- Adjoins Strategic Roads

Development Control Policies

Policy DEV1 – Amenity

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Policy DEV2 – Character & Design
Policy DEV3 – Accessibility & Inclusive Design
Policy DEV4 – Safety & Security
Policy DEV5 – Sustainable Design
Policy DEV6 – Energy Efficiency & Renewable Energy
Policy DEV7 – Water Quality and Conservation
Policy DEV8 – Sustainable Drainage
Policy DEV9 – Sustainable Construction Materials
Policy DEV10 – Disturbance from Noise Pollution
Policy DEV11 – Air Pollution and Air Quality
Policy DEV12 – Management of Demolition and Construction
Policy DEV13 – Landscaping and Tree Preservation
Policy DEV14 – Public Art
Policy DEV15 – Waste and Recyclables Storage
Policy DEV16 – Walking and Cycling Routes and Facilities
Policy DEV17 – Transport Assessments
Policy DEV18 – Travel Plans
Policy DEV19 – Parking for Motor Vehicles
Policy DEV20 – Capacity of Utility Infrastructure
Policy DEV21 – Flood Risk Management
Policy DEV22 – Contaminated Land
Policy DEV24 – Accessible Amenities and Services
Policy DEV25 – Social Impact Assessment
Policy DEV27 – Tall Buildings Assessment

Economy and Employment

Policy EE2 – Redevelopment / Change of Use of Employment Sites

Retail and Town Centres

Policy RT3 – Shopping Provision Outside of Town Centres
Policy RT5 – Evening and Night-time Economy

Housing

Policy HSG1 – Determining Residential Density
Policy HSG2 – Housing Mix
Policy HSG3 – Affordable Housing
Policy HSG7 – Housing Amenity Space
Policy HSG9 – Accessible and Adaptable Homes
Policy HSG10 – Calculating Provision of Affordable Housing

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Social & Community

Policy SCF1 – Social and Community Facilities

Open Space

Policy OSN2 – Open Space

Policy OSN3 – Blue Ribbon Network and the Thames Policy Area

Conservation

Policy CON2 – Conservation Areas

Policy CON4 – Archaeology and Ancient Monuments

Policy CON5 – Protection and Management of Important Views

Utilities

Policy U1 – Utilities

London Borough of Tower Hamlets Core Strategy (CS) (adopted 2010)

Spatial Policies

Policy SP01 – Refocusing on our Town Centres

Policy SP02 – Urban Living for Everyone

Policy SP03 – Creating Healthy and Liveable Neighbourhoods

Policy SP04 – Creating a Green and Blue Grid

Policy SP05 – Dealing with Waste

Policy SP06 – Delivering Successful Employment Hubs

Policy SP07 – Improving Education and Skills

Policy SP08 – Making Connected Places

Policy SP09 – Creating Attractive and Safe Streets and Spaces

Policy SP10 – Creating Distinct and Durable Places

Policy SP11 – Working Towards a Zero-Carbon Borough

Policy SP12 – Delivering Placemaking – Priorities and Principles

LAP7&8 – Leamouth – *‘Creating a modern waterside place where the River Lea Park meets the River Thames’*

London Borough of Tower Hamlets Leaside Area Action Plan (October 2007)

Policy LS23 – Orchard Place North

Policy L1 – Leaside Spatial Strategy

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Policy L2 – Transport
Policy L3 – Connectivity
Policy L4 – Water Space
Policy L5 – Open Space
Policy L6 – Flooding
Policy L7 – Education Provision
Policy L8 – Health Provision
Policy L9 – Infrastructure and Services
Policy L38 – Employment Uses in Leamouth Sub-Area
Policy L39 – Residential Uses in Leamouth Sub-Area
Policy L40 – Retail and Leisure Uses in Leamouth Sub-Area
Policy L41 – Local Connectivity in Leamouth Sub-Area
Policy L42 – Design and Built Form in Leamouth Sub-Area
Policy L43 – Site Allocation in Leamouth Sub-Area

London Borough of Tower Hamlets Community Plan

The following Community Plan objectives relate to the application:

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

London Borough of Newham Unitary Development Plan (UDP) (adopted June 2001) (saved policies)

Policy OS1 - Open Space Standards and Proposed New Open Space
Policy OS5 - Lee Valley Regional Park Proposals
Policy OS7 - Green Space: Protection
Policy OS8 - Green Space in New Housing Development
Policy OS9 - Improvements to Parks and Public Open Spaces
Policy SH1 - Consolidation of the Shopping Hierarchy
Policy SH5 - Canning Town District Centre
Policy SH11 - Food Stores
Policy SH13 - Retail Impact Studies
Policy SH14 - Shopping in Areas of New Development
Policy EQ1 - Waterway Improvements
Policy EQ2 - Waterside Access
Policy EQ3 - Waterside Commercial Development
Policy EQ4 - Quality of Waterside Development
Policy EQ5 - Waterway Structures
Policy EQ18 - Promoting Urban Quality
Policy EQ19 - Urban Design Considerations
Policy EQ20 - Design Considerations: Residential Areas
Policy EQ21 - New Development: Landscaping
Policy EQ27 - High Buildings: Control

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Policy EQ28 - High Buildings: Design Considerations
Policy EQ46 - Air Quality Management
Policy EQ47 - Noise Impact Statement
Policy EQ48 - Noise - Sensitive Development
Policy EQ49 - Contaminated Land: Assessment, Remediation and Monitoring
Policy EQ50 - Development Adjacent to Overhead Power Lines
Policy EQ62 - Protection of the Flood Plain and Urban Washlands
Policy T1 - New Development: Environmental Impact
Policy T2 - New Development: Public Transport Accessibility
Policy T3 - New Development: Highway Capacity
Policy T4 - New Development: Areas in Need of Major Highway Public Transport Investment
Policy T5 - Preferred Modes of Transport
Policy T6 - Rail Services
Policy T7 - Bus Services
Policy T13 - Road Safety, Traffic Management and Calming
Policy T14 - Design to Minimise Road Accidents in New Development
Policy T17 - Controlled Parking Zones at Railway Stations
Policy T19 - Improvement of Conditions for Pedestrians
Policy T20 - Pavement Congestion
Policy T21 - Recreational Footway Network
Policy T22 - Public Access to the River Thames
Policy T23 - Cycle Network
Policy T24 - Access by Cycle and Cycle Parking

Other Relevant Planning Policies and Supplementary Planning Guidance

- CABE & English Heritage “Guidance on Tall Buildings” (July 2007)
- Lower Lea Valley Opportunity Area Planning Framework (LLV OAPF (January 2007)
- London Biodiversity Action Plan (2008)
- The London Plan – Sub-Regional Development Framework, East London (May 2006)

Mayor of London SPGs:

- Housing (November 2005)
- Accessible London: Achieving an Inclusive Environment (April 2004)
- Sustainable Design and Construction (May 2006)
- Providing for Children and Young People’s Play and Informal Recreation (March 2008)

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- Biodiversity Strategy (2001)
- London Housing Design Guide (Interim Edition, August 2010)

London Borough of Tower Hamlets SPGs / Other Guidance:

- Designing Out Crime
- Landscape Requirements
- Tower Hamlets Air Quality Action Plan

London Borough of Newham SPDs:

- Canning Town and Custom House SPD (July 2008)

9. ASSESSMENT OF MAIN ISSUES

9.1 Principle of Development / Land use

- 9.1.1 The principle of a residential-led mixed-use development on the site has been established through the extant planning permission.
- 9.1.2 In respect of National Policy, PPS1 and PPS3 promote the efficient use of land with high density, mixed-use development and encourage the use of previously developed, vacant and under-utilised sites to achieve national housing targets.
- 9.1.3 The site is noted in the Lower Lea Valley Opportunity Area Planning Framework (2007), the Leaside Area Action Plan (AAP) (Interim Planning Guidance, 2007), and in LAP 7 and 8 of the Council's Core Strategy (2010), as having the potential to accommodate mixed-use development, including new pedestrian crossings.
- 9.1.4 Policies L38, L39 and L40 of the Interim Leaside AAP identifies that mixed-use development will be expected on development sites such as Orchard Place North and that this should include residential uses, retail and leisure uses, and small-scale offices and workshops, to create workspaces for creative and cultural industries.
- 9.1.5 The vision for the development of Leamouth Peninsula is confirmed more recently in LBTH's adopted Core Strategy (2010) which seeks to create a modern waterside mixed-use development on this site, providing new residential communities set around the river, with new pedestrian and cycle bridges to enable accessibility with the rest of the Borough and to Canning Town Station and town centre.
- 9.1.6 In response to the policy objectives outlined above, the applicant proposes a broad mix of uses with residential being the predominant

land use. In terms of specific land use, up to 1,706 residential units (use class C3) are proposed with approximately 40,000 sqm of non-residential floor space, including car parking structures and the energy centre. The main non-residential aspects of the proposal comprise the following mix of uses:

- A maximum of 7,848 sqm of floor space for **Business** (use Class B1) comprising of offices (4,502 sqm), creative industries and flexible workspace (2,714 sqm) and management offices (632 sqm). The proposed business floorspace will be delivered in any part of the development identified in Phase 2 in the parameter plans for non-residential uses. As Phase 1 is fixed, it is proposed to provide 4,378 sqm of office space and 414 sqm of flexible workspace within Buildings I and H.
- A maximum of 2,049 sqm of floor space for **Arts and Cultural Uses** (use Class D1) in the form of exhibition space, performance space and artists' studios.
- A maximum of 1,296 sqm of floor space for **Community Use** (use Class D1) to be provided within the community centre within Building N (Phase 1) and to comprise a multi-purpose hall, community meeting facilities and roof-top sports pitches
- A maximum of 4,800 sqm of floor space for **Education Uses** (use Class D1) in Phase 2. The exact type of education facility is not specified.
- A maximum of 1,801 sqm of floor space for **Leisure Uses** (use Classes D1 and D2) which will be provided in the form of a 'lifestyle' leisure/health club within Building K (Phase 1).
- A maximum of 1,852 sqm of floor space for **Retail Use** providing for a range of shops (A1), financial and professional services (A2), restaurants and cafes (A3), drinking establishments (A4), and hot food takeaway (A5). Phase 1 will accommodate 382 sqm of convenience retail provision to serve immediate needs. The majority of 'A' class uses are proposed in Phase 2 which is in outline. Therefore, the level of floorspace for each specific use remains flexible and will be determined at reserved matters stage. However, the applicant has proposed that the level of A1 floorspace shall not exceed 70% of the total floorspace for 'A' class uses.

9.1.7 Having regard to the range of land uses described above and the provision of the proposed pedestrian bridge link to Canning Town, it is considered that the proposal in principle meets the relevant policies outlined above, which seek to create a modern waterside mixed-use development on this site.

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- 9.1.8 With this in mind and having regard to the extant planning permission, there are no objections on land use grounds.

9.2 Density

- 9.2.1 PPS1 and PPS3 seek to maximise the re-use of previously developed land and promote the more efficient use of land through higher densities.
- 9.2.2 Policy HSG1 of LBTH's IPG (2007) specifies that the highest development densities, consistent with other Plan policies, will be sought throughout the Borough. The supporting text states that, when considering density, the Council deems it necessary to assess each proposal according to the nature and location of the site, the character of the area, the quality of the environment and the type of housing proposed. Consideration is also given to the standard of accommodation for prospective occupiers, micro-climate, impact on neighbours and associated amenity standards.
- 9.2.3 Density ranges in the London Plan (2008) are outlined in Policy 3A.2 and 3A.3 which seek to intensify housing provision through developing at higher densities, particularly where there is good access to public transport.
- 9.2.4 Policy SP02 of LBTH's Core Strategy (2010) seeks to ensure that new housing developments optimise the use of land by ensuring that the distribution and density levels of housing correspond to public transport accessibility levels and the wider accessibility of that location.
- 9.2.5 Currently, the site has a public transport accessibility level (PTAL) of 2 with the potential to improve to level 4 towards the southern end of the site and to level 6 towards the northern end of the peninsula where it will benefit from links via the proposed pedestrian bridge into Canning Town Station.
- 9.2.6 The site is a former industrial site and difficult to characterise for the purpose of a density. However, Policy L39 of the Interim Leaside AAP confirms that for the purposes of density, this area is considered 'urban' in character. Furthermore, considering the site's proximity to East India DLR (7 to 8-minute walk) and the proposed pedestrian bridge to Canning Town Station, enabling links with Canary Wharf and Stratford (via Jubilee Line and DLR), the site can be considered as 'urban'.
- 9.2.7 For urban sites with such a PTAL range, the Council's IPG and the Mayor's London Plan seek densities of between 450 and 700 habitable rooms per hectare (hrph). The application proposes a density of 887 hrph.
- 9.2.8 The proposal exceeds the density matrix thresholds in numerical terms.

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However, the intent of the London Plan and the Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design principles and public transport capacity. Whilst the proposed pedestrian bridge does not provide a direct 24-hour link to Canning Town, it will still significantly improve the site's public transport accessibility to level 6. In addition, the application is not considered to present any symptoms of overdevelopment in terms of layout, daylight and sunlight, or amenity.

- 9.2.9 It is also acknowledged that the density proposed in the current application represents a 17% reduction to the extant permission which was approved at 1,066 hrph.
- 9.2.10 As such, it is considered that the proposal maximises the intensity of use on the site and the density is supported by national, regional and local planning policy, therefore complying with Policies 3A.2 and 3A.3 of the London Plan (2008), Policy HSG1 of LBTH's IPG (2007) and Policy SP02 of LBTH'S Core Strategy (2010), which seek to ensure the use of land is appropriately optimised in order to create sustainable places.

9.3 Transport, Connectivity and Accessibility

- 9.3.1 PPG13 (Transport) directs new development to locations that are highly accessible by public transport. This PPG also recognises the need for developments to make it easier for people to access jobs, shopping, and leisure facilities.
- 9.3.2 Policy 3C.1 of the London Plan (2008) seeks to ensure the integration of transport and development by encouraging patterns and forms of development that reduce the need to travel by car.
- 9.3.3 Policy T19 (saved) of LBTH's UDP (1998) also seeks to ensure that measures will be introduced and supported to improve the quality, safety and convenience of movement for pedestrians, particularly at public transport interchanges.
- 9.3.4 Policies SP08 and SP09 of LBTH's Core Strategy (2010) seek to deliver accessible, efficient, high-quality, sustainable and integrated transport networks to reach destinations within and outside the Borough.
- 9.3.5 One of the priorities for the Core Strategy Vision for Leamouth (LAP 7 and 8) is to improve the accessibility, permeability and connectivity of Leamouth as part of the redevelopment and regeneration of the area, including bridges with inclusive access across the River Lea to Canning Town and river crossings to North Greenwich.
- 9.3.6 Policy L41 of the Interim Leaside AAP deals specifically with local connectivity in the Leamouth sub-area. The policy promotes new east-

west pedestrian and cycle connections between Leamouth and East India North; new pedestrian and cycle crossing points between Orchard Place North and Canning Town and new bridges to improve access across the River Lea.

- 9.3.7 The application site is currently very isolated and inevitably constrained by the presence of the River Lea to the north, east and west of the site.
- 9.3.8 In order to unlock this site and improve connectivity to Canning Town interchange, the applicant proposes to erect a pedestrian bridge spanning the River Lea from the northern tip of the peninsula and landing on the northern bank of the river, which will lead towards the existing rotunda at Canning Town Station.
- 9.3.9 The bridge link is a fundamental element of this application and will provide a new and significant public means of access for pedestrians and cyclists connecting to and from the peninsula, Canning Town and Canning Town Station interchange.
- 9.3.10 It is considered that the ability of the applicant to deliver this bridge is paramount to improving the public transport accessibility level of Leamouth Peninsula so that the density of development proposed can be justified.
- 9.3.11 However, one of the concerns regarding the bridge proposal was that its delivery would not be until Phase 2 of the development. This had a number of implications, but primarily the lack of connectivity and access for those occupying Phase 1 (537 residential units).
- 9.3.12 It is acknowledged that those living in Phase 1 will be more inclined to use the public transport facilities available at East India DLR. However, in order to justify the density proposed in Phase 1 and to ensure the connectivity of the site is maximised, the applicant was asked to consider the provision of the pedestrian bridge by the end of Phase 1. The applicant has now agreed to bring the bridge forward to Phase 1.
- 9.3.13 This amendment has overcome a number of officer objections and concerns, in particular, those identified by LBTH's Highways Officer and Access Officer.
- 9.3.14 The extant planning permission (2007) also proposed a pedestrian bridge link from the peninsula. However, this was made up of two parts, one spanning the river, and the second part (referred to as the 'green' bridge) bridging over the railway tracks and landing to the west of the bus station at Canning Town. The 'green' bridge is not part of the current application. Following extensive pre-application discussions, it was established that the delivery of the 'green' bridge raised significant technical and financial constraints and this is one of the key reasons for the submission of the revised application currently being considered.

- 9.3.15 Some of the key constraints which the applicant claims have precluded implementation of the 'green' bridge became apparent following the grant of the 2007 permission following post-planning investigative work relating to the construction of the approved bridge. These constraints included:
- TfL's unwillingness to allow a synchronised railway possession to enable the three operational railway lines at Canning Town Station to close at the same time to enable bridge construction;
 - Applicant not able to gain possession of the DLR railway and being limited to working within engineering hours (a safe working window of 2 hours only);
 - No permission to access the bus station for the bridge landing;
 - Presence of National Grid extra high voltage cables precluding foundation penetration work.
- 9.3.16 The current proposal therefore proposes one single pedestrian bridge spanning the River Lea to the northern bank of the river and leading towards the rotunda at Canning Town interchange. Whilst the proposed pedestrian bridge will significantly improve the connectivity and accessibility of the site, there is concern that access is dependant on the operation of Canning Town Station and as such will not be 24-hours as the station is closed between 1am and 5am. It is considered however, that this is a small 4-hour timeframe that will only affect a very small percentage of people moving to and from the peninsula (e.g. night workers, or those travelling home late at night) and provided there is alternative access provision, this could be considered acceptable.
- 9.3.17 With regard to the concerns about the closure of Canning Town interchange between 1am and 5am, the applicant proposes to facilitate the introduction of a 24-hour high frequency bus service, with bus stands and turning areas located at the southern base of the site around Orchard Place, which will link the site with Canning Town and Canary Wharf. This aspect of the proposal is welcomed and the applicant has engaged with TfL, London Buses, LBTH Highways Officer, LTGDC and GLA in order to explore probable bus route extensions, and appropriate locations for bus stops and alighting points.
- 9.3.18 This is supported by Policy T3 (saved) of LBTH's UDP (1998) which encourages the provision of additional bus services into residential, shopping and employment areas which are poorly served at present. It is anticipated that the works and a financial contribution associated with the introduction of additional bus services will be secured through a S106 agreement and LTGDC's Planning Obligations Community Benefit Strategy.
- 9.3.19 One of the alternatives proposed by the applicant for when Canning Town Station is closed is the provision of a proposed riverside walkway

along the northern bank of the river and the upgrading of Reuben's Bridge (existing) to enable a route to the station via the A13. However, this alternative is considered convoluted and potentially unsafe, particularly at night.

- 9.3.20 Following a number of meetings and design workshops the applicant was requested to consider the omission of this aspect of the proposal in favour of other alternative access arrangements.
- 9.3.21 In any event, the works to Reuben's Bridge fall outside the application boundary and it was intended that these works would be secured through a S106 legal agreement. It is the view of Officers that the works to Reuben's Bridge and the northern river bank are not secured by this application. This alternative route proposed by the applicant may be beneficial in terms of public realm improvements, however the actual frequency of its use is questionable. The other alternative proposed in the form of an extension to a high frequency 24-hour bus route is considered to be more beneficial to this scheme. The applicant has been requested to remove the costs associated with these proposed works (£5-£6 million) from their financial appraisal, to assist with the earlier provision of the proposed pedestrian bridge in Phase 1 and the provision of an extension to a high frequency 24-hour bus route.
- 9.3.22 However, so as not to prohibit any future development of Reuben's Bridge, these works remain identified in the applicant's plans as an aspiration and could be revisited in the future subject to funding.
- 9.3.23 The application also proposes to improve the connectivity of the southern end of the peninsula with proposed public realm improvements along the route to East India DLR Station, including signalised pedestrian crossings and improvements to East India DLR Station. These works are to be secured through the S106 and LTGDC's Planning Obligations Community Benefit Strategy.
- 9.3.24 LBTH's Highways and Policy Teams have advised that for the success of this isolated site it is necessary to ensure that it can be properly incorporated into the surrounding transport infrastructure and provide tangible and unlimited links to the surrounding areas. There is concern that the proposed singular pedestrian bridge link limited to the station interchange and access restricted late at night does not wholly meet the policy objectives for this part of the Borough, in terms of successful connectivity and permeability for the site.
- 9.3.25 However, on balance, whilst it is regrettable that the former 'green' bridge option outlined in the extant permission does not form part of this application, it is also accepted that this is no longer feasible or deliverable. Regardless, the provision of a direct link from the peninsula to Canning Town interchange will in fact significantly improve the public transport accessibility of Leamouth Peninsula to a PTAL of 6 and

considerably improve connectivity to the surrounding area, particularly to the services at Canning Town, Stratford and Canary Wharf, compared to the current situation. The further improvements in the form of additional bus services linking the site with Canning Town and Canary Wharf, and public realm improvements along the route to East India DLR Station are also considered to be a sufficient package to improve the connectivity of the site and support the level of development proposed.

- 9.3.26 In terms of the navigational role of the river and the proposed design of the bridge, the PLA has objected to the application as a result of the proposed encroachment of the northern bridge landing into the deepest part of the river. The parameter plans indicate that the landing structure will measure 30 metres x 5 metres projecting into the river. This intrusion into the water raises fundamental concerns for the PLA. The applicant has now agreed that they will prepare an Outline Risk Assessment in order to demonstrate to the PLA that the bridge will not pose any risks to the navigable channel. The PLA has indicated that while they are content for the application to be presented to LTGDC Committee, they would require any resolution to grant permission to be subject to the PLA being satisfied with the conclusions of the Outline Risk Assessment which is being prepared. The applicant has accepted this approach.
- 9.3.27 Subject to issues concerning the bridge being resolved with the PLA, it is considered that the application will unlock this highly constrained and inaccessible site and in line with the objective of Policy SP09 of LBTH's Core Strategy (2010) the proposal will significantly improve connectivity between Tower Hamlets and neighbouring Boroughs through the provision of a bridge across the River Lea to Newham. This will also improve the connectivity of a site that has been identified as suffering from poor permeability.
- 9.3.28 The application is considered to comply with Policy 3C.1 of the London Plan (2008), Policies T16, T18, T19 and T21 (saved) of LBTH's UDP (1998), Policy DEV16 of LBTH's IPG (2007), Policies SP08, SP09 and SP12 of LBTH's Core Strategy (2010), and Policy L41 of the Interim Leaside AAP (2007).

Car Parking

- 9.3.29 Policies 3C.1, 3C.16 and 3C.22 of the London Plan (2008), Policy T16 (saved) of LBTH's UDP (1998), Policies DEV17, DEV18 and DEV19 of LBTH's IPG (2007) and Policy SP09 of LBTH's Core Strategy (2010) seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 9.3.30 The scheme proposes a maximum of 629 car parking spaces for the 1,706 units proposed (including 10% disabled spaces) and a further 37

spaces for the remaining community, retail and office uses. Parking will be located within two multi-storey car parking structures (Building N in Phase 1 and Building E in Phase 2), and also some at surface level.

- 9.3.31 The level of car parking proposed represents a ratio of 0.4 spaces per unit. LBTH policy sets a maximum car parking ratio of 0.5 where it can be demonstrated that the proposed level would not result in a detrimental impact on the safe and free flow of traffic on the surrounding highway network.
- 9.3.32 The level of parking proposed falls below the maximum standards set for the Borough. It has been suggested that, given the improved PTAL of the site (level 6), as a result of the pedestrian bridge, the Borough should seek a permit-free residential development. However, this is a large site and it is acknowledged that the southern part of the peninsula must also be taken into account as this part of the site is only expected to achieve a medium PTAL rating of 4. The application also provides a car club proposal, electric charging points and a parking management plan. The level of car parking provision is therefore considered acceptable considering that it falls below the maximum standards specified by the Borough.
- 9.3.33 The applicant has also confirmed that 10% of all parking (68 spaces) will be allocated to blue badge holders. A plan has also been submitted confirming the proposed location of these car parking spaces, all of which ensure access within close proximity of building entrances and close to the location of the wheelchair accessible units.
- 9.3.34 The application is considered to provide sustainable non-car modes of transport in compliance with the relevant car parking policies identified above.

Provision for Cyclists

- 9.3.35 LBTH's policy requires that secure cycle parking should be provided for each residential unit. Furthermore, additional informal parking for visitors should be provided. Policies also require that the site must make adequate provision for cyclists by providing connections from the site to surrounding cycle networks, therefore encouraging cycling.
- 9.3.36 The applicant has committed to the provision of 1 cycle space per residential unit, with a further 140 cycle spaces for the non-residential elements of the proposal. Secure bicycle storage is also proposed at ground level of each residential building in Phase 1. Visitor cycle parking is to be accommodated within the landscaped area.
- 9.3.37 The routes through the site, around the perimeter and over the bridge have been designed with cycle paths accounted for in the proposed

shared surface concept. There is concern that the bridge design does not encourage cycle routes due to the lack of a ramped access, although there is a lift. However, this is not uncommon for such a constrained site and cyclists also have the option to cycle to the southern tip of the site and access Canning Town via the existing cycle path along the A13.

Inclusive Environments

- 9.3.38 Policies 4B.1, 4B.4 and 4B.5 of the London Plan (2008) seek to ensure that developments are accessible, usable and permeable for all users and that developments can be accessed and used easily by as many people as possible without undue effort, separation or special treatment. Policy 3C.20 refers to the importance that connections from new developments to public transport facilities and the surrounding area (and its services) are accessible to all. Best practice guidance has been issued by the GLA (SPG Accessible London: Achieving an Inclusive Environment, 2004).
- 9.3.39 Policy DEV1 (saved) of LBTH's UDP (1998) requires that development contributes to a safe, welcoming and attractive environment which is accessible to all groups of people. A growing awareness of the importance of creating environments that are accessible for all people has led the Borough to emphasise the importance of 'inclusive design'. This is reflected in Policy DEV3 of LBTH's IPG (2007) which seeks to ensure that inclusive environments are created which can be safely, comfortably and easily accessed and used by as many people as possible without undue effort, separation or special treatment, and Policy SP08 (1f) of LBTH's Core Strategy (2010) which promotes the good design of public transport interchanges to ensure they are integrated with the surrounding urban fabric, offer inclusive access for all members of the community, and provide a high-quality, safe and comfortable pedestrian environment.
- 9.3.40 Concern has been raised by LBTH's Access Officer regarding the lack of a direct 24-hour accessible link across the bridge and also that the access to and from the bridge is not ideal in terms of inclusiveness as the landing on both sides of the bridge is via step and lift access only. This is considered to be a greater concern when the lift is out of order or requires maintenance. The applicant was requested to explore the provision of a ramped access, however further plans submitted illustrated that a ramp option would be too 'land hungry' requiring a length of at least 80 metres on the peninsula landing area. There is also extremely limited land available on the northern bank of the river to accommodate a ramp. The applicant was also asked to consider the provision of a second lift however following a cost analysis, it was concluded that this option was cost prohibitive.

- 9.3.41 LBTH's Access Officer has accepted that whilst the level changes to access the pedestrian bridge within the site do not create an ideal environment for the mobility impaired, the provision of a disabled lift at each end of the bridge will ensure a permanent and usable route for the mobility impaired to Canning Town for the majority of the time.
- 9.3.42 Whilst the detail regarding the bridge link will be subject to reserved matters stage, the applicant has confirmed a commitment to ensuring the steps and lifts will be designed with pedestrian desire lines in mind to provide the most logical, direct and safe route. As such the proposed bridge is considered to be compliant with the relevant policy objectives of creating inclusive environments.
- 9.3.43 With regard to the layout of the development, the proposal creates one main north-south route through the development which will be direct, well-lit and based on a shared surface concept where the public realm is shared between pedestrians, cyclists and vehicles. This route connects the southern entrance of the development with the public open space at the bridge link at the northern tip of the peninsula.
- 9.3.44 Further information was sought by LBTH's Access Officer regarding the principles underlying the concept of the shared surface. The Access Officer is now satisfied that the design concept will incorporate principles such as appropriate tonal contrast between the vehicle and pedestrian routes. The scheme seeks to prioritise pedestrian movements and minimises vehicular traffic due to the parking facilities being located close to the main entrance of the site. Therefore the majority of the traffic actually travelling further into the site will be service vehicles, or users of the accessible surface parking. This complies with Policy SP09 (1) of LBTH's Core Strategy (2010) which seeks to implement a street hierarchy that puts pedestrians first and promotes streets, both as links for movement and places, and to ensure an accessible and safe street network across the Borough.
- 9.3.45 Each building has also been designed with designated pick-up and drop-off areas, recessed off the main routes to minimise any conflict of shared space with pedestrian movement.
- 9.3.46 It is worth noting that the previous scheme proposed a podium structure with a stepped terrain rising some 11 metres from south to north and incorporating several lifts throughout the scheme, so the current proposal represents a considerable improvement in terms of inclusive access by providing an entirely level and fully accessible surface.
- 9.3.47 The residential elements of the scheme will be built to comply with Building Regulations Part M, Lifetime Homes Standards and current wheelchair housing design standards to ensure an inclusive and accessible residential environment for future occupiers. This is discussed further in Section 9.6 of this report. Furthermore, the

application also confirms that non-residential facilities (leisure, retail, office, art galleries, educational and community space) will be designed to be accessible and inclusive.

9.4 Urban Design

Design

9.4.1 PPS1 promotes high-quality and inclusive design and recognises that good design ensures attractive and useable spaces and is a key element in achieving sustainable development.

9.4.2 Policy 2A.1 of the London Plan (2008), which sets out sustainability criteria, states that a design-led approach should be used to optimise the potential of sites. Chapter 4B of the London Plan focuses on all aspects of design and provides detailed guidance. Policy 4.B1 summarises the design principles to be applied, and requires that developments:

- Maximise the potential of sites;
- Promote high-quality inclusive design;
- Create or enhance public realm;
- Provide or enhance a mix of uses;
- Are accessible, usable and permeable for all users;
- Are sustainable, durable and adaptable;
- Are safe for occupants and passers-by;
- Respect local context, character and communities;
- Are practical and legible;
- Are attractive to look at, are inspiring and exciting;
- Respect the natural environment;
- Respect London's built heritage;
- Address health inequalities.

9.4.3 Policy 4B.2 of the London Plan (2008) seeks world class design and Policy 4B.9 focuses on the design and impact of large-scale buildings, referring to the appearance of the development close-up and from a distance, the public realm and the impact of tall buildings on residential amenity and the microclimate of the surrounding environment, including public and private open spaces.

9.4.4 The approach set out in the London Plan is also reflected in Policy DEV1 (saved) of LBTH's UDP (1998), Policies DEV2 and DEV27 of LBTH's IPG (2007) and Policy SP10 of LBTH's Core Strategy (2010) which 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.

- 9.4.5 The Interim Leaside AAP (2007) also notes that Leamouth North is in some ways *'a blank canvas'*, and that the Borough will require *'an exciting and innovative development that opens up access to the area and draws upon the unique waterside location'*.
- 9.4.6 The application being considered is in hybrid form, with the southern part of the scheme being considered in detail, and the northern part in outline. Those parts of the application falling within the outline boundary have external appearance, scale and landscaping reserved, although parameter plans and Design Guidelines have been submitted which indicate the maximum and minimum development heights and building footprints, building edges, minimum set backs from the river edge and separation distance between buildings, in order to define urban spaces but provide a degree of flexibility for the future detailed design. The information submitted is considered sufficient to reassure Officers that Phase 2 can deliver a standard of urban design that is comparable with that illustrated in Phase 1.
- 9.4.7 With regard to Phase 1, the application provides a full design specification for the buildings in this phase, all of which appear to be of a very high standard. This is recognised by LBTH's Principal Urban Design Officer, CABA and the GLA.
- 9.4.8 The proposal seeks to minimise the often monotonous design solution to high-density residential schemes in urban locations which can often result in tall, lifeless rectangular blocks. Following a series of design workshops with Officers from the GLA, LBTH and LTGDC, the design concept seeks to create a series of interesting building shapes which complement one another and represent a family of buildings, some of which incorporate inset winter gardens and vary in aspect with elevations changing direction as the building rises.

Layout

- 9.4.9 The layout of the proposal is similar to that of the previous proposal, whereby one main north-south route is created through the development, connecting the southern entrance of the development to the green open space in Phase 1, to the urban plaza in Phase 2 through a proposed artisan boulevard. This also links with the riverside walkway around the perimeter of the site.
- 9.4.10 The location of the buildings relate positively to the main routes and the river, maximising views, daylight and sunlight. All buildings also have an active frontage layout at ground floor level.
- 9.4.11 The parameter plans establish the general layout and access, showing vehicular and pedestrian circulation routes, maximum building heights

and location of open space for Phase 2. The taller buildings are also located towards the north of the site to maximise daylight penetration through the site.

- 9.4.12 One of the key differences between the previously consented scheme and the current proposal is the omission of the podium level (underground car park). This has resulted in a reduction in the overall height of the scheme, the introduction of a level landscaped surface at ground level, larger open spaces and play areas, and a better relationship and orientation between the proposed blocks. As such, the layout of the overall proposal is considered to be a significant improvement.
- 9.4.13 One concern raised by LBTH's Design Officer however was the lack of front doors facing onto the street and how the lack of access from streets could contribute towards the creation of dead frontages, poor interaction and surveillance. Following a number of meetings and a design workshop, the applicant has now introduced a number of new entrance points at the ground floor level of Building H. Whilst this does not entirely alleviate the Design Officer's concern, it is considered an acceptable improvement to satisfy the Officer's concerns. It is suggested that the applicant takes this issue into account when dealing with the reserved matters in Phase 2.
- 9.4.14 The layout is now considered to maximise active frontages with building entrances to each of the blocks aiming to enhance connectivity and permeability through the site. The overall layout and location of buildings and their relationship with pedestrian and vehicular movement is considered to be acceptable.

Height, Scale, Bulk and Mass

- 9.4.15 The London Plan (2008) refers to a tall building as one which is significantly taller than its surroundings and/or having a significant impact on the skyline. Policies 4B.8 and 4B.9 of the London Plan (2008) relate to the specific design issues associated with tall buildings in line with CABE/English Heritage's Guidance on the matter. Policy DEV 27 of LBTH's IPG (2007) and Policy SP10 of LBTH's Core Strategy (2010) also provide guidance on the appropriate location for tall buildings in line with London Plan Policies 4B.8 and 4B.9, namely that they should relate to design and context, environment, socio-economic factors, access and transport and aviation requirements. LBTH's Core Strategy (2010) also seeks to restrict the location to Canary Wharf and Aldgate.
- 9.4.16 The application proposes a series of tall buildings, all varying in height from 3 to 27 storeys. Whilst the site is not identified within an emerging cluster of tall buildings, as identified in LBTH's IPG (2007) and Core Strategy (2010), Officers acknowledge that the extant planning

permission accepts that the principle of tall buildings on this site has been established. Officers do however welcome the current scheme's reduction in the overall height of the buildings, and the improvements to the layout, bulk and mass.

- 9.4.17 The site does not fall within an area designated by the London View Management Framework. The application is accompanied by a Townscape and Visual Impact Assessment where several verified views have identified and concluded that the proposal will relate positively to the surrounding site context.
- 9.4.18 It is considered that the group of tall buildings proposed would sit comfortably within the site context and would ensure that the development of this site would make a positive contribution to the skyline.
- 9.4.19 The towers are considered to be well proportioned with medium-rise infill elements which help reduce the scale and mass and provide appropriate levels of enclosure. The removal of the podium structure as outlined in the extant permission is welcomed as this significantly reduces the bulk and mass of the previous scheme. The buildings are also located and orientated to maximise sunlight into the open spaces and relate positively to the River Lea through the creation of a promenade, which is commended.

Detailed Design

- 9.4.20 The buildings in Phase 1 have been designed in detail and comprise six building blocks centred around a large green space in the core of Phase 1. The buildings provide a variety of land uses from housing to retail, leisure, office, community and cultural space.
- 9.4.21 **Buildings I and N** are located at the pedestrian entrance to the site and form part of the existing building which currently stands on the site (Building N). This building is identified locally as the building with the 'living/green wall'. Buildings I and N will comprise the energy centre, community centre, multi-storey car park, and office uses, with a sports pitch at roof level.
- 9.4.22 The design concept seeks to disguise the central use of this building which is a car park, with a natural timber material. The use of this material, and its relationship with the green wall and the existing energy centre, seeks to create a sustainable image for the site when viewed from its surrounding context.
- 9.4.23 **Building H** is a 19-storey residential block located at the southern entrance, off the vehicular entrance at Orchard Place. This building is located to the north-east of Buildings I and N, with aspects looking

south-east towards the river and north-west towards the public open space. The building also incorporates some gallery and office use at lower levels.

- 9.4.24 One of the characteristic features of this building is the winter garden at 9th floor level, which provides a communal open space and viewing area from within the building, and also helps break up the bulk and mass of this tower block by adding a void which provides some visual interest.
- 9.4.25 **Building J** is another residential block, rising to 12-storeys in height and located along the western boundary of the peninsula, with aspects looking across the river to the west and towards the open space at the centre of Phase 1.
- 9.4.26 The building comprises two different scales, a 2-storey wing and a 12-storey wing, both with punched recessed openings on various aspects.
- 9.4.27 **Building K** is located to the north of Building J and comprises the leisure and lifestyle club at ground to second floor levels, with residential use on the upper floors. The building rises to 13-storeys but sits on a 3-storey plinth giving the building a unique footprint which reflects the type of uses at ground floor level (indoor and outdoor swimming pools, health club, fitness areas, café and terrace bar).
- 9.4.28 **Building G** is located to the north of Building H and comprises a part 6-storey, part 20-storey residential block, benefitting from dual aspect units looking east towards the river and west towards the public open space.
- 9.4.29 The building has a large double-height entrance at ground floor level creating an inviting pedestrian connection between the riverside walkway and the proposed garden space in the centre of Phase 1. A feature of this building is the vertical emphasis created through the combination of windows into two-storey high openings and inset balconies into 4-storey high openings. This becomes more visually prominent as the building is viewed from different angles.
- 9.4.30 The uniqueness of the Leamouth Peninsula site, and the high visibility of any high-rise development on this island from major transport corridors and the wider area, warrants the requirement for a high-quality, striking development. Overall, it is considered that the individual, strong-detailed designs of the tall buildings in Phase 1 would create clearly noticeable, distinct features in the skyline.
- 9.4.31 The overall design of these proposed buildings is considered to be of a high standard and it is acknowledged that the proposal makes considerable design improvements to the previous permission. In particular, attention has been given to the lower levels, recesses and the use of different materials, which result in interesting facades and an interesting environment at ground level.

- 9.4.32 A restricted material palette is proposed to ensure cohesion of the overall built form. The predominant material is brick, with some timber materials, and glass and metal, however the type, colour and coursing pattern of the brick will vary from one building to another to allow for individual interest and expression.
- 9.4.33 LBTH's Urban Design Officer raises no major objections to the proposal in terms of height, bulk and scale or detailed design, as this has been improved from the previous scheme. However, one exception to this has been the car parking building which is proposed in Block N at the entrance of the site. This concern has also been raised by the GLA and CABE regarding the bulk of this building and the lack of elevational articulation which does little to minimise its bulk and mass.
- 9.4.34 In response to this, a design workshop was set up in January 2011 and the applicant's architects discussed various improvements to the elevation and ground floor level to make the active frontage more prominent and introduce more variation in the vertical timber rods proposed across the elevation. The amendments proposed include the introduction of a separation panel between the car park and the office element of the block, and the creation of a more solid glass element at ground floor level. LBTH's Design Officer is now content with the improvements proposed and it is considered that the applicant has made significant efforts to provide an appropriate design solution to disguise the car park structure more successfully.
- 9.4.35 In accordance with Policies 4B.8 and 4B.9 of the London Plan (2008), Policy DEV27 of LBTH's IPG (2007) and Policy SP10 of LBTH's Core Strategy (2010), the application proposal is considered to provide a very high standard of design and will create buildings and spaces that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. The proposal creates an innovative development that will open up access to the Leamouth Peninsula and draws upon this unique waterside location. The detailed design is acceptable and accords with the policies identified above. In relation to the outline application, the parameter plans submitted indicate that the general layout and maximum heights are appropriate.

Landscaping

- 9.4.36 Policy DEV12 (saved) of LBTH's UDP (1998) requires the provision of landscaping as part of all redevelopment schemes. Policy DEV48 (saved) of the UDP in particular expects new development having a water frontage along the River Lea to provide walkways (except where the walkway would conflict with commercial or transport interests).
- 9.4.37 Policy DEV13 of LBTH's IPG (2007) requires all development proposals

to provide a fully documented landscape plan setting out features and constraints of the site, as well as intended surface treatment of all areas not occupied by buildings. Policy SP10 of LBTH's Core Strategy (2010) also seeks to ensure high-quality urban and landscape design.

9.4.38 One of the priorities for Leamouth as identified in the Core Strategy (LAP 7 and 8) Vision Document is to ensure that a continuous and animated riverside walkway is provided and linked into new green spaces, to allow enjoyment and use of the water edges, and for it to become part of the Lea River Park.

9.4.39 The application proposes a sequence of public open spaces, all of which are connected to the site's main pedestrian routes. The site is currently cleared and the former industrial use had no landscaping, trees or vegetation. Officers acknowledge that considerable ground decontamination and remediation work has taken place on site to enable the introduction of trees and landscaping at the development stage. The application proposes four key landscape or public realm features:

'Waterfront Promenades':

The walkway guides pedestrian movement around the perimeter of the peninsula and is intended to be equipped and furnished with minimum impact lighting, information boards regarding ecology and history, informal recreation spots, semi-mature tree planting, green walls and public art. The walkway is also intended to link with the Lea River Park.

'The Garden':

Referred to in the applicant's statement as the 'green lung', this green space will be located at the centre of Phase 1 and comprises a large 750 sqm landscaped green park with seating and mature trees.

'Leaside Plaza':

The area is a smaller space with a mix of hard surfacing and soft landscaping at the southern entrance of the site. It is intended to have a more formal contemporary urban character.

'Peninsula Place':

Situated at the north of the peninsula in Phase 2, this area will be the largest and most active of public spaces. Whilst not intended as a 'green' or landscaped space, this area is intended to provide a public space for performances, community events, markets, and cultural arts.

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Peninsula Place will be surrounded by the proposed restaurants, cafes and local shops proposed in Phase 2.

- 9.4.40 The scheme also proposes a series of planting (300 new trees) and water features which all contribute to the public realm and landscape strategy for the development. A hard and soft landscape planting palette has also been submitted. At previous pre-application presentations, CABI noted their support for the high-quality landscape strategy of the proposal.
- 9.4.41 LBTH's Tree Officer has raised no objections in principal, however notes that the size of the development means that a substantial heat island effect will be created. Therefore, a robust tree planting scheme should be implemented to reduce this problem, as well as create interconnectivity to other green space locations around the Borough.
- 9.4.42 It is recommended that a street tree planting scheme would help resolve this issue and it should be agreed via a robust S106 agreement to plant 200 street trees to create links and reduce albedo. The application has committed to the provision of a tree planting scheme in excess of 300 trees throughout the peninsula.
- 9.4.43 It is considered that the proposal seeks to ensure high-quality urban and landscaped design in line with the relevant landscape policies identified above, and in particular, policies which seek to support the delivery of a waterfront walkway around the perimeter of the peninsula.

9.5 Housing

- 9.5.1 Policies 3A.1, 3A.2 and 3A.5 of the London Plan (2008) seek to increase London's supply of housing, require Boroughs to exceed housing targets, and for new developments to offer a range of housing choices, in terms of the mix of housing sizes and types.
- 9.5.2 Policy SP02 of LBHT's Core Strategy (2010) seeks to deliver 43,275 new homes (equating to 2,885 per year) from 2010 to 2025 in line with the housing targets set out in the London Plan (2008). This will be achieved by focusing the majority of new housing in the eastern part of the Borough, in a number of identified places, and Leamouth is identified as one of such places.
- 9.5.3 The application proposals will deliver 1,706 residential units. 537 residential units will be delivered in Phase 1 with the remainder in Phase 2. This level of housing within this application proposal will significantly contribute towards the Borough's annual target of delivering 2,885 new homes per year.

Housing and Tenure Mix

- 9.5.4 Paragraph 20 of PPS3 states that “*key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people*”.
- 9.5.5 Pursuant to Policy 3A.5 of the London Plan (2008), development should “*...offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families with children and people willing to share accommodation.*”
- 9.5.6 Policy HSG7 (saved) of LBTH's UDP (1998) states that new housing development should provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms.
- 9.5.7 Policy HSG2 of the IPG (2007) and Policy SP02 of the Core Strategy (2010) also seek to create mixed communities.
- 9.5.8 A summary of the proposed mix of dwelling types is set out in the table below:

Phase 1

Unit Type	Private Units (No.)	Private Units (% Split)	LBTH % Target for Private Units	Affordable (Social Rent) (No.)	Affordable (Social Rent) (% Split)	LBTH % Target for Affordable Units
Studios & 1 Beds	163	49%	50%	45	21%	30%
2 Beds	131	40%	30%	70	34%	25%
3, 4 & 5 Beds	36	11%	20%	92	45%	45%
Total	330			207		

Phase 1 Overall % Split		
Unit Type	Total Number of Units	Overall % Split
Studios & 1 Beds	208	39%
2 Beds	201	37%
3, 4 & 5 Bed	128	24%
Total	537	

9.5.9 As the mix of units for Phase 2 has yet to be fixed, the applicant has provided details of the maximum number of residential units that could be provided in the later phases as follows:

Phase 2 - Private Unit Mix

Unit Type	Max % Range	Max No. of Units	LBTH % Target
Studio & 1 beds	Max 65%	730	50%
2 Beds	Max 26%	292	30%
3, 4, 5 Beds	Max 9%	101	20%
Total		1,123	

Phase 2 - Affordable (Intermediate Only) Unit Mix:

Unit Type	Max No. of Units	% Range Proposed	LBTH % Target
Studio & 1 Beds	28	Max 60%	25%
2 Beds	18	Max 60%	50%
3, 4, 5 Beds	0	0%	25%
Total	46		

Phase 2 Overall % Split			
Unit Type	Total No. of Units	% Split	LBTH % Target
Studios & 1 Beds	758	65%	
2 Beds	310	26%	
3, 4 & 5 Bed	101	9%	30%
Total	1,169		

Phase 1 & 2 Combined Overall % Split			
Unit Type	Total Number of Units	% Split	LBTH % Target
Studios & 1 Beds	966	57%	
2 Beds	511	29%	
3, 4 & 5 Bed	229	14%	30%
Total	1,706		

9.5.10 According to Policy HSG2 of LBTH's IPG (2007), the family housing provision in the social rented, intermediate and private sale components should be 45%, 25% and 25% respectively. However, more recently, the Borough's Strategic Housing Market and Needs Assessment (August 2009) set out that family housing provision in the social rented, intermediate and private sale components should be 45%, 25% and 20% respectively. Table 13-2 of the Assessment (extract below) breaks down the study's conclusions with regards to dwelling tenure mix:

Table 13-2 Future Delivery by Tenure

Tenure	Bedroom Size (%)			
	1-Bed	2-Bed	3-Bed	4-Bed +
Market Sector	50	30	10	10
Intermediate	25	50	25	0
Social Rented	30	25	30	15

9.5.11 This Assessment has shaped the formation of Policy SP02 of LBTH's Core Strategy (2010) which requires an overall target of 30% of all new housing to be of a size suitable for families (3-bed plus), including 45% of new social rented homes to be for families.

9.5.12 The application proposes 14% of all new housing to be family housing; with 45% of that allocated to family accommodation in the social rented market and 0% family housing in the intermediate tenure.

9.5.13 Whilst the level of family housing proposed in the social rented sector is welcomed and supported, there lies an under-provision in the level of family accommodation overall (14%) which is significantly short of the Borough's targets outlined above (30%). Furthermore, there is no family type accommodation proposed in the intermediate mix at all, which is contrary to the Borough's policies regarding the creation of mixed and balanced communities.

9.5.14 The applicant has stated that the mix of the private market housing and the lack of family housing overall has been developed in direct response to the identified need resulting from market evidence, and in particular,

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in this location. They have also stated that the lack of intermediate family housing reflects the preferred mix of Metropolitan Housing, the applicant's preferred RSL partner, as well as marketability and saleability factors.

- 9.5.15 The Borough has raised concerns regarding the concentration of all affordable housing in particular blocks in Phase 1 which does little to create a mixed and balanced community. However, the Borough accepts that this is primarily due to the management issues associated with Housing Associations. It is also acknowledged that family accommodation is provided fronting onto a large landscaped park.
- 9.5.16 The Borough has indicated that the overall under-provision of family housing would result in an unacceptable tenure mix contrary to Policies 3A.9 and 3A.10 of the London Plan (2008), Policies HSG2 and HSG3 of LBTH's IPG (2007) and Policy SP02 of LBTH's Core Strategy (2010).
- 9.5.17 On balance, it is considered that the level of family housing, when taken into account with the overall regeneration benefits of the proposed scheme, is not such as to justify refusal.

Affordable Housing

- 9.5.18 Policy 3A.9 of the London Plan (2008) states that Boroughs should seek the maximum reasonable amount of affordable housing taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable, as well as the Borough's own affordable housing targets.
- 9.5.19 Policy SP02 of LBTH's Core Strategy (2010) states that the Borough will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.
- 9.5.20 PPS3 and Policy 3A.10 of the London Plan (2008) advise Boroughs to take a flexible approach to affordable housing targets considering individual site costs, the availability of public subsidy and other scheme requirements. Similarly, the provision of flexibility at a local level is set out Policy HSG3 of LBTH's IPG (2007).
- 9.5.21 Consideration has also been given to the recent Government announcements that HCA grant funding will be drastically cut and to the changes to the definition of affordable rent (DCLG and HCA's Framework Publications) which offers eligible households a rent of up to 80% of local market rents.

The Applicant's Offer

- 9.5.22 The affordable housing provision within the application proposal equates to 253 units which represents a total provision of 19.6% based on habitable rooms (87% social rent and 13% intermediate). However, this is based on an assumption of the availability of grant funding. Without grant, the level of affordable housing would drop to 11.5% (assuming the social rented units are let at HCA Target Rents).
- 9.5.23 The applicant also proposes to locate the majority of the affordable housing units in the southern part of the site, within Phase 1 (207 affordable units). A small proportion of the units to be provided in the later phase will be for intermediate purposes (46 units).
- 9.5.24 The majority of the affordable units proposed in Phase 1 will be in the form of family accommodation and are to be located around a centrally located public space.
- 9.5.25 The affordable housing offer was accompanied by a Toolkit Assessment and this has been independently reviewed by BNP Paribas on behalf of LTGDC, LBTH and the GLA.
- 9.5.26 The configuration of the scheme as two separate phases provides an opportunity to review the viability of a large part of the scheme at an appropriate point in the future. As such, a review mechanism is proposed based on mechanisms used by the LTGDC on other schemes, whereby a trigger identifies an increased tariff payment in the event that sales values of the private units exceed certain thresholds.
- 9.5.27 The latest offer from the applicant regarding a review mechanism is being assessed by BNP Paribas and an update will be provided as part of the Addendum Report.

Assessment

- 9.5.28 Based on the 19.6% affordable housing offer (11.5% without grant funding), the scheme falls significantly short of LBTH's Core Strategy (2010) and Housing Needs Survey targets.
- 9.5.29 With regard to the affordable housing tenure mix (87% social rent and 13% intermediate), this fails to meet LBTH's Core Strategy target of 70:30. However, the applicant's rationale for this was to provide the Borough with a much higher level of social rented tenure in light of the overall under-provision of affordable housing, in an attempt to assist the Borough in meeting their priority housing need tenure.
- 9.5.30 With regard to the level of affordable housing proposed, the applicant's toolkit has been found to be robust. Members will recall other significant

residential schemes in the last 12 months where viability has affected the ability to comply with relevant policies. With those schemes, measures were put in place to improve compliance in the future related to increasing values. This has been accepted by the GLA as a reasonable response to hopefully kick-start regeneration in difficult times.

9.6 Residential Standards

Internal Space Standards

- 9.6.1 The Mayor's London Housing Design Guide (Interim Edition, August 2010) sets out new minimum space standards to improve housing quality and allow homes to be flexibly used by a range of residents.
- 9.6.2 Policies 3A.6 and 4B.1 of the London Plan (2008) also seek to ensure that new housing is designed to accommodate today's greater demands for internal space arising from our changing lifestyles.
- 9.6.3 Policy HSG13 (saved) of LBTH's UDP (1998) states that all new housing developments should have adequate provision of internal residential space in order to function effectively. Policy SP02 of LBTH's Core Strategy (2010) also seeks to ensure that new housing is of a high-quality and well-designed.
- 9.6.4 LBTH's SPG (1998) on Residential Standards also sets out the Borough's standards regarding minimum room areas.
- 9.6.5 The applicant has confirmed that the residential units will accord with the following minimum unit sizes. The tables below compare the proposed unit sizes with the minimum unit size required to comply with the London Housing Design Guide (Interim Edition):

Phase 1

Unit Type	Proposed Minimum Residential Unit Size (sqm)	Minimum Unit Size Required to Comply with London Housing Design Guide
Suites	34	-
1 Bedroom	54-70	1b2p = 50
2 Bedroom	62-84	2b3p = 61 2b4p = 70
3 Bedroom	98-114	3b4p = 74 3b5p = 86 3b6p = 95
4 Bedroom	120	4b5p = 90 4b6p = 99
5 Bedroom	130-132	-

Phase 2

Unit Type	Proposed Minimum Residential Unit Size (sqm)	Minimum Unit Size Required to Comply with London Housing Design Guide
Suites	35	-
1 Bedroom	55	1b2p = 50
2 Bedroom	70	2b3p = 61 2b4p = 70
3 Bedroom	90	3b4p = 74 3b5p = 86 3b6p = 95

- 9.6.6 The GLA Officer commented in the Stage 1 Report on the generous internal space standards in Phase 1, all of which exceed the minimum standards set out in the Mayor's London Housing Design Guide (Interim Edition, August 2010).
- 9.6.7 However, the GLA have also expressed the need to ensure that the residential units in the later phases are equally generous.
- 9.6.8 The Borough raised concerns regarding particular rooms within some of the residential blocks in Phase 1, where they appeared to fall below the Borough's minimum room size standards as specified in the Residential Standards SPG (1998). Whilst these units were few in number and it was acknowledged that the vast majority of rooms complied with the Borough's standards, a number of amendments were made to some of the larger units, for example, some of the 5-bedroom/8-person units in Building G have now become more spacious 4-bed units. Officers welcome these proposed amendments which seek to provide a higher quality internal living arrangement for future occupiers.
- 9.6.9 The Borough's Housing Officer and Access Officer also raised concerns regarding the number of the larger units (particularly 4 and 5-beds) with an open plan layout. The applicant was asked to consider the potential to amend some of these larger family units, to ensure, where possible, that they had separate kitchens and living areas. This is a particular issue for units in social rented tenure where many of the Borough's residents in housing need have a preference for separate living and cooking areas for social and religious reasons.
- 9.6.10 Following subsequent meetings, and a design workshop, the applicant has introduced more separate living and cooking areas for the larger family units. 89% of the units in the main social rented block (Building G) now have separate living and kitchen areas.
- 9.6.11 Overall, the proposed residential unit sizes are considered to be acceptable and in accordance with the London Housing Design Guide

(Interim Edition, 2010), Policies 3A.6 and 4B.1 of the London Plan (2008), Policy HSG13 (saved) of LBTH's UDP (1998), Policy SP02 of LBTH's Core Strategy (2010) and LBTH's Residential Standards SPG (1998).

Private and Communal Amenity Space

- 9.6.12 Policy HSG16 (saved) of LBTH's UDP (1998) states that all new housing developments should include an adequate provision of amenity space.
- 9.6.13 Policy HSG7 of LBTH's IPG (2007) states that all housing amenity spaces should be designed to be fully integrated into a development and should be located so that they are safe, maximise accessibility and usability, and do not detract from the appearance of a building. Policy HSG7 also sets out minimum thresholds for private amenity space in relation to unit sizes. Table DC2 of LBTH's IPG (2007) sets out minimum standards for private amenity space.
- 9.6.14 In terms of communal amenity space, the policy requirement set by Tower Hamlets is 50 sqm for the first 10 units, plus 5 sqm for every additional 5 units.
- 9.6.15 The Mayor's London Housing Design Guide (Interim Edition, 2010) recommends that a minimum of 5 sqm of private outdoor space be provided for 1-2 person dwellings and an extra 1 sqm be provided for each additional occupant.
- 9.6.16 Phase 2 is in outline and the level of amenity space provision for the later phases will be determined at reserved matters stage, however the applicant has indicated that the provision of private and communal amenity space for the later phases could be 5,709 sqm.
- 9.6.17 It is only possible to carry out a detailed assessment of private amenity space for Phase 1 of the development. In applying the minimum standards for private and communal amenity space as set out in LBTH's IPG (2007), Phase 1 requires a provision of 4,384 sqm of private amenity space and 577 sqm of communal amenity space. The total provision of amenity space sought for Phase 1 is therefore 4,961 sqm.
- 9.6.18 Phase 1 of the development proposes 3,049 sqm of private and communal amenity space. The majority of this will be private amenity space in the form of balconies, terraces, and gardens. However, following a series of post-application meetings and a subsequent design workshop, the applicant was asked to consider the incorporation of some of the roof space in Building J as a communal open space to be accessible directly from the stair/lift core. This has increased the amount of amenity space provided to 3,151 sqm in total.

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- 9.6.19 Whilst not all of the units will benefit from a private amenity space in Phase 1, approximately 85% will benefit from some private amenity area and the applicant has advised that this level of provision will also be the aspiration for Phase 2.
- 9.6.20 Whilst the level of private amenity space does not meet the specific requirements of the Borough, it is acknowledged that some of the family units in particular, provide up to 10 and 18 sqm in the form of ground floor gardens and terraces. It is noted that all of the affordable housing units will be provided with private amenity space, with the ground floor units benefiting from private gardens with an average size of 14 sqm.
- 9.6.21 The units in Phase 1 which do not have private amenity space are limited to the studios and 1 bedroom units. Those in Buildings H and J will, however, have access to the private communal amenity space in the buildings.
- 9.6.22 On average, the balconies in Phase 1 of the development will be between 4 sqm and 5 sqm, with a number in excess of this. This level of provision will also be the aspiration for the later phases.
- 9.6.23 Considering this site's objective to achieve a high-density, mixed-use scheme, and its character as an 'urban' setting, and also bearing in mind the quality and quantity of public realm, open space, landscaping and play space proposed, the provision of private and communal amenity space is considered acceptable in this instance.

Wheelchair Housing and Lifetime Homes Standards

- 9.6.24 Policy 3A.4 of the London Plan (2008), Policy HSG9 of LBTH's IPG (2007), and Policy SP02 of LBTH's Core Strategy (2010) require that all new housing is built to Lifetime Homes Standards and that 10% of new housing is designed to be wheelchair accessible or easily adaptable for wheelchair users.
- 9.6.25 All the residential units are designed to meet the requirements of Part M of the Building Regulations as a minimum standard and will be designed to Lifetime Homes Standards. Features of the units will include suitable circulation and door widths, level entry, suitable WC facilities, adequate manoeuvre space in habitable rooms, ability for adaptation, and accessible detailed elements such as ironmongery and controls.
- 9.6.26 It is proposed that 10% of the units in Phase 1 will be designed to be fully wheelchair accessible to meet the guidance in the Wheelchair Housing Design Guide (Habinteg), or have the space requirements to be easily adapted to wheelchair accessible units.
- 9.6.27 Following consultation with LBTH's Housing Officer and Access Officer,

further detail was requested from the applicant to clarify where the 10% wheelchair accessible provision would be provided within the development, in terms of size and location.

- 9.6.28 The applicant has now submitted further information clarifying the location of the wheelchair accessible units, and Officers have confirmed that the units will comply with the Mayor's Interim Guidance on Housing Design. The provision of wheelchair accessible units has been distributed throughout the private and affordable units, with a range of unit sizes from studio to family units.
- 9.6.29 The features incorporated into the wheelchair accessible units include level circulation, adequate clear opening width to all doors and circulation areas, consideration given to wheelchair charging, adequate manoeuvre space in all rooms, and suitable sanitary facilities.
- 9.6.30 It is considered that the proposals are in accordance with Policy 3A.4 of the London Plan (2008), Policy HSG9 of LBTH's IPG (2007), and Policy SP02 of LBTH's Core Strategy (2010).

9.7 Amenity

Daylight, Sunlight and Overshadowing

- 9.7.1 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (1991).
- 9.7.2 Policy 4B.10 of the London Plan (2008) requires that all large-scale buildings, including tall buildings, should pay particular attention in residential environments to amenity and overshadowing. Furthermore, they should be sensitive to their impact on micro-climate in terms of sun, reflection and overshadowing.
- 9.7.3 Policies DEV1 and DEV2 (saved) of LBTH's UDP (1998) and Policies DEV1 and DEV27 of LBTH's IPG (2007) require that developments should not result in a material deterioration of sunlight and daylight conditions.
- 9.7.4 Policy SP10 of LBTH's Core Strategy (2010) also seeks to protect amenity, and promotes well-being, including preventing loss of privacy and access to daylight and sunlight.
- 9.7.5 Chapter 18 of the submitted ES considers the impacts of the development with respect to daylight, sunlight, overshadowing, light pollution and solar glare.
- 9.7.6 In terms of assessing the impacts of the development on daylight and

sunlight to existing residential accommodation in the neighbouring area, there are no windows facing the site that are in close enough proximity to be affected. Accordingly, the assessment only considered the daylight and sunlight conditions experienced by the proposed residential units within the development.

Daylight

- 9.7.7 Daylight is normally calculated by two methods – the Vertical Sky Component (VSC) and the Average Daylight Factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the room's use.
- 9.7.8 An Average Daylight Factor (ADF) analysis was undertaken to assess the levels of daylight amenity within the various different residential unit configurations at the lowest levels in the proposed Phase 1 buildings. British Standard 8206 recommends ADF values for residential accommodation and the recommended daylight factor level for dwellings should be:
- 2% for kitchens;
 - 1.5% for living rooms; and
 - 1% for bedrooms.
- 9.7.9 The results represent the 'worst case' scenario since daylight amenity is likely to improve as one travels up the building.
- 9.7.10 The following floor levels were assessed – Block G (Ground, 1st, 2nd, 4th and 6th floors), Block H (Ground, 1st, 3rd, 4th, 6th and 8th floors), Block K (3rd, 10th, 12th and 13th floors), and Block J (Ground, 1st, 2nd and 3rd floors). The results concluded that 90 - 98% of all habitable rooms proposed are ADF compliant for their room usage.
- 9.7.11 Within each block, this was clarified as follows:
- Block G – 98% of a total of 563 habitable rooms compliant.
 - Block H – 96% of a total of 386 habitable rooms compliant.
 - Block K – 91% of a total of 273 habitable rooms compliant.
 - Block J – 90% of a total of 228 habitable rooms compliant.
- 9.7.12 Following a review of the ES, clarification was also sought on the calculations to show how the partial ADF assessment of different flat configurations had been extrapolated to assess each whole block. This information was subsequently submitted to the satisfaction of Officers.

- 9.7.13 The Daylight Assessment concludes that Phase 1 of the development would achieve 'very good' levels of daylight when assessed against the BRE and British Standards.
- 9.7.14 With respect to the outline component of the development, it is not possible to carry out a full assessment of the daylight impacts. However, an initial assessment has been taken using the Vertical Sky Component (VSC). The assessment concludes that the majority of the facades of the buildings in the later phases would achieve in excess of 27% VSC, which means that the rooms behind them are likely to be compliant in terms of ADF and British Standards guidance and receive sufficient levels of daylight. The ES considers that rooms which fall below 27% VSC can still be compliant in terms of BRE and British Standards through the application of careful design in terms of room layouts and fenestration at the reserved matters stage.

Sunlight

- 9.7.15 Sunlight is assessed through the calculation of what is known as the Annual Probable Sunlight Hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for each window within 90 degrees of due south.
- 9.7.16 An analysis of the levels of APSH on the facades of the residential buildings was undertaken to assess the potential levels of sunlight amenity within Phase 1 and the outline component of the development. British Standard BS8206 Part 2 2008 recommends that interiors within 90 degrees of due south should receive at least 25% of APSH, including at least 5% APSH during the winter months, in order to receive enough sunlight.
- 9.7.17 LBTH's Environmental Health Officer raised concern regarding the APSH levels, resulting in some minor impacts particularly at lower floors; however, further information was submitted by the applicant to the satisfaction of Officers.
- 9.7.18 The results for the proposed development show that the majority of the facades would achieve in excess of 25% total APSH with 5% APSH in the winter months.
- 9.7.19 National, strategic and local planning policy of relevance to the site's redevelopment encourages the development of higher density developments and schemes which maximise the use of accessible sites. Leamouth Peninsula is unique in that it stands as an island site and by the nature of its location has no development immediately situated next to it. This has given the applicant the opportunity to orientate the buildings to ensure they maximise levels of daylight and sunlight in all

directions.

Overshadowing

- 9.7.20 In terms of permanent overshadowing, the BRE guidance in relation to new gardens and amenity areas states that “It is suggested that for it to appear adequately sunlit through the year, no more than two fifths (40%), and preferably no more than a quarter (25%) of any garden or amenity area, should be prevented by buildings from receiving any sun at all on 21 March”. The results for the proposed development show that the following amenity areas are below 25% in permanent shadow on 21 March: promenade, Peninsula Place, Artisans Boulevard, doorstep areas, private amenity space to Blocks G, H and J, neighbourhood play area, The Garden, Leaside Plaza, natural areas, local area, and the street.
- 9.7.21 In terms of transient overshadowing, the results for the proposed development show that there will be a minor adverse impact of the proposed development upon the site itself and upon the neighbouring River Lea and Bow Creek Ecological Park.
- 9.7.22 A light pollution assessment of the outline element of the scheme has not been undertaken at this stage since the façade design is a reserved matter. A further assessment could be undertaken at the detailed design stage to ensure that all standards have been met. The ES concludes that the impacts of light pollution in Phase 1 of the development are negligible subject to the mitigation measures set out in the ES.
- 9.7.23 The impact of the proposed development in terms of solar glare is considered to be minor to moderate adverse. Accordingly, the application recommends mitigation measures during the final façade design of the outline component of the development, such as a high percentage of non-reflective materials as proposed in Phase 1.
- 9.7.24 It is considered that the proposed development is generally in keeping with the BRE guidance, Policy 4B.10 of the London Plan (2008), Policies DEV1 and DEV2 (saved) of LBTH’s UDP (1998), Policies DEV1 and DEV27 of LBTH’s IPG (2007) and Policy SP10 of LBTH’s Core Strategy (2010), with regards to sunlight, daylight, and overshadowing matters and accordingly the proposals are likely to result in an acceptable standard of living and amenity areas in this regard.

Sense of Enclosure and Outlook

- 9.7.25 Policy 4B.1 of the London Plan (2008) seeks to ensure that developments promote high-quality inclusive design.

- 9.7.26 Policy DEV1 of LBTH's IPG (2007) states that to ensure the protection of amenity, development should not create an inappropriate sense of enclosure to surrounding buildings and open space.
- 9.7.27 Policy SP10 of LBTH's Core Strategy (2010) seeks to protect residential amenity.
- 9.7.28 It is important to consider the impact of development on neighbouring buildings and open spaces to ensure that a high-quality environment is not compromised. There are no nearby off-site existing buildings or spaces to consider in this regard, so it is only the relationship of buildings and spaces within the new development itself that require consideration.
- 9.7.29 The proposed building blocks have incorporated dual aspect units where possible to improve the quality of living and outlook for occupiers. While there are single aspect units located throughout the development, these will be south-facing so that amenity is maximised.
- 9.7.30 The Design and Access Statement states that buildings have been orientated to respond to daylight and sunlight issues and benefit from opportunities for views.
- 9.7.31 The masterplan indicates that the views from Phase 1 residential units will generally be views across the river or views over open space. The outlook from these units is therefore unlikely to create an inappropriate sense of enclosure.
- 9.7.32 The proposed buildings have been set around open spaces and provide good separation distances between buildings thereby ensuring no adverse impacts on outlook from the proposed buildings.
- 9.7.33 It is considered that Phase 1 of the development affords acceptable levels of outlook for residential occupiers. Future phases should be assessed at reserved matters stage when the layout of residential units and open spaces is known.
- 9.7.34 The proposals are generally in keeping with Policy 4B.1 of the London Plan (2008), Policy DEV1 of LBTH's IPG (2007) and Policy SP10 of LBTH's Core Strategy (2010), with respect to matters concerning amenity, sense of enclosure and outlook.

9.8 Air Quality

- 9.8.1 PPS23 and Policy 4A.19 of the London Plan (2008) relate to the need to consider the impact of a development on air quality.

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- 9.8.2 Policy DEV2 (saved) of LBTH's UDP (1998) refers to the need for development to protect the Borough from the effect of pollution.
- 9.8.3 Policy DEV5 of LBTH's IPG (2007) relates to the need to prevent the possibility of contamination to air and Policy DEV11 requires an air quality assessment to be submitted where a development is likely to have a significant impact on air quality.
- 9.8.4 Policy SP02 of LBTH's Core Strategy (2010) seeks to address the impact of noise and air pollution in the Borough by managing and improving air quality along transport corridors and traffic-congestion points by working with Transport for London.
- 9.8.5 LBTH's Air Quality Action Plan (2003) examines the various measures for improving air quality in the Borough.
- 9.8.6 The application site is located in an Air Quality Management Area (AQMA) and Chapter 12 of the ES considers the impact of the development on local air quality, particularly in relation to existing sensitive receptors surrounding the site, such as residential, education and health facilities, and its future occupants.
- 9.8.7 The submitted ES was reviewed as part of this application assessment and the air quality aspect of the proposal was also reviewed by the Borough's Environmental Health Officer.
- 9.8.8 The Environmental Health Officer raised concerns and requested further information with regards to:
- Why the impact of the A13 had not been modelled.
 - How the potential impacts of the proposed aggregate plant at Orchard Wharf should be taken into consideration.
 - Modelling results, contour plots and receptor points. EHO particularly interested in the points of the car park and the energy centre.
 - Excessive car parking.
 - Potential adverse impacts resulting from the construction and operational phase of the development.
 - Impacts regarding construction-related dust emissions.
- 9.8.9 The applicant has provided further information to demonstrate that there would be no measurable benefit in air quality from reducing the proposed car parking provision.
- 9.8.10 With respect to the construction phase of the development, it is considered that the impact of construction traffic on local air quality is likely to be minor adverse on roads closest to the site (i.e. Leamouth Road and the Lower Lea Crossing), and negligible on the wider main road network (i.e. the A13).

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- 9.8.11 With respect to the completed development, operational impacts on air quality are likely to arise from traffic changes, operational equipment, heating and ventilation systems. It is predicted that the completed development will have a negligible impact on local air quality.
- 9.8.12 It is also considered that any emissions from plant operating on the site would be small in relation to the emissions from road traffic movements and therefore would be negligible. Mitigation measures in order to further reduce any impact would be detailed in an Environmental Management Plan. These would include routine dust monitoring, damping down surfaces during dry weather, provision of an appropriate hoarding and/or fencing to reduce dust dispersion, amongst other things.
- 9.8.13 The ES states that if Buildings G and K are occupied while the remainder of the development is constructed, it is considered that minor adverse to moderate adverse impacts would arise from construction-related dust emissions during dry and windy conditions, with mitigation in place.
- 9.8.14 A review of the ES concludes that there is a need for a robust air quality monitoring programme which should be conditioned by the Local Planning Authority and included in the submission of an Environmental Management Plan.
- 9.8.15 LBTH's Environmental Health Officer has also recommended that a S106 contribution be secured to mitigate against any adverse impacts on air quality arising from the development. This request will be considered in line with the LTGDC's Planning Obligations Community Benefit Strategy.
- 9.8.16 Overall, it is considered that the impacts on air quality arising from the proposal are outweighed by the regeneration benefits that the development will bring to the area. The proposal is generally in keeping with PPS23, Policy 4A.19 of the London Plan (2008), Policy DEV2 (saved) of LBTH's UDP (1998), Policies DEV5 and DEV11 of LBTH's IPG (2007), Policy SP02 of LBTH's Core Strategy (2010) and LBTH's Air Quality Action Plan (2003).

9.9 Noise and Vibration

- 9.9.1 PPG24 is the principal guidance adopted within England for assessing the impact of noise on proposed developments. The guidance uses noise categories ranging from NEC A where noise doesn't normally need to be considered in determining a planning application, through to NEC D where planning permission should normally be refused on noise grounds.
- 9.9.2 Policy 4A.20 of the London Plan (2008) sets out guidance in relation to

noise for new developments.

- 9.9.3 Policies DEV2 and DEV50 (saved) of LBTH's UDP (1998), Policies DEV1, DEV10, DEV12, DEV27 and HSG15 of LBTH's IPG (2007), and Policies SP03 and SP10 of LBTH's Core Strategy (2010), relate to the need to consider noise impacts when determining planning applications.
- 9.9.4 Chapter 11 of the ES assesses the potential noise and vibration impacts arising from or affecting the proposed development.
- 9.9.5 It is predicted that the construction works would result in a negligible impact on noise conditions for local residents. The applicant has committed to mitigation measures to control noise from the proposed construction works and these are to be managed through the site specific Environmental Management Plan.
- 9.9.6 A Construction Traffic Management Plan would also be implemented to minimise any impacts on local residents arising from construction traffic noise and vibration.
- 9.9.7 In terms of the completed development, the noise assessment shows that at lower levels, noise levels generally fall into noise category NEC B. The upper levels generally fall into noise category NEC C.
- 9.9.8 As some areas of the proposed development fall into noise category NEC C, the applicant has considered acoustic attenuation measures to provide a suitable level of protection against noise. The ES concludes that with the appropriate design of each building's façade, negligible noise impacts are predicted for the new residential development within the site.
- 9.9.9 It is also considered that with the implementation of the proposed mitigation measures outlined in the ES the impacts of existing noise sources on outdoor living spaces would be minor.
- 9.9.10 The ES further concludes that the impact of ground borne noise on the development; the impact of noise from the future operation of Orchard Wharf on the development; the impact of road traffic noise as a result of the development; the impacts of building services and plant noise; the impact of service and delivery noise; and the impact of car park noise; would all be negligible.
- 9.9.11 In terms of the proposed uses and their potential impact on residential amenity, approximately 1,852 sqm of flexible retail space is proposed at ground floor level. Uses such as A1 (shops) or A2 (financial services) are unlikely to result in amenity concerns, and thus it is standard practice not to restrict hours for these uses. However, A3 (food and drink), A4 (drinking establishments) and A5 (hot food takeaway) uses and the proposed D1 and D2 health and lifestyle uses could result in

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noise issues. It is therefore recommended that a condition be attached to any approval of planning permission which requires the applicant to submit details of the proposed hours of operation for consideration and approval by the Local Planning Authority.

- 9.9.12 It is also recommended that a condition be imposed regarding the submission of extraction details and noise assessments for the A3, A4, A5 and D2 uses.
- 9.9.13 A series of standard noise conditions have also been recommended by the Borough's Environmental Health Officer to ensure appropriate noise and vibration levels for the overall development.
- 9.9.14 As such, it is considered that the proposals are generally in keeping with PPG24, Policy 4A.20 of the London Plan (2008), Policies DEV2 and DEV50 (saved) of LBTH's UDP (1998), Policies DEV1, DEV10, DEV12 and DEV27 of LBTH's IPG (2007), and Policies SP03 and SP10 of LBTH's Core Strategy (2010).

9.10 Open Space

- 9.10.1 PPG17 recognises that the provision of open space assists in the regeneration and enhancement of the physical environment and supports the encouragement of a healthy lifestyle.
- 9.10.2 Policies 3D.8, 4B.1, 4B.2 and 4B.3 of the London Plan (2008), Policies DEV12 and HSG16 (saved) of LBTH's UDP (1998), Policy DEV13 of LBTH's IPG (2007), and Policies SP02, SP04 and SP12 of LBTH's Core Strategy (2010), promote the good design of public spaces and the provision of green spaces.
- 9.10.3 The principal issues with respect to the provision of open space centre around the quantity, quality and accessibility of the proposed open space provision and how this will be secured and managed.
- 9.10.4 The Open Space Strategy for the development proposes two contrasting zones of open space, the riverside edge and the open space within the heart of the peninsula. Open space in Phase 1 of the development will primarily comprise two central spaces, a large green space 'The Garden' and a smaller more formalised urban space 'Leaside Plaza'.
- 9.10.5 A break down of the proposed open space across the entire development is set out below:

External Public Open Space

Phase 1	12,963 sqm
<u>Phase 2</u>	<u>9,953 sqm</u>
Total	22,916 sqm

- 9.10.6 The Riverside Edge will provide a continuous linear space which has a direct relationship with the River Lea. This continuous promenade will be in the form of a shared surface for pedestrians, cyclists (and a limited number of vehicles accessing the site). The spaces proposed within the heart of the peninsula provide a more contained and formal type of open space and this includes Peninsula Place (3,805 sqm), the Green Park/Garden (2,590 sqm), the Riverside Ecological Park (1,831sqm) and Leaside Plaza (955 sqm).
- 9.10.7 The urban plazas proposed such as Leaside Plaza and Peninsula Place include water features with lawns and up-stand edges to provide informal seating, and are intended for use for special events, film screenings, art shows and festivals.
- 9.10.8 There is an existing deficiency in the supply of public open space across the Borough as evidenced by LBTH's Open Space Strategy 2006 – 2016 and following consultation with Officers in LBTH's Communities, Localities and Culture Department, only 9,181 sqm of the open space identified in the application can be considered to contribute to the on-site provision of accessible and usable open space within the development proposal.
- 9.10.9 Based on LBTH's open space standard of 12 sqm per person, the development generates an overall need for 38,124 sqm of open space.
- 9.10.10 Underpinning LBTH's Core Strategy policies identified above is the Borough's Infrastructure Delivery Plan (IDP) (Appendix 1 – Costs Report) which outlines the typical costs for new open spaces.
- 9.10.11 Taking the above into account, the overall deficiency in open space as a result of the development would be 28,943 sqm (38,124 minus 9,181). Despite the level and quality of open space proposed by the applicant, a total open space contribution of £1,935,375 has been requested by the Borough to mitigate the impact of the population increase on existing open space within the Borough. This is based on the figure for a new local park derived from the IDP of £66.8685/sqm. This request will be considered in line with LTGDC's Planning Obligations Community Benefit Strategy.
- 9.10.12 Where there is a shortfall in open space, according to Circular 05/05 (planning obligations) it is reasonable for the Local Planning Authority to secure financial contributions towards the provision of off-site open

space to mitigate any potential impact arising from the development.

9.10.13 The Landscape Strategy submitted by the applicant indicates that a lot of thought has gone in to creating high-quality, useable areas of open space across the site. This has been commended by CABI. When coupled with the provision of dedicated play space, the open space proposals for the development are considered to be acceptable and generally in keeping with Policies 3D.8, 4B.1, 4B.2 and 4B.3 of the London Plan (2008), Policies DEV12 and HSG16 (saved) of LBTH's UDP (1998), Policy DEV13 of LBTH's IPG (2007), and Policies SP02, SP04 and SP12 of LBTH's Core Strategy (2010).

9.11 Child Play Space

9.11.1 PPS3 sets out the importance of integrating space for play and informal recreation in planning for mixed communities.

9.11.2 Policy 3D.13 of the London Plan (2008), Policy OS9 (saved) of LBTH's UDP (1998), Policy HSG7 of LBTH's IPG (2007), and Policy SP02 of LBTH's Core Strategy (2010), require the provision of appropriate child play space within residential developments.

9.11.3 The Mayor's SPG 'Providing for Children and Young People's Play and Informal Recreation' sets a benchmark of 10 sqm of useable play space per child, with under-5 play space provided on site. The child yield for the proposed development is anticipated to be 365 children and accordingly the development should provide a minimum of 3,650 sqm of play space.

9.11.4 LBTH's IPG (2007) suggests that proposals should provide 3 sqm of play space per child, however this is not evidence based. As such the Mayor's approach is considered more robust, although a provision between the two figures is generally considered to be a pragmatic approach.

9.11.5 The proposed play space for the development which comprises doorstep playable space for ages 0-5 (950 sqm); local playable space for ages 0-11 (810 sqm); neighbourhood playable space suitable for all ages (1,060 sqm); and youth space suitable for ages 12 plus (2,085 sqm); is set out below:

Phase 1	3,760 sqm
<u>Phase 2</u>	<u>1,145 sqm</u>
Total	4,905 sqm

9.11.6 In terms of quantity of child play space, the proposed development

exceeds the Borough's requirements (1,095 sqm) of play space, as well as exceeding the Mayor's requirements (3,650 sqm) as set out in Policy 3D.13 of the London Plan (2008) and the Mayor's SPG on the provision of child play space.

- 9.11.7 The GLA raised concerns as to whether the play space proposed on plan is actually playable and not competing with other land uses, like roads and paths and other forms of open space and amenity space. Following further meetings and a subsequent design workshop, the applicant produced a plan illustrating where exactly the play spaces would be located, and their relationship with pedestrian links and routes through the site. The GLA Officer has confirmed that the child play space strategy is satisfactory.
- 9.11.8 Accordingly, the proposed child play space strategy is considered acceptable and in general accordance with regional and local policy objectives.

9.12 Energy Efficiency

- 9.12.1 PPS22 seeks to incorporate renewable energy in developments where the technology is viable, economic, and the social impacts can be addressed satisfactorily. The supplement to PPS1, Planning and Climate Change, encourages developments to include renewable energy and to promote energy efficiency.
- 9.12.2 Policy 4A.4 of the London Plan (2008) relates to the need for major developments to submit an energy assessment. This policy also refers to the Mayor's Energy Strategy.
- 9.12.3 The Mayor's energy hierarchy which is stated in the Mayor's Energy Strategy is as follows:
- Using Less Energy (Lean);
 - Supplying Energy Efficiently (Clean); and
 - Using Renewable Energy (Green).
- 9.12.4 Policy 4A.7 of the London Plan (2008) sets a target for developments of a 20% reduction in carbon dioxide emissions from on-site renewable energy generation unless it can be demonstrated that such provision is not feasible.
- 9.12.5 Policy DEV2 (saved) of LBTH's UDP (1998) seeks to incorporate the principle of sustainable development, including use of energy efficient design and materials.
- 9.12.6 Policy DEV6 of LBTH's IPG (2007) states that major development will be required to incorporate renewable energy production, to provide at least

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10% of the predicted energy requirements on site.

- 9.12.7 Policy SP02 of LBTH's Core Strategy (2010) requires that new homes respond to climate change, including achieving a stepped-target for carbon emissions standards in line with Government guidance.
- 9.12.8 The application was accompanied by an Energy Strategy prepared by Hoare Lea.
- 9.12.9 The Energy Strategy has been undertaken on the basis of a single on-site energy centre with distribution in the form of a single community heating network. Combined heat and power has been selected as the most appropriate method by which to provide heating and hot water to the development.
- 9.12.10 A review of 'urban friendly' renewable energy sources was undertaken and the outcome is that low/zero carbon technologies are to be incorporated in the ground source heat pumps to serve the leisure centre in Building K.
- 9.12.11 The Energy Strategy has been developed in line with the Mayor's energy hierarchy and the results are as follows:
- Be lean measures – estimated to reduce the predicted annual energy consumptions and carbon dioxide emissions for the development by 18%.
 - Be clean measures – further reductions in carbon dioxide emissions – 34 % through the incorporation of Combined Heat and Power (CHP).
 - Be green measures – use of ground source heat pumps (GSHP) to reduce the carbon dioxide emissions by a further 2.93%.
- 9.12.12 The carbon dioxide emissions arising from the development are expected to be approximately 47% below Part L 2006 baseline scenario.
- 9.12.13 The energy centre is to be delivered in Phase 1 of the development and the heating network will be progressively installed in line with the construction of the further phases. The energy centre plant will also be progressively installed to match energy demand. The heat network will be provided with a connection that will facilitate linkages to emerging heat networks in the area.
- 9.12.14 The GLA and the Borough's Energy Officers requested a schematic plan from the applicant demonstrating the site-wide energy system and in particular, the proposed link between the integrated heat network connection adjacent to the energy centre and the link to the Leamouth South Development. The applicant was also asked to consider the

compatibility of the GSHP and CHP to maximise carbon dioxide emission reductions. The applicant has provided an indicative drawing showing the heat network links, including Building K, on the development with heat fed from an energy centre in Building N. It was acknowledged that Building N is already built and will include the energy centre for the whole development.

- 9.12.15 A detailed cooling strategy was also requested, including an investigation of utilising a CCHP system to meet cooling requirements. Further information submitted confirms that there will be an active cooling load for the leisure centre in Building K and this will be met by ground source heat pumps. The system will make use of boreholes that have already been drilled for a previous development.
- 9.12.16 Both the GLA and the Borough's Energy Officer have commented that in order to demonstrate that the highest levels of energy efficiency will be achieved, the applicant should commit to adopting additional energy efficiency measures with the aim of each element of the development achieving 2010 BR compliance through energy efficiency alone.
- 9.12.17 The applicant has indicated that the heating of the swimming pool and space heating of the leisure centre will be provided by the ground source heat pumps. However, Officers require confirmation that the swimming pool heat load and the space heating loads will also be connected to the site heat network, where CHP is the lead heat source.
- 9.12.18 The applicant was asked to consider the compatibility of photovoltaic (PV) technologies, including size and location of the array, and CHP systems, and was asked to investigate roof areas suitable for the installation of PVs. The anticipated carbon dioxide savings and peak kWp from the optimisation of PVs was also to be assessed and submitted.
- 9.12.19 The applicant has not provided roof drawings showing the space available for PV panels or any estimates showing the full potential for electricity generation and carbon savings. This can be adequately dealt with by a condition.
- 9.12.20 As energy matters are still being concluded with the GLA and LBTH, an update on energy matters will be provided in an Addendum Report.

9.13 Sustainability

- 9.13.1 PPS1 sets out the national sustainability objectives. The supplement to PPS1, Planning and Climate Change, encourages the delivery of sustainable buildings and development.
- 9.13.2 Policy 4B.6 of the London Plan (2008) seeks the highest standards of

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sustainable design, while Policy 2A.1 outlines sustainability criteria. Guidance on sustainability is also set out in the Mayor's SPG 'Sustainable Design and Construction'.

- 9.13.3 Policy DEV2 (saved) of LBTH's UDP (1998) states that all developments should incorporate the principle of sustainable development and Policy DEV5 of LBTH's IPG (2007) expects all major developments to use best practice sustainable design measures.
- 9.13.4 The applicant has submitted a Sustainability Statement (Appendix 5.3 of the ES).
- 9.13.5 The ES states that the applicant aims to achieve Code for Sustainable Homes Level 4. The applicant has advised that they would use reasonable endeavours, taking into account what is reasonably practicable, to achieve this target rating. The applicant is also committed to achieving a BREEAM rating of 'Excellent' in Phase 1.
- 9.13.6 LBTH's Energy Officer welcomes the applicant's commitment to achieving Sustainable Homes Code Level 4 for the residential element and a BREEAM rating of 'excellent' for Block I (office). It is recommended that these standards be secured through condition.

9.14 Flood Risk

- 9.14.1 PPS25 and Policy 4A.13 of the London Plan (2008) relate to the need to consider flood risk at all stages in the planning process.
- 9.14.2 The OAPF indicates that most of the Blackwall and Leamouth sub-area lies within PPS25 Flood Zone 3 and suggests that existing flood defences will offer adequate protection if they are sufficiently maintained.
- 9.14.3 Policy DEV21 of LBTH's IPG (2007) and Policy SP04 of LBTH's Core Strategy (2010) support the guidance outlined in PPS25.
- 9.14.4 The site is currently protected from flooding in the River Lea and Thames estuaries by the Thames Barrier and river walls surrounding the site.
- 9.14.5 A Flood Risk Assessment Addendum (2010) was submitted to update the 2007 Flood Risk Assessment for the site. The assessment concludes that whilst the site is in a flood risk area, there is a low risk of flooding due to the existing flood defences and the proposed built development being above the flood risk level.
- 9.14.6 Repair works will need to be undertaken to make the flood defences adequate for the anticipated lifetime of the development. These works

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will involve replacing five sections of sheet piling on the south-western, north-western, and eastern parts of the site, including insertion of new sheet piling in front of the existing river wall; sheet piling toe protection in three sections of the river wall which will involve the establishment of temporary pilings, the insertion of protection (low level) sheet piling and infilling; and river wall strengthening in five sections of the river wall which will involve the establishment of temporary pilings and subsequent tying back to the permanent works.

- 9.14.7 The proposals will also ensure that there is sufficient provision for access to the river walls for maintenance purposes. The proposed buildings will be set back a minimum of 8 metres from the river's edge in accordance with the Environment Agency's requirements.
- 9.14.8 The site is covered by the Environment Agency's extensive flood warning system and would afford significant advance warning of extreme flood conditions along the River Lea and the River Thames. In addition, Tower Hamlets has an Emergency Plan which sets out the procedures for managing emergency incidents such as widespread flooding in the Borough.
- 9.14.9 Following consultation with the Environment Agency (EA), it was considered that the proximity of the newly-designed buildings to the flood defence had not been discussed with the applicant. The EA has stated that it is important that access to the defences is not compromised in case of necessary maintenance. In response, the applicant has confirmed that the proposed building line within the development will be set back 8 metres from the river edge to facilitate maintenance and the EA is now satisfied.
- 9.14.10 The ES concludes that the residual flood risk posed to the site by redevelopment would be negligible and that the impact of the development on flood defences would also be negligible.
- 9.14.11 The applicant has advised that it is proposed to discharge surface water run-off from the site directly into the River Lea, which constitutes a Sustainable Urban Drainage Strategy (SUDS), where it is appropriate. The ES states that the use of this approach would not change the volume of storm water entering this reach of the River Lea, since an existing combined storm water overflow already discharges storm water from the site into this reach. The peak discharge rate would therefore be reduced. The overall impact of the proposals on flood risk would be negligible.
- 9.14.12 It is considered that the proposals are generally in keeping with PPS25, Policy 4A.13 of the London Plan (2008), Policy DEV21 of LBTH's IPG (2007) and Policy SP04 of LBTH's Core Strategy (2010).

9.15 Biodiversity and Ecology

- 9.15.1 PPS9 sets out national guidance on conserving and enhancing biodiversity.
- 9.15.2 Policy 3D.14 of the London Plan (2008) states that the planning of new development should have regard to nature conservation and biodiversity, and opportunities should be taken to achieve positive gains for conservation through the form and design of development. Policy 4B.1 also seeks to ensure that new developments respect the natural environment and biodiversity, and enhance green networks and the Blue Ribbon Network.
- 9.15.3 The London Biodiversity Action Plan (2008) contains targets to improve the condition and increase the extent of a selected number of habitats found in London by 2015.
- 9.15.4 Policy DEV57 (saved) of LBTH's UDP (1998) states that the Borough will not normally permit development which unjustifiably causes significant harm to a site of nature conservation importance, or a green chain.
- 9.15.5 Policy DEV7 of LBTH's IPG (2007) seeks to maximise water conservation and to prevent developments that would have an unacceptable impact on water systems.
- 9.15.6 Policy SP04 of LBTH's Core Strategy (2010) seeks 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.
- 9.15.7 Chapter 15 of the ES considers the impacts of the proposed development with respect to ecology and nature conservation.
- 9.15.8 A number of non-statutory ecological sites are situated close to the application site. These include the Bow Creek Ecology Park (a Grade 1 Site of Borough Importance for Nature Conservation) and the River Lea (part of the River Thames and Tidal Tributaries Site of Metropolitan Importance for Nature Conservation).
- 9.15.9 The ecological assessment concludes that overall the site is of low ecological value.
- 9.15.10 The proposed development will provide a range of measures to encourage biodiversity at the site, including extensive landscaping and planting throughout the scheme; provision of an ecological riverside edge; provision of a minimum of 6,000 sqm of brown roofs; green roofs; an assortment of artificial bird nesting boxes; and additional timber baulking to the river wall façade.

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- 9.15.11 It is estimated that in excess of 300 trees will be planted throughout the Peninsula with a varied age structure so as to provide a hierarchy of size and character from the outset.
- 9.15.12 LBTH's Ecology Officer has given his general support to the ecology and nature conservation aspect of the application proposal and has concluded that if all the recommended mitigation and enhancement is undertaken then there should be an overall benefit for biodiversity. The review of the ES also comes to this conclusion.
- 9.15.13 However, the Ecology Officer notes that one impact which is not mitigated is the potential interruption of a dark corridor along the River Lea, which is likely to be used by commuting bats. Further details with regard to lighting (during construction and on completion) and the measures that will be taken to limit light spillage over the river are requested.
- 9.15.14 The applicant has confirmed (letter dated 15 December 2010) that a detailed lighting design strategy will be submitted at reserved matters stage and further details can be requested by condition as considered necessary.
- 9.15.15 A further consideration which has been noted by LBTH's Ecology Officer, and has not been taken account of is the protection of otters (a protected species). Otters are currently expanding in range and are now established further up the Lea Valley. It is unlikely that otters will regularly use the section of river, however future colonisation of the Lower Lea is possible and, as such, there is an opportunity to provide habitat for them in anticipation of future expansion. The applicant has been asked to consider the installation of an artificial otter holt.
- 9.15.16 The applicant confirmed (letter dated 15 December 2010) that an artificial otter holt would be provided subject to confirmation of an appropriate location by the relevant authorities. It is suggested that an appropriately worded condition will ensure this.
- 9.15.17 A number of other conditions have also been recommended by the Ecology Officer to ensure various biodiversity features are secured. These relate to the provision of:
- Reed bed planting and intertidal terraces;
 - At least 6,000 sqm of brown roofs;
 - Timber baulking on all sections of river wall;
 - Nest boxes for peregrine falcons on tall buildings;
 - A swift tower to provide multiple nest sites for swifts;
 - 11 nest sites in the river walls for kingfishers and sand martins;
 - Other nest boxes for birds including black redstarts, house martins and grey wagtails.

- 9.15.18 The EA and the PLA have both raised concerns regarding the lack of detail of the proposed bridge and the inability to assess the potential impacts in terms of inter-tidal habitat loss which does not appear to be mitigated. Further information was requested in November 2010 regarding details of the proposed bridge and any associated pier structures. Details of the ecological area, including the type of habitat provided along the western boundary of the site, were also requested.
- 9.15.19 The bridge is proposed in outline form, therefore the detail of the bridge is limited to location, scale, positioning and general height. However, the applicant's environmental consultants have provided the EA and PLA with as much technical detail as possible to assure them that sufficient mitigation measures can be carried out to ensure there will be no adverse impacts in terms of inter-tidal habitat loss. As previously stated, an Addendum Report will update Members on the outcome of ongoing discussions between the applicant and the EA and PLA with respect to the bridge.
- 9.15.20 The application proposes a range of mitigation and enhancement measures which will benefit the biodiversity of the area. These will be safeguarded by conditions. The proposals are considered to be in keeping with Policies 3D.14 and 4B.1 of the London Plan (2008); the London Biodiversity Action Plan (2008); Policy DEV57 (saved) of LBTH's UDP (1998); Policy DEV7 of LBTH's IPG (2007) and Policy SP04 of LBTH's Core Strategy (2010), which seek to protect and enhance biodiversity value.

9.16 Health Considerations

- 9.16.1 Policies 3A.20 and 3A.23 of the London Plan (2008) require policies in DPDs to include policies for the improvement of the health of the local population and reduction of health inequalities, and that Boroughs should require Health Impact Assessments for major developments and have regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the Borough.
- 9.16.2 Policy SP03 of LBTH's Core Strategy (2010) seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being. The policy also seeks to provide a hierarchy of accessible, high-quality health facilities to meet the needs of the existing and future populations and provide high-quality leisure centres.
- 9.16.3 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:

- Working with NHS Tower Hamlets to explore new ways to improve opportunities for 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.

9.16.4 There is a range of primary healthcare provision within 1 kilometre of the site, and a number of these facilities are located in Canning Town. The River Lea presently is a significant physical barrier to access between the site and Canning Town. It is considered that the proposed pedestrian bridge which is part of this application would improve accessibility between the site and Canning Town.

9.16.5 The ES states that approximately 2,880 new residents are expected to live within the completed development. The total demand for primary healthcare would equate to 1.6 GPs.

9.16.6 A financial contribution of £675,901 has been requested by Tower Hamlets PCT using the Health Urban Development Unit (part of London NHS) Model version 2 and this request will be considered in line with LTGDC's Planning Obligations Community Benefit Strategy.

9.16.7 Given the proximity of the development to Canning Town, the PCT/NHS Tower Hamlets has suggested that no A5 (hot food takeaway) uses should be permitted on the peninsula, to prevent the development adding to an over-concentration of A5 uses in the vicinity. However, it is the view of Officers that since the retail floorspace within the first phase of the development comprises solely A1 (shop) uses, with no A5 takeaway uses proposed, this will not be an issue for Phase 1.

9.16.8 With respect to Phase 2, it is considered appropriate to impose a condition on the maximum level of A5 floorspace proposed. This has been discussed with the applicant and is considered an appropriate measure to alleviate the PCT's concerns and address Policy SP03 of LBTH's Core Strategy (2010) which seeks to reduce the over-concentration of any use type where this could detract from the ability to adopt healthy lifestyles. A suitable condition is recommended.

9.16.9 In compliance with Policy SP03, the application will also provide many opportunities to facilitate healthy and active lifestyles, through the provision of a series of walking and cycling routes through and around the perimeter of the peninsula which will connect with the Lea River Park. These will also incorporate a series of fitness trails and exercise equipment within the landscaping scheme.

9.16.10 The application also comprises a 1,801 sqm health and leisure facility within Building K which will be delivered in Phase 1. This 'lifestyle' club

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will provide a 4-lane/20 metre swimming pool, changing facilities, fitness studios, and ancillary bar and meeting areas.

9.16.11 It is considered that these facilities and measures will meet the objectives of SP03 of LBTH's Core Strategy (2010) which seek the provision of health facilities and opportunities for healthy and active lifestyles.

9.16.12 Tower Hamlets PCT has also requested that a Health Impact Assessment (HIA) be carried out to assess the impact of the scheme on health inequalities. They have sought a financial contribution of £50,000 for the initial HIA and a further £25,000 for the follow-up assessment. This request will be considered in line with LTGDC's Planning Obligations Community Benefit Strategy.

9.17 Environmental Impact Assessment (EIA)

9.17.1 The proposed development falls within the category of developments referred to in paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

9.17.2 As the proposal is likely to have significant effects on the environment, it is required to be subject to environmental impact assessment before planning permission is granted. Regulation 3 of the EIA Regulations precludes the grant of planning permission unless prior to doing so, the Local Planning Authority has taken the 'environmental information' into account. The environmental information comprises the applicant's Environmental Statement (ES), any further information submitted following requests under Regulation 19 of the EIA Regulations, any other substantive information relating to the ES and provided by the applicant, and any representations received from consultation bodies or duly made by any person about the environmental effects of the development.

9.17.3 LBTH appointed consultants, Land Use Consultants (LUC) in association with Cascade Consulting (Cascade), to examine the applicant's ES and to confirm whether it satisfied the requirements of the EIA Regulations. Following that exercise, LUC and Cascade confirmed their view that further clarification was required in respect of Transport and Access, Air Quality, Flood Risk, Archaeology and Heritage, Wind, and Daylight/Sunlight. However, a Regulation 19 request for further information was not required. LBTH informed LTGDC of the various clarifications needed from the applicant and a letter was issued to the applicant by LTGDC on 25 October 2010.

9.17.4 Following receipt of the required clarifications from the applicant, the application was considered to meet the EIA Regulations on 10

December 2010 and provide a satisfactory level of information to allow a proper assessment of the development proposals. The ES is considered to provide a comprehensive assessment of the environmental impacts of the proposed development.

9.17.5 As part of the application is in outline, for the purposes of the assessment of environmental impacts and to comply with the requirements of the EIA Regulations and associated European Directive, the applicant has submitted parameter plans and other information to prescribe key aspects of the development. These include, for example, quantum of floorspace, and heights, widths and lengths of buildings to create 'building envelopes'. Further details of access are submitted for determination at this stage. Should the scheme be approved, the parameters will be fixed in order to keep the development within those assessed in the ES and ensure that the scheme does not give rise to significant environmental impacts which have not been assessed through the EIA process. Should the applicant then bring forward proposals which alter the range of impacts identified and assessed in the ES, they may need to be reassessed and/or the submission of a new planning application may be required.

9.17.6 The ES addresses the following areas of impact (in the order they appear in the ES):

- Socio-economics
- Townscape and Visual
- Transport and Access
- Noise and Vibration
- Air Quality
- Water Resources and Flood Risk
- Ground Conditions and Contaminations
- Ecology and Nature Conservation
- Archaeology and Built Heritage
- Wind
- Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare
- Radio and TV Reception
- Waste.

9.17.7 The ES and further information address the likely significant effects of the development, what the impacts are, and their proposed mitigation. The various sections of the ES have been reviewed by Officers. The various environmental impacts are dealt with in the relevant sections of this report above, with conclusions given, and proposals for mitigation of impacts by way of conditions, and/or planning obligations, as appropriate.

9.17.8 In summary, having regard to the ES and other environmental information in relation to the development, Officers are satisfied that the

environmental impacts are acceptable in the context of the overall scheme, subject to conditions/obligations providing for appropriate mitigation measures.

9.18 Other Issues

Interim Use of Phase 2

- 9.18.1 On-going discussions and workshops with the applicant has raised the question as to what the area of land in Phase 2 could be used for whilst Phase 1 is undergoing construction. The application has identified the potential for some creative arts and cultural uses, and creative industries, such as exhibition space, galleries, workshops, to be used in conjunction with the existing arts and cultural use at Trinity Buoy Wharf.
- 9.18.2 The applicant will be required to submit a separate planning application for any temporary use of Phase 2 in due course.

9.19 Planning Obligations / S106

- 9.19.1 Planning obligations should only be sought where they meet the five key tests outlined by the Secretary of State in Circular 05/2005. Obligations must be:
- (i) Relevant to planning;
 - (ii) Necessary to make the proposed development acceptable in planning terms;
 - (iii) Directly related to the proposed development;
 - (iv) Fairly and reasonably related in scale and kind to the proposed development; and
 - (v) Reasonable in all other respects.
- 9.19.2 Regulation 122 of the Community Infrastructure Levy Regulations 2010 brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they meet the following tests:
- (a) The obligation is necessary to make the development acceptable in planning terms;
 - (b) The obligation is directly related to the development; and
 - (c) The obligation is fairly and reasonably related in scale and kind to the development.
- 9.19.3 Policy 6A.5 of the London Plan (2008) advises:
- It will be a material consideration whether a development makes adequate provision for, or contribution towards requirements that are

made necessary by, and related to, the proposed development.

- Negotiations should seek a contribution towards the full cost of such provision that is fairly and reasonably related to the proposed development and its impact on the wider area.

9.19.4 Policy DEV 4 (saved) of LBTH's UDP (1998) and Policy IMP1 of LBTH's IPG (2007) state that the Borough will seek planning obligations or financial contributions to mitigate the impacts of a development.

9.19.5 Chapter 8 of LBTH's Core Strategy (2010) deals with Delivery and Monitoring. Policy SP13 says:

"The Council will negotiate planning obligations in relation to proposed development. These may be delivered in kind or through financial contributions."

9.19.6 The LTGDC has adopted a Planning Obligations Community Benefit Strategy to ensure that developments contribute financially and in kind towards the infrastructure that is needed in the London Thames Gateway area to support the developments that are coming forward for planning approval.

9.19.7 LTGDC's Planning Obligations Community Benefit Strategy places the site in an area that should recover a discounted standard charge of £10,000 per residential unit. The standard charge is £22,400 per residential unit.

9.19.8 The applicant has proposed a discounted standard charge of £7,500 for each residential unit in Phase 1 based on an independently assessed financial appraisal and a discounted standard charge of £10,000 for each residential unit in Phase 2. The applicant has agreed the principle of additional payments to recapture the discount and an appropriate mechanism for doing this needs to be agreed between the parties. The applicant is seeking to offset part of the cost of delivering the bridge from the discounted standard charge as part of the cost was discounted with the previous application. The applicant has requested that 66% of the bridge cost be offset (an offset of £4,750,000). This is considered to be acceptable.

9.19.9 Financial contributions have been requested by the following parties:

Transport for London:

- Contribution for improvements to East India DLR Station forecourt and a contribution of up to £40,000 towards the installation of DAISY screens.
- Contribution of £3.3 million to facilitate enhanced bus services to meet demand on buses, particularly from Phase 1.

Lea Valley Regional Park Authority:

- Funding for improvements to open space and pedestrian links, and landscape and habitat enhancements to East India Dock Basin and the Ecology Park.

Trinity Buoy Wharf Trust:

- Contribution to funding of permitted Orchard Place bridge.

LBTH PCT:

- Contribution of £675,901 for healthcare.
- Contribution of £50,000 for a Health Impact Assessment, and £25,000 for a follow-up assessment.

LBTH Leisure, Parks and Open Space:

- Open space contribution of £1,935,375.
- Library / Idea Store Facilities contribution of £330,408.
- Leisure and recreation contribution of £409,078.

LBTH Environmental Health – Air Quality:

- Contribution to mitigate against any adverse impacts on air quality.

9.19.10 These requests for financial contributions from the tariff monies to be collected from the development will be considered by the Lower Lea Valley Management Board successor organisation at the appropriate time in line with the LTGDC's Planning Obligations and Community Benefit Strategy.

9.19.11 Given the importance of a high frequency, 24-hour bus service to serve the proposed development, it is considered that the financial contribution of £3.3 million requested by Transport for London (TfL) to facilitate enhanced bus services can be ring-fenced from the tariff monies and secured in the S106 agreement. TfL's other requests for financial contributions must be considered by the Lower Lea Valley Management Board at the appropriate time, as is the usual process.

9.19.12 It is recommended that a S106 legal agreement secures the Heads of Term set out below.

HEADS OF TERM:

1. Standard Charge Payments:

- Phase 1 – £7,500 discounted standard charge per residential unit.
- Remaining Phases – £10,000 discounted standard charge per residential unit.
- The principle of additional payments is agreed. An appropriate mechanism to agree any additional payments still needs to be agreed between the parties.
- Part of the cost of delivering the bridge will be discounted from the standard discounted charge.

2. Security:

- The security provisions (as per the 2007 Agreement) are proposed to come into effect after completion of the last but one residential block.

3. Local Labour, Contractors, and Goods Services:

- These provisions are as per the 2007 Agreement.

4. Affordable Housing:

- Provision of 19.6% affordable housing (87% social rented and 13% intermediate) by habitable rooms (with grant) or 11.5% by habitable rooms (without grant).
- Mechanism to allow for uplift in affordable housing contributions based on realised sales values.

5. Highway Works:

- Section 278 - Emergency Access Works
- Section 8 / 278 - Highway Works on the TLRN

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- Section 278 - Capacity/Traffic Management Works
- Section 278 - Orchard Place Highway Works – provision of bus stops and bus stands.

6. Pedestrian and Cycle Bridge:

- Bridge to be constructed in accordance with Bridge Parameters in Design and Access Statement (July 2010) and as may be altered by discussions with the PLA and EA.
- Submission of reserved matters application for bridge within 3 months of securing an agreement with the PLA and EA.
- Bridge to be completed prior to occupation of the last 50 residential units in Phase 1.
- Obligations to allow for public access to and periodic closure of bridge.

7. Emergency Access:

- The provisions relating to the delivery etc. of the Emergency Access Works are as per the 2007 Agreement.

8. On-Site Public Realm Areas:

- These provisions are as per the 2007 Agreement.

9. Riverside Walkway:

- These provisions are as per the 2007 Agreement.

10. Off-Site Public Realm Works:

- These provisions relate to the following:
 - (i) Southern Gateway Works;
 - (ii) the Northern Embankment and Rotunda/works;
 - (iii) the Northern Embankment Landscape works.

11. Leamouth Roundabout Crossing Works:

- This relates to the provision of the Leamouth Roundabout Crossing Works, in the event that these works are not delivered, as a result of the Lea River Park CPO failing.

12. Community Centre / Sports Hall:

- These provisions are as per the 2007 Agreement.

13. Site Management Scheme:

- These provisions are as per the 2007 Agreement.

14. Travel Plan:

- These provisions are as per the 2007 Agreement.

15. Car and Cycle Club:

- The provisions for the car club and cycle club are as per the 2007 Agreement.

16. Public Transport Obligations:

- Ring-fenced contribution of £3.3 million from LTGDC tariff to facilitate enhanced bus services to serve the development.
- Provision of bus stand, bus stops, and real time information display.
- Obligation on developer to pay all costs associated with bringing the rotunda into effective use.

17. Traffic Control Centre:

- The continued operation of the TfL Traffic Control Centre during construction and the lifetime of the development should be maintained.

18. Car and Bicycle Parking Management:

- These provisions are as per the 2007 Agreement.

19. Disabled Car Parking:

- Provision of an appropriate level of disabled car parking to meet the needs of the residents of the development.

20. Car-Free Development:

- Standard provisions preventing residents of the development from applying for on-street car parking permits.

21. Metropolitan Police Floorspace:

- Minimum of 115 sqm of floorspace to be provided for the Metropolitan Police.

22. Temporary Walkway Link:

- Provision of a temporary walkway link to the bridge during construction of Phase 2.

23. Construction Phasing

24. Tree Planting Scheme:

- Provision of a tree planting scheme to plant a minimum of 200 street trees.

25. Provision of Accessible Leisure Centre Changing Rooms

26. Public Access to Lifts

27. Energy Requirements

28. River Wall

29. Payment of LTGDC's Legal, Professional and Monitoring Costs

10. CONCLUSION AND REASONS FOR APPROVAL

- 10.1 The proposal has been thoroughly assessed by Officers from LTGDC, LBTH and the GLA and the applicant has sought to work with the various authorities to address any concerns which have been raised, where possible. A number of useful workshops were held pre-application and post-application and these have helped to shape the proposal.
- 10.2 It is considered that this proposal has the potential to create a vibrant and liveable residential-led, mixed-use community, in full recognition of LBTH's Core Strategy (2010) Placemaking Vision for Leamouth, which seeks the creation of a mixed-use place, with a creative and arts hub alongside new residential communities, set around the River Thames and River Lea, with new connections, pedestrian and cycle bridges to make the area more accessible to the rest of the Borough and Canning Town Station and town centre.
- 10.3 The current proposal addresses a number of concerns/objections previously raised by the Borough in the 2007 application, including the removal of the previously proposed car park podium, a reduction in on-site car parking, and improvements to the quality of useable, on-site public open space.
- 10.4 Officers have had regard to the current economic circumstances surrounding the present application and it is acknowledged that these circumstances are very different to those of 2007 (when the previous permission was granted). It is not considered that the objections from the Borough, principally relating to the provision of affordable housing, justify refusal given the conditions and S106 Heads of Term proposed.
- 10.5 Overall, the proposal is considered to be in keeping with the relevant national, regional and local policies discussed in this report and it is considered that the proposal would greatly contribute to the regeneration of the area.

11. RECOMMENDATION

That the application be delegated to the Director of Planning to **APPROVE** subject to:

- (1) any direction from the Mayor of London, and
- (2) confirmation from the PLA that the Outline Risk Assessment relating

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to the bridge, including mitigation measures, is satisfactory, and

(3) confirmation from the EA that their outstanding concerns have been addressed, and

(4) the conditions listed below (with any amendment that might be necessary up to the issue of the decision), and

(5) delegation to the Director of Planning of the completion of a S106 Agreement securing the Heads of Term set out at 9.19.12 of this report.

If Members resolve that planning permission be granted that the Committee confirms that in their decision they have taken the environmental information into account as required by Regulation 3 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and are satisfied that the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 are met in relation to the contributions referred to in the Heads of Term above.

Following the issue of the decision a statement be placed on the Statutory Registers at the London Borough of Tower Hamlets and the London Borough of Newham confirming that the main reasons and considerations on which the Committee decision was based were those set out in this Officer's report to the Committee as required by Regulation 21 (1) (c) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

12. CONDITIONS AND REASONS

***Note to Committee:** These conditions will be reviewed when the proposed planning agreement is being finalised to ensure that there is no duplication or conflict, and the final conditions may be edited accordingly. The London Borough of Tower Hamlets has also asked to be given the opportunity to review the conditions before any decision is released.*

1. Phase 1 of the development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 to avoid the accumulation of unexercised planning permissions.

2. Application for written approval of the matters reserved by this permission shall be submitted to the Local Planning Authority as follows:

(a) in respect of Phase 1 shown on the plan attached, within five years from the

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date of this decision and in any event before development is commenced;

(b) in respect of each subsequent phase before that phase is commenced.

The development in respect of each phase must begin within:

- five years from the date of this decision; or
- two years from the date of the last reserved matter(s) to be approved in respect of the relevant phase;

whichever is later.

Reason: To make sure planning applications are carried out within a reasonable time period in accordance with Section 92 (2) of the Town and Country Planning Act 1990.

3. The development hereby approved shall not be constructed unless in accordance with the drawings and details hereby approved, as listed on the attached schedule of drawings and documents, except where conditions require otherwise, or unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is undertaken in accordance with the approved drawings and details, and to protect the local amenity with regard to Policy 4B.1 of the London Plan (2008). The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

4. The development shall be carried out in accordance with the phasing plan attached, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory phasing of the development.

5. Notwithstanding the submitted details, drawings and particulars of the proposed pedestrian and cycle bridge, the matters set out below shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the pedestrian and cycle bridge:

- Detailed plans, elevations and cross sections identifying the width of the deck, length and gradient of ramps and heights of handrails;
- Details of the bridge landings;
- Details of clearance over the river;
- Details of proposed improvements to and use of the Rotunda, and improvements to the access into Canning Town Station; and
- Details of lift landings and the specification of the lifts.

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Once approved the pedestrian and cycle bridge shall only be constructed in accordance with the approved details.

Reason: To ensure a satisfactory standard of design and to ensure the creation of a fully inclusive environment, in line with Policy 4B.1 of the London Plan (2008), Policy DEV1 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV2, DEV3 and DEV16 of LBTH's Interim Planning Guidance (2007), and Policy SP08 of LBTH's Core Strategy (2010).

6. Works to Phase 1 of the development hereby approved shall not be commenced until the developer has secured all necessary legal agreement(s) with Transport for London, London Underground, Docklands Light Railway, Port of London Authority, and any other relevant parties, to ensure the funding, construction, implementation, delivery and management of the pedestrian and cycle bridge and the works associated with access to the station (including the rotunda, lift, staircase and link to river walkway).

Reason: To ensure that a pedestrian link into the station is capable of being delivered when necessary to improve the accessibility of the development site to the wider area, in line with Policy 3C.1 of the London Plan (2008), Policies ST25 and T19 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV27 and HSG1 of LBTH's Interim Planning Guidance (2007), and Policy SP08 of LBTH's Core Strategy (2010).

7. Prior to the commencement of each phase of the development hereby approved a landscape plan for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The plan must describe the long-term landscape, open space, sport play and informal recreation design aims for that phase and give full details of both the hard and soft landscape works planned, in respect of each phase. The works shall be carried out prior to the occupation of any part of the relevant phase or in accordance with the programme agreed with the Local Planning Authority. All soft landscaping works must be carried out within the first planting and seeding seasons following the occupation of any part of the relevant part of the development. Trees or plants that die, are removed or become seriously damaged or diseased within five years of completion of the development must be replaced in the next planting season with plants of similar species and size. Any changes of species proposed will require the written permission of the Local Planning Authority prior to planting.

Reason: To ensure landscaped areas in open spaces are of a high quality design and appearance that will enhance the amenity value of the development and its surroundings, in accordance with Policies 3D.8, 3D.13, 3D.14, 4B.1 and 4B.3 of the London Plan (2008), Policies DEV1, DEV2 and DEV12 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV1, DEV2 and DEV13 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's

Core Strategy (2010).

8. Prior to the commencement of each phase, a scheme containing full particulars and detailed drawings showing the means of access to and egress from buildings, which are suitable for people of disabilities, together with measures to ensure ability to move freely within the site, including details of the location, number and size of external lifts, and provision for long-term maintenance of them shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on the phase.

The approved scheme must be implemented before that phase of the development is brought into use.

Prior to the commencement of each phase, detailed access statements shall be submitted to the Local Planning Authority for approval in writing and the development must be carried out in accordance with the approved details. A statement shall be submitted for each building phase, prior to the commencement of development (of each phase). The statements shall include:

- (a) details of means of access and egress of buildings, including details of entry systems;
- (b) way-finding systems (signage);
- (c) locations of and details of the lifts and forecourts to the lifts, including their sizes and specifications, 'calling options', height of buttons; details of the maintenance and 'rapid repair' scheme; details of alternative routes in cases of breakdown and appropriate directional signage;
- (d) details of the wheelchair accessible residential units, including floor plans and specifications of the interior;
- (e) details of the Lifetime Homes specifications to be implemented;
- (f) details of access to bin storage and any post boxes where applicable;
- (g) details of colour and contrast of fixtures and fittings, and colour and contrast of signage.

Reason: To ensure safe and convenient access for disabled people in accordance with Policies 4B.1 and 4B.5 of the London Plan (2008), Policy DEV1 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy DEV3 of LBTH's Interim Planning Guidance (2007).

9. Phase 1 of the development hereby approved shall provide no less than 3,049 sqm of private and communal amenity space, unless otherwise agreed in writing by the Local Planning Authority.

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In the part of the site where matters are reserved, the following provisions shall be made with respect to private and communal amenity space, unless otherwise agreed in writing by the Local Planning Authority:

- (a) All ground floor units comprising 3 bedrooms or greater shall have private amenity space of a minimum of 50 sqm;
- (b) All ground floor units comprising less than 3 bedrooms shall have private amenity space of a minimum of 25 sqm;
- (c) All dwellings comprising 1 bedroom or studios shall have private amenity space of a minimum of 6 sqm;
- (d) All dwellings comprising 2 bedrooms or more shall have private amenity space of a minimum of 10 sqm;
- (e) Provision of 50 sqm of communal amenity space for the first 10 units in a phase, plus 5 sqm for every additional 5 units thereafter.

Reason: To ensure an adequate amount of amenity space for the future residents of the development, in line with Policy 4B.1 of the London Plan (2008), Policy HSG16 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy HSG7 of LBTH's Interim Planning Guidance (2007).

10. Notwithstanding submitted details, car parking accommodation is to be provided and retained within the site in accordance with the attached schedule. Plans showing the layout of the parking spaces for each phase of the development, and their allocation to individual uses must be submitted to the Local Planning Authority for written approval prior to the commencement of that phase of the development. The development must not be occupied unless in accordance with the approved details.

Reason: To ensure that car parking is not overprovided and to reduce the impact of the development on the public highway in accordance with Policies 3C.1, 3C.3 and 3C.23 of the London Plan (2008), Policy ST28 of LBTH's Unitary Development Plan (1998) (saved policies), and Policies DEV17 and DEV19 of LBTH's Interim Planning Guidance (2007).

11. Prior to the commencement of the development hereby approved, details of the proposed works to achieve a satisfactory emergency access to the site will be submitted to and approved in writing by the Local Planning Authority, in consultation with the emergency services. The proposed works must include:

- use of the pavement and existing riverside walkway for use by emergency vehicles to access the site independently of the Lower Lea Crossing;

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- widening of the two existing slip roads to a minimum of 6.75 metres; and
- an opening (gated) in the central reservation of the Lower Lea Crossing adjacent to the slip roads.

The emergency access provisions approved shall be completed and available for use prior to the occupation of no more than 200 residential units.

Reason: To ensure the site can be accessed by the emergency services in the event of the partial or total closure of the Lower Lea Crossing, in accordance with Policy 4B.6 of the London Plan (2008).

12. Details and samples of all facing materials to:

- (i) Building I and N;
- (ii) Building G;
- (iii) Building H;
- (iv) Building J; and
- (v) Building K

shall be submitted to and approved in writing by the Local Planning Authority prior to the superstructure works to the phase which it relates to is commenced on site. The samples and details shall include:

- i) brickwork (including brick panels and mortar courses); cladding and render;
- ii) window treatment (including sections and reveals);
- iii) roofing materials;
- iv) balustrading treatment (including sections);
- v) louvers / treatment to refuse and substation enclosures; and
- vi) any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard in accordance with Policies 4A.3, 4B.1, 4B.2, 4B.8 and 4B.10 of the London Plan (2008), Policy DEV1 of LBTH's Unitary Development Plan (1998) (saved policies), Policy DEV2 of LBTH's Interim Planning Guidance (2007), and Policy SP10 of LBTH's Core Strategy (2010).

13. The residential units within each phase of the development shall comply with the space standards set out in the Mayor's London Housing Design Guide (Interim Edition, 2010). A unit schedule confirming flat sizes shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of development of each phase of the scheme to illustrate

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compliance.

Reason: To ensure a satisfactory standard of residential accommodation in line with Policy 4B.1 of the London Plan (2008), Policy DEV2 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy HSG7 of LBTH's Interim Planning Guidance (2007).

14. Any electrical and mechanical plant must not exceed 10dBA below current ambient noise levels. Reports showing compliance with this requirement shall be submitted to the Local Planning Authority for approval in writing for each building on / to which the equipment is erected / attached prior to the first use / occupation of the relevant building.

Between 2300 and 0700 hours, a level of LA_{max} 45dB (or lower) shall be achieved within residential premises with the exception of a few occasions, provided that 35 LA_{eq} is not exceeded. Reports showing compliance with this requirement shall be submitted to the Local Planning Authority for approval in writing for each building prior to the first use / occupation of the relevant building.

Reason: To safeguard the residential amenity of future occupiers, in line with Policy 4A.20 of the London Plan (2008), Policies DEV2 and DEV50 of LBTH's Unitary Development Plan (1998) (saved policies), and Policies DEV1 and DEV10 of LBTH's Interim Planning Guidance (2007).

15. Vibration levels within residential premises shall comply with the rating 'Low probability of adverse comments' within BS6472:1992. A report showing compliance with this requirement shall be submitted to the Local Planning Authority for approval in writing prior to the first use / occupation of the development.

Reason: To safeguard the residential amenity of future occupiers, in line with Policies DEV2 and DEV50 of LBTH's Unitary Development Plan (1998) (saved policies), and Policies DEV1 and DEV10 of LBTH's Interim Planning Guidance (2007).

16. A scheme for the monitoring of black redstarts during the construction phases of development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Once approved the monitoring shall take place in accordance with the approved scheme.

Reason: In the interests of biodiversity and the protection of the black redstart, in accordance with Policy 3D.14 of the London Plan (2008), and Policy SP04 of LBTH's Core Strategy (2010).

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17. Notwithstanding submitted details, the number of nesting boxes provided within the development for sand martins shall be limited to no more than 11 and there shall be no heron poles provided within the development.

Reason: In accordance with the advice of London City Airport in relation to bird strike hazards.

18. Prior to the occupation of each phase of the development, a scheme showing the proposed details of the external lighting scheme, in respect of the relevant phase, including any lighting of the buildings within that phase of development, shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of that phase of development. The approved scheme shall be implemented prior to the occupation of the phase to which it relates, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to safeguard the appearance of the development and in the interests of amenity, in accordance with Policy 4B.1 of the London Plan (2008).

19. Further details of the lighting strategy, both during the construction phase and on the completed development, and the measures that will be taken to minimise, and preferably avoid light spillage over the river to the commuting bat corridor, shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of each phase of the development.

Reason: In the interests of protecting the existing dark corridor along the River Lea for use by commuting bats in accordance with Policies 3D.14, 4C.1 and 4C.3 of the London Plan (2008), Policies DEV46 and DEV57 of LBTH's Unitary Development Plan (1998) (saved policies), Policy OSN3 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's Core Strategy (2010).

20. No development shall take place until a contaminated land investigation scheme, based on the Environmental Statement dated July 2010, setting out proposals for intrusive site investigation and to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment has been submitted to the Local Planning Authority, and approved in writing. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work. No development shall take place until the approved contaminated land investigation scheme has been carried out and its results reported to the Local Planning Authority. Such results shall be accompanied by a scheme identifying such contamination as exists on site, a risk assessment of the site, and proposals for any necessary remedial works to contain, treat or remove any contamination predicted to exist, including details of appropriate measures to prevent pollution of groundwater and surface water, and provisions for monitoring, which shall be submitted to and approved in

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writing by the Local Planning Authority before development commences.

Where remediation is required, it shall be carried out before that phase is occupied and a certificate or validation report stating that remediation has been completed as agreed with the Local Planning Authority must also be prepared by a suitably qualified person and submitted to the Local Planning Authority for written approval.

Occupation of each phase of the development shall not commence until the measures approved in the study have been implemented.

Reason: To ensure that the contaminated land is properly treated and made safe before development, to protect public health and to meet the requirements of Policy 4A.33 of the London Plan (2008), Policy DEV51 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy DEV22 of LBTH's Interim Planning Guidance (2007).

21. Notwithstanding the investigation and scheme carried out under Condition 20 above or as a result thereof any contamination or suspected contamination or unusual or odorous ground conditions are encountered during any ground works on the site, the developer shall consult with the Local Planning Authority, prior to continuing with the phase of development to which this condition relates. Any soil arising from the ground works must be classified for the purposes of citing an appropriately licensed landfill facility for disposal of the said material. A copy of the classification certificates and waste transport and disposal documentation shall also be provided to the Local Planning Authority for their records

Reason: To ensure that contaminated land is properly treated and made safe before development, to protect public health and to meet the requirements of Policy 4A.33 of the London Plan (2008), Policy DEV51 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy DEV22 of LBTH's Interim Planning Guidance (2007).

22. Prior to the commencement of each phase of the development hereby approved details of the proposed unit sizes for the A1 - A5 uses shall be submitted to and approved in writing by the Local Planning Authority.

The level of 'A1' floorspace for the whole development shall not exceed 70% of the total floorspace for 'A Class' uses, unless otherwise approved in writing by the Local Planning Authority.

The total floorspace in the development utilised for a use within use Class A5 (hot food takeaway) shall only occur in Phase 2 and shall not exceed 10% of the total gross 'A Class' floorspace in Phase 2, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the retail uses are ancillary to the development proposed, to ensure that the development provides for the everyday

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convenience retail needs of the resident population, and to avoid a preponderance of hot food takeaway uses.

23. The non-residential uses hereby approved shall be restricted to the following hours of opening:

- 7 am to 11pm, Monday to Saturday
- 10 am to 10pm on Sundays or Bank Holidays

and any outdoor seating areas must be vacated and any tables and chairs must be removed by 11pm Monday – Saturday and by 10pm on Sunday and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of adjacent residents and the area generally and to meet the requirements of Policies DEV50 and HSG15 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy DEV1 of LBTH's Interim Planning Guidance (2007).

24. Prior to the occupation of each phase of development, details of all proposed directional signage within the development shall be submitted to and approved in writing by the Local Planning Authority and once approved shall be implemented prior to the occupation to the building / part of the development to which it relates.

Reason: In the interests of ensuring a legible and accessible environment and in the interests of the appearance of the development, in accordance with Policy 4B.1 of the London Plan (2008).

25. Prior to the commencement of each phase of the development, details of the proposed cycle routes relating to the relevant phase, including shared surfaces proposed for use by cycles, and including details of how connection is made with existing cycle routes outside of the site shall be submitted to and approved in writing by the Local Planning Authority. Once approved the cycle routes shall be implemented and be available for use prior to the occupation of each phase of the development.

Reason: In order to encourage the use of cycling as a sustainable mode of transport, in accordance with Policies 3C.3 and 3C.22 of the London Plan (2008), and Policy DEV16 of LBTH's Interim Planning Guidance (2007).

26. Prior to the commencement of each phase of the development hereby approved, full details of cycle parking, including its location within the relevant phase and the means of secure storage proposed, and allocation of it, and details of cycle parking for visitors, shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided prior to the

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occupation of the building to which it relates, and shall be retained thereafter, and used for no other purpose.

Reason: In order to encourage the use of cycling as a sustainable mode of transport, in accordance with Policies 3C.3 and 3C.22 of the London Plan (2008), and Policy DEV16 of LBTH's Interim Planning Guidance (2007).

27. Details of the proposed communal roof gardens associated with each phase of the development, including details of access to them, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each phase of the development and the communal roof gardens shall be provided in accordance with the approved details and shall be available for use prior to the occupation of the building to which they relate. The communal roof gardens shall be maintained as such, and shall not be used for any other purpose.

Reason: To ensure residents have access to adequate amenity space and to safeguard the appearance of the development, in accordance with Policy 4B.1 of the London Plan (2008), and Policies DEV13 and HSG7 of LBTH's Interim Planning Guidance (2007).

28. Details of the proposed brown and green roofs associated with each phase of the development, including details of location, design, dimensions, materials and a maintenance scheme, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of the development, and the brown and green roofs shall be installed in accordance with the approved details prior to the occupation of that phase.

Reason: In the interests of promoting biodiversity and to mitigate surface water run-off in accordance with Policy 3D.14 of the London Plan (2008), and Policy SP04 of LBTH's Core Strategy (2010).

29. All residential units hereby approved are to comply with Lifetime Homes Standards as defined in the Joseph Rowntree Foundation publication "Achieving Part M and Lifetime Home Standards" and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication "Lifetime Homes" as referred to in the GLA Accessible London SPG (Appendix 4).

Reason: To ensure that accessible housing is provided in accordance with Policies 3A.5 and 4B.1 of the London Plan (2008), and Policy HSG9 of LBTH's Interim Planning Guidance (2007).

30. Prior to occupation of Phase 1, the applicant shall submit details to be approved in writing by the Local Planning Authority of the Code for Sustainable Homes assessment where the development seeks to achieve a 'Level 4' rating,

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and a BREEAM rating of 'excellent' for non-residential uses, which shall be certified by the awarding body.

The approved details of the sustainable design and construction measures shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the Local Planning Authority.

Reason: To ensure the highest levels of sustainable design and construction in accordance with Policy 4A.3 of the London Plan (2008), Policy DEV5 of LBTH's Interim Planning Guidance (2007), and Policy SP11 of LBTH's Core Strategy (2010), which seek the highest standards of sustainable design and construction principles to be integrated into all future developments.

31. No fewer than 10% of the total number of residential units within the development hereby approved shall be constructed to be easily adapted for residents who are wheelchair users in accordance with the publication "Wheelchair Housing Guide, Second Edition" by Stephen Thorpe and Habinteg HA unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that accessible housing is provided in accordance with Policies 3A.5 and 4B.1 of the London Plan (2008), and Policy HSG9 of LBTH's Interim Planning Guidance (2007).

32. Prior to the commencement of each phase of the development hereby approved, a security management scheme in respect of the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of how that phase of the development meets the requirements of "Secured by Design" and shall provide details of security management measures including location of CCTV, and concierge services, door entry systems and car park security.

Reason: In order to provide a safe and secure development, in accordance with Policies 4B.1 and 4B.6 of the London Plan (2008), and Policy DEV4 of LBTH's Interim Planning Guidance (2007).

33. Prior to the commencement of each phase of the development hereby approved, a Construction Management Plan relating to the construction of the relevant phase, incorporating details of construction traffic management, waste management, use of the river to transport materials, sourcing of materials, locations and means of storage of materials within the site, craneage and scaffolding height, timing of noisy operations, and lighting shall be submitted to and approved in writing by the Local Planning Authority. Once approved this plan shall be adhered to throughout the construction period of the phase to which it relates.

Reason: In the interests of ensuring sustainable construction practices and in

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accordance with Policy 2A.1 of the London Plan (2008), and Policy DEV9 of LBTH's Interim Planning Guidance (2007).

34. Notwithstanding the details submitted, no approval is given to the design of the retail frontages within the development. Any proposed temporary retail frontages shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Large scale details of the permanent retail frontages shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each unit. The development shall not be carried out otherwise than in accordance with the particulars so approved and the shop front windows must be used for display purposes and the window glass must not be painted or obscured.

Reason: To safeguard the appearance of the development and to prevent the introduction of dead frontages within the development, in accordance with Policies S10, S11, S13 and DEV1 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy DEV2 of LBTH's Interim Planning Guidance (2007).

35. Details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes, from the non-residential uses for each phase of the development, including details of the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvres), together with details of its method of construction, appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in accordance with the details thus approved. Details of any additional extraction, ventilation and filtration equipment required as a result of the specific requirements of the end user or occupier shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of that unit. No further external equipment or plant may be installed without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenity of the occupiers of adjoining properties by preventing noise disturbance and to ensure a satisfactory appearance in accordance with the requirements of Policies DEV2 and DEV50 of LBTH's Unitary Development Plan (1998) (saved policies), and Policies DEV1, DEV2 and DEV10 of LBTH's Interim Planning Guidance (2007).

36. Details of riparian life saving equipment to include grab chains, access ladders and life buoys along the river edge shall be submitted to and approved in writing by the Local Planning Authority. Such equipment shall be to a standard recommended in the Hayes Report on the Inquiry into River Safety. Once approved, the equipment shall be provided in accordance with the approved details prior to the occupation of any part of the development.

Reason: In the interests of public safety, in accordance with Policies 4B.1 and

4B.6 of the London Plan (2008).

37. Prior to the commencement of each phase of the development an Ecological mitigation, compensation and enhancement scheme relating to the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. This scheme shall outline the detailed design of all ecological mitigation, compensation, and enhancement measures listed in the Environmental Statement dated July 2010, unless otherwise agreed in writing by the Local Planning Authority. This shall include design plans and layout, materials, timings, methods of construction and species lists for planting.

In particular the following biodiversity features shall be submitted to and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details:

- (i) Provision of an “ecological riverside edge” on the western edge of the peninsula, to include reed bed planting and intertidal terraces along at least 200 metres of the river’s edge – detailed design and planting to be agreed with the London Borough of Tower Hamlets.
- (ii) Provision of at least 6000 sqm of brown roofs.
- (iii) Provision of timber baulking on all sections of river wall which require replacement, to provide habitat for invertebrates.
- (iv) Provision of nest boxes for peregrine falcons on tall buildings.
- (v) Provision of a swift tower to provide multiple nest sites for swifts (and use of playback of swift calls the spring after the tower is complete to attract swifts).
- (vi) Provision of 11 nest sites in the river walls for kingfishers and sand martins.
- (vii) Provision of other nest boxes for birds including black redstarts, house martins and grey wagtails.

Reason: To protect and conserve the natural features of importance for biodiversity across the site, in accordance with Policies 3D.14, 4C.1 and 4C.3 of the London Plan (2008), Policies DEV46 and DEV57 of LBTH’s Unitary Development Plan (1998) (saved policies), Policy OSN3 of LBTH’s Interim Planning Guidance (2007), and Policy SP04 of LBTH’s Core Strategy (2010).

38. There shall be no light spill from the external lighting scheme approved pursuant to Condition 18 of this permission into the watercourse or adjacent river corridor habitat. To achieve this, the external lighting scheme shall be designed such that artificial lighting should be directional and focussed with cowlings to light sources in close proximity to the river corridor.

Reason: Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using / inhabiting the river and its corridor habitats, and to accord with Policies 3D.14, 4C.1 and 4C.3 of the London Plan (2008), Policies DEV46 and DEV57 of LBTH’s Unitary Development Plan (1998) (saved policies), and Policy

OSN3 of LBTH's Interim Planning Guidance (2007).

39. The design and location of suitable native and locally appropriate species planting shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each phase of the development. The development shall not be carried out unless in accordance with these details so approved.

Reason: To enhance the ecological value of the site and protect the river corridor. Non-native species planted alongside rivers can have particularly detrimental impacts by spreading along the river corridor and out-competing natural flora, reducing species diversity and impacting on the associated ecology of the river corridor. In accordance with Policies 3D.14, 4C.1 and 4C.3 of the London Plan (2008), Policies DEV46 and DEV57 of LBTH's Unitary Development Plan (1998) (saved policies), Policy OSN3 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's Core Strategy (2010).

40. A landscape and ecology management plan for each phase of the development site including long-term design objectives, ecological objectives, a planting scheme, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority before each phase of the development is occupied. The landscape management plan shall be carried out as approved.

Reason: To protect and conserve the natural features, ecology and character of the area and ensure their long-term sustainability through appropriate site management, in accordance with Policies 3D.14, 4C.1 and 4C.3 of the London Plan (2008), Policies DEV46 and DEV57 of LBTH's Unitary Development Plan (1998) (saved policies), Policy OSN3 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's Core Strategy (2010).

41. Prior to the occupation of each phase of development, details of child play areas, including surfacing, boundary treatment, and play equipment, in relation to the relevant phase, shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the play areas shall be laid out in accordance with the approved details and shall be completed and available for use prior to the occupation of that phase of the development.

Reason: In order to ensure that residents benefit from adequate provision of children's play areas in accordance with Policy 3D.13 of the London Plan (2008), Policy OS9 of LBTH's Unitary Development Plan (1998) (saved policies), and OSN2 of LBTH's Interim Planning Guidance (2007).

42. Prior to the commencement of development of each phase, as set out in the approved phasing plan, detailed drawings showing the following shall be

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submitted to the Local Planning Authority for approval in writing:

(a) access through the site during works and upon completion of works in relation to each phase, including the connections with any completed phases, and connections to the surrounding area and its networks of cycle paths and footpaths;

(b) any temporary works, including any boundary treatment around later phases.

Provisions for pedestrians shall be fully accessible to all including people with disabilities.

The development shall only be implemented in line with the approved details.

Reason: To ensure that adequate access to the completed phases of the development is provided, in line with Policies 3C.21, 3C.22, 4B.1 and 4B.5 of the London Plan (2008), Policy ST30 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV3 and DEV16 of LBTH's Interim Planning Guidance (2007), and Policy SP08 of LBTH's Core Strategy (2010), which seek to ensure that developments are well-connected with their surroundings and easily and conveniently accessible for all, including cyclists and the mobility impaired.

43. No occupation of the development shall take place until the applicant has submitted to the Local Planning Authority for approval in writing an updated archaeological project design which shall comprise of an assessment of the archaeological remains recovered from the site and commit to the programme of analysis, publication and archiving as outlined in that document.

Reason: To record details of the archaeological post-excavation work, in accordance with Policy 4B.15 of the London Plan (2008), Policy DEV44 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy CON4 of LBTH's Interim Planning Guidance (2007).

44. Prior to the commencement of development, a radio impact survey shall be undertaken, and submitted to the Local Planning Authority for their written approval, to assess the impact of the development on the DLR radio signal. Should the development be found to have an impact on the radio signal, no development shall take place until a scheme of mitigation has been agreed in writing and implemented.

Reason: To ensure the development does not interfere with the safe operation of the DLR.

45. Prior to the commencement of each phase of the development, a survey to

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detect any potential unexploded ordnance within the relevant phase shall be carried out by the developer, and where such unexploded ordnance is located, a suitable mitigation plan shall be agreed in consultation with London City Airport, and that phase of the development shall only be implemented in accordance with the agreed mitigation plan.

Reason: To avoid disruption to the operation of the Airport.

46. The site shall be developed with separate systems of drainage for foul and surface water, and no development approved by this permission shall be commenced until a scheme for the provision and implementation of foul and surface water drainage works has been submitted to the Local Planning Authority for approval in writing, and implemented to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment, and prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal, in accordance with Policies 4A.14 and 4A.17 of the London Plan (2008), Policies U2 and U3 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV20 and DEV21 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's Core Strategy (2010).

47. No building or other obstruction shall be erected over or within 3 metres of any public sewer unless provision has first been made for its satisfactory relocation in consultation with Thames Water prior to the commencement of development.

Reason: To allow access for maintenance and repair work.

48. Development shall not be commenced until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure the water supply infrastructure has sufficient capacity to cope with the additional demand, in accordance with Policies 4A.17 and 4A.18 of the London Plan (2008), and Policy DEV20 of LBTH's Interim Planning Guidance (2007).

49. No soakaways shall be constructed in contaminated ground.

Reason: To prevent pollution of groundwater.

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50. Prior to the commencement of each phase of the development details of the construction of the site foundations shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the construction of the site foundations shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before the development of each phase commences.

Reason: To prevent pollution of groundwater.

51. Prior to the commencement of each phase of the development, a scheme detailing water efficiency measures for that phase shall be submitted to the Local Planning Authority for approval in writing, and shall be implemented as approved prior to occupation of that phase.

Reason: Water efficiency is particularly important as the sources of water in the area are classified as either 'over abstracted' or 'over licensed' within the Catchment Abstraction Management Strategy.

52. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, walls or other boundary treatments other than those expressly authorised by this permission shall be erected without the grant of further specific planning permission from the Local Planning Authority.

Reason: To ensure that the appearance of the development is retained in the approved form, in accordance with Policy 4B.1 of the London Plan (2008), Policy DEV1 of LBTH's Unitary Development Plan (1998) (saved policies), and Policy DEV2 of LBTH's Interim Planning Guidance (2007).

53. Phase 1 of the development hereby approved shall not be occupied until the necessary infrastructure to allow a bus service to serve the development site has been provided to the satisfaction of the Local Planning Authority, in consultation with Transport for London.

Reason: To ensure that bus infrastructure is available when needed to serve the development in line with Policies 3C.1 and 3C.20 of the London Plan (2008).

54. Phase 1 of the development hereby approved shall not be occupied until the highway improvements as indicated on WSP Drawing 0197/SK/04 Rev E have been provided to the satisfaction of the Local Planning Authority, in consultation with Transport for London.

Reason: To ensure adequate pedestrian connectivity to the south of the development site which is fundamental to the acceptability of the approved

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scheme, and in order to ensure that the site is adequately connected with the surrounding area by public transport, in line with Policies 3C.1, 3C.21 and 3C.22 of the London Plan (2008).

55. The dedicated refuse / recycling enclosures within each block shall be provided prior to the first occupation of the buildings which they relate to.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to in accordance with Policy 4A.22 of the London Plan (2008), Policy DEV15 of LBTH's Interim Planning Guidance (2007), and Policy SP05 of LBTH's Core Strategy (2010).

56. No development/demolition works shall be commenced unless and until details of a Construction Logistic Plan (CLP) that rationalises construction traffic with the aim to avoid peak traffic periods on the road network off the Transport for London Road Network and reduce the total number of trips made shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to any demolition works commencing on site.

The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To minimise traffic impacts on Transport for London's Road Network in accordance with Policies 3C.18, 3C.23, 3C.25 and 4A.28 of the London Plan (2008), Policies T7, T10, T16 and T18 of LBTH's Unitary Development Plan (1998) (saved policies), Policy DEV17 of LBTH's Interim Planning Guidance (2007), and Policies SP08 and SP09 of LBTH's Core Strategy (2010).

57. A Delivery and Servicing Plan (DSP) detailing servicing arrangements, including the location, times and frequency, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with TfL) prior to the first occupation of the development hereby approved.

The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on the free-flow of traffic and highways safety implications, and to ensure that the residential amenity of the future occupiers is safeguarded in accordance with Policies 3C.18, 3C.23 and 3C.25 of the London Plan (2008),

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Policies DEV2, T7, T10, T16 and T18 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV1 and DEV17 of LBTH's Interim Planning Guidance (2007), and Policies SP08 and SP09 of LBTH's Core Strategy (2010).

58. Details of any necessary aviation obstruction lighting, cranes use/or scaffolding at a higher elevation, or on the roof of the taller elements of the scheme, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with London City Airport and in line with the requirements of 'CAP 168 - Licensing of Aerodromes') prior to superstructure works commencing on site.

Reason: In the interest of aerodrome safeguarding in accordance with Policy DEV27 of LBTH's Interim Planning Guidance (2007) which seeks to ensure tall buildings will not be a potential hazard to aviation safety and will conform with Civil Aviation requirements.

59. Drainage plans for all phases, including proposed connection points to Thames Water's infrastructure (foul and surface water) and modelled flows for proposed rainfall returns, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water) prior to the first occupation of the development hereby approved.

The overall strategy for surface water discharges should be via a separate surface water system to an appropriate watercourse.

Reason: To ensure that sufficient capacity is made available to cope with the new development in accordance with Policies U2 and U3 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV7 and DEV21 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's Core Strategy (2010).

60. None of the development hereby permitted shall be commenced until detailed design and method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority (in consultation with Crossrail) which:

- (a) Accommodate the proposed location of the Crossrail structures and tunnels,
- (b) Accommodate ground movement arising from the construction thereof, and
- (c) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels.

The method statements to be submitted under this condition shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the Crossrail

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structures and tunnels in or adjacent to the site of that development, the construction of the Crossrail structures and tunnels is not impeded. The development shall be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs (a) to (c) of this condition shall be completed, in their entirety, before any part of the buildings hereby permitted is/are occupied.

Reason: To ensure development does not prevent utility diversion essential to the construction of Crossrail in accordance with Policy SP08 of LBTH's Core Strategy (2010).

61. No works below ground level comprised within the development hereby permitted shall be carried out at any time when a tunnel boring machine used for the purposes of boring tunnels for the Crossrail railway is within 100 metres of the land on which the development hereby permitted is situated.

Reason: To ensure development does not prevent utility diversion essential to the construction of Crossrail in accordance with Policy SP08 of LBTH's Core Strategy (2010).

62. The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1 metre from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.

Reason: To ensure that the operation of fixed plant does not impact on residential amenity in accordance with Policy 4A.20 of the London Plan (2008), Policy DEV50 of LBTH's Unitary Development Plan (1998) (saved policies), Policy DEV10 of LBTH's Interim Planning Guidance (2007), and Policy SP03 of LBTH's Core Strategy (2010).

63. A heat network supplying all spaces within the Leamouth Peninsula development shall be installed and sized to the space heating and domestic hot water requirements of the Development, and shall have the following characteristics:

- It shall be operational prior to the full occupation of the development and shall thereafter serve all spaces within the Leamouth Peninsula development.

It shall be supplied with heat from either:

- An external district heating system, or

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- Heat generating plant installed in a single energy centre located within the Leamouth Peninsula development and that upon completion of the scheme include combined heat and power capacity of at least [~1350 kWth].

A ground source heat pump system shall be installed to provide supplementary heating and cooling supplying spaces within the Leamouth Peninsula development. The heat pump shall comply with the following criteria at the time of installation of the technology:

- The Coefficient of Performance (COP) standards as set out in the Enhanced Capital Allowances (ECA) product criteria, this document can be found at: <http://www.eca.gov.uk/etl/criteria/>.
- And any other relevant issues as outlined in the Microgeneration Certification Scheme Heat Pump Product Certification Requirements, this document can be found at: <http://www.microgenerationcertification.org/Product+Manufacturers+and+Installers/Products>.

The energy efficiency and decentralised energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the Local Planning Authority.

Reason: To ensure a reduction in carbon dioxide emissions in accordance with Policies 4A.1 and 4A.7 of the London Plan (2008), and Policy SP11 of LBTH's Core Strategy (2010), which seek to mitigate climate change and minimise carbon dioxide emissions.

64. Prior to the commencement of the relevant works on the development, the applicant shall submit details to be approved in writing by the Local Planning Authority of a detailed feasibility study investigating the potential to reduce the development's carbon dioxide emissions by 20% from on-site photovoltaic arrays. If the study concludes such provision is unfeasible, evidence shall be provided to support this.

The approved renewable energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the Local Planning Authority.

Reason: To ensure a reduction in carbon dioxide emissions in accordance with Policies 4A.1 and 4A.7 of the London Plan (2008), and Policy SP11 of LBTH's Core Strategy (2010), which seek to mitigate climate change and minimise carbon dioxide emissions.

65. Prior to the commencement of works on site, details of an artificial otter holt, showing its location along the ecological riverside edge, shall be submitted to

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and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.

Reason: To protect and conserve potential otter habitats along the Lea Valley, in accordance with Policies 3D.14, 4C.1 and 4C.3 of the London Plan (2008), Policies DEV46 and DEV57 of LBTH's Unitary Development Plan (1998) (saved policies), Policy OSN3 of LBTH's Interim Planning Guidance (2007), and Policy SP04 of LBTH's Core Strategy (2010).

66. Building, engineering or other operations such as demolition, works preparatory to or ancillary to the construction, shall take place between the hours of 8.00am and 6.00pm Mondays to Fridays and between the hours of 8.00am and 1.00pm Saturdays only. Any hammer driven piling or impact breaking out of materials carried out in pursuance of this permission shall be carried out between the hours of 10.00am and 4.00pm Mondays to Fridays and shall not take place at any time on Saturdays, Sundays or Public Holidays.

Reason: To safeguard the amenity of adjacent residents and the area in general, in accordance with Policies DEV50 and HSG15 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV1 and DEV10 of LBTH's Interim Planning Guidance (2007), and Policy SP03 of LBTH's Core Strategy (2010).

67. Prior to the commencement of development, a Construction Environmental Management Plan relating to construction works associated with the development, including details of noise control measures, air quality, soil contaminants and necessary remediation measures, details of vehicular access and circulation arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The construction (or such phase) shall only take place in accordance with the details and measures approved as part of the Construction Environmental Management Plan, which shall be maintained throughout the entire construction period.

Reason: To safeguard the amenity of the neighbouring occupiers and the surrounding area generally, in accordance with Policies DEV2 and DEV50 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV1, DEV10 and DEV11 of LBTH's Interim Planning Guidance (2007), and Policy SP03 of LBTH's Core Strategy (2010).

68. No less than 20% of the car parking spaces within the development shall be provided with electric vehicle re-charging points.

Full particulars of the electric vehicle re-charging points to be provided shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance the particulars so approved.

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Reason: To encourage more sustainable forms of transport and to reduce carbon emissions in accordance with Policies 3C.3 and 4A.3 of the London Plan (2008), Policies DEV5 and DEV6 of LBTH's Interim Planning Guidance (2007), and Policy SP11 of LBTH's Core Strategy (2010).

69. The following shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on site:

- (a) A revised elevation of the eastern facade of Building N showing the glass volumes at ground floor level with glazing on all three sides and an extension of the wood slats in a downward direction and within 300 to 500mm from ground level, with a narrow band of zinc at the base.
- (b) A revised design of the elevation of Building N showing an alternative reveal design on the eastern facade between the car park and office building volume.

The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the external appearance of Building I and N is satisfactory in accordance with Policies DEV1 and DEV2 of LBTH's Unitary Development Plan (1998) (saved policies), Policies DEV1 and DEV2 of LBTH's Interim Planning Guidance (2007), and Policy SP12 of LBTH's Core Strategy (2010).

SCHEDULE OF DRAWINGS AND DOCUMENTS:

OUTLINE PARAMETER PLANS:

Parameter Drawings by SOM:

OPA-001 Rev 00 (SOM)
OPA-002 Rev 00 (SOM)
OPA-003 Rev 00 (SOM)
OPA-004 Rev 00 (SOM)
OPA-005 Rev 00 (SOM)
OPA-006 Rev 00 (SOM)
OPA-101 Rev 00 (SOM)
OPA-102 Rev 00 (SOM)
OPA-103 Rev 00 (SOM)
OPA-104 Rev 00 (SOM)
OPA-105 Rev 00 (SOM)
OPA-106 Rev 00 (SOM)
OPA-107 Rev 00 (SOM)

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OPA-108 Rev 00 (SOM)
OPA-109 Rev 00 (SOM)

DETAILED PLANNING APPLICATION DRAWINGS:

Detailed Drawings by SOM:

DPA-001 Rev 00
DPA-002 Rev 00
DPA-010 Rev 00
DPA-011 Rev 00
DPA-012 Rev 00
DPA-013 Rev 00
DPA-014 Rev 00
DPA-020 Rev 00
DPA-021 Rev 00
DPA-022 Rev 00
DPA-023 Rev 00

Detailed Drawings by Jestic & Whiles:

2334-DPA-G-100 Rev P05
2334-DPA-G-101 Rev P09
2334-DPA-G-102 Rev P10
2334-DPA-G-103 Rev P09
2334-DPA-G-104 Rev P09
2334-DPA-G-200 Rev P08
2334-DPA-G-201 Rev P09
2334-DPA-G-206 Rev P05
2334-DPA-G-207 Rev P05
2334-DPA-G-210 Rev P05

Detailed Drawings by Glenn Howells Architects:

DPA-H-050 Rev P1
DPA-H-100 Rev P3
DPA-H-101 Rev P1
DPA-H-102 Rev P1
DPA-H-103 Rev P1
DPA-H-104 Rev P1
DPA-H-105 Rev P1
DPA-H-106 Rev P1
DPA-H-107 Rev P1
DPA-H-108 Rev P2
DPA-H-109 Rev P1
DPA-H-110 Rev P1

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DPA-H-111 Rev P1
DPA-H-112 Rev P1
DPA-H-113 Rev P1
DPA-H-114 Rev P1
DPA-H-115 Rev P1
DPA-H-116 Rev P1
DPA-H-117 Rev P1
DPA-H-118 Rev P1
DPA-H-119 Rev P1
DPA-H-130 Rev P1
DPA-H-200 Rev P1
DPA-H-201 Rev P1
DPA-H-202 Rev P1
DPA-H-203 Rev P1
DPA-H-204 Rev P1
DPA-H-205 Rev P1
DPA-H-300 Rev P1

Detailed Drawings by SOM:

DPA-I-101 Rev 01
DPA-I-102 Rev 01
DPA-I-103 Rev 01
DPA-I-104 Rev 01
DPA-I-105 Rev 01
DPA-I-106 Rev 01
DPA-I-107 Rev 01
DPA-I-108 Rev 01
DPA-I-109 Rev 01
DPA-I-201 Rev 01
DPA-I-202 Rev 01
DPA-I-203 Rev 01
DPA-I-251 Rev 00
DPA-I-501 Rev 00
DPA-I-502 Rev 00
DPA-I-503 Rev 00

ASK-354 Rev 00 – Illustrative Landscape Plan showing proposed pedestrian bridge as part of Phase 1 – for illustrative purposes
ASK-0353 Rev 00 – Ground Level Plan – Entrances

Detailed Drawings by John Pardey Architects:

0913-DPA-J-101 Rev P0
0913-DPA-J-102 Rev P1
0913-DPA-J-201 Rev P0
0913-DPA-J-301 Rev P0

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0913-DPA-K-101 Rev P1
0913-DPA-K-102 Rev P0
0913-DPA-K-103 Rev P0
0913-DPA-K-201 Rev P0
0913-DPA-K-301 Rev P0
0913-SK110124-01 – for illustrative purposes

DOCUMENTS:

- 'Hybrid' planning application covering letter – 25 August 2010 (GVA Grimley)
- Planning application form (including notices) – 25 August 2010 (GVA Grimley)
- Covering letter relating to plan amendments and update to the accommodation schedule – 27 January 2011 (GVA)
- Development Specification – July 2010 (GVA Grimley)
- Environmental Statement - July 2010 (Waterman) incorporating:
 - Townscape and Visual Impact Assessment (Waterman / Cityscape)
 - Sustainability Statement – July 2010 (Waterman)
- Planning Statement – July 2010 (GVA Grimley)
- Design and Access Statement - July 2010 (SOM / Glenn Howells / John Pardey / Jestico & Whiles)
- Design Guidelines – July 2010 (SOM)
- Transport Assessment – July 2010 (WSP)
- Energy Strategy – July 2010 (Hoare Lea)
- Landscape Strategy – July 2010 (Capita Lovejoy)
- Cultural Strategy – July 2010 (Future City)
- Statement of Community Involvement – July 2010 (Polity UK)
- Affordable Housing Viability Submission - September 2010 (HEDC)

13. INFORMATIVES

Thames Water

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

London Fire & Emergency Planning Authority

2. The applicant is advised to contact the London Fire & Emergency Planning Authority in order to ensure compliance with the relevant legislation (Phone 020 8555 1200).

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CASE OFFICER: Adele Lawrence

Appendix 1: Site Context Plan and Site Plan

Appendix 2: Level Plans

Appendix 3: Pedestrian and Vehicular Access