

**Meeting of the London Legacy Development Corporation Planning Decisions Committee**

**Meeting Date:** Tuesday 23 October 2018

**Time:** 6.00 pm

**Venue:** Rooms 1, 2 & 3, LLDC, Level 10, 1 Stratford Place, Montfichet Road, London E20 1EJ

---

Members of the London Legacy Development Corporation Planning Decisions Committee are hereby notified and requested to attend the meeting of the Planning Decisions Committee of the Corporation at 6.00 pm on Tuesday 23 October 2018 to transact the business set out below.

This meeting will be open to the public, except for where exempt information is being discussed as noted on the agenda. A guide for the press and public on attending and reporting meetings of local government bodies, including the use of film, photography, social media and other means is available at

<https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>

---

**Committee Members:**

Philip Lewis (Chair)

Pam Alexander

Sukhvinder Kaur-Stubbs

Piers Gough CBE RA

James Fennell MRTPI MRICS

Emma Davies MRICS

Louise Wyman MRICS MLA

Councillor Rachel Tripp

Councillor James Beckles

Councillor Dan Tomlinson

Councillor Nick Sharman

- 1 Updates, Order of Business and Requests to Speak**
- 2 Apologies for Absence**
- 3 Declarations of Interest** (Pages 1 - 4)
- 4 Minutes of the Previous Meeting held on 25 September 2018** (Pages 5 - 26)
- 5 TSVC Building, Land bounded by Hepscott Road and Rothbury Road -  
17/00222/FUL** (Pages 27 -  
110)
- 6 Iceland Wharf, Fish Island, London - 18/00095/FUL** (Pages 111 -  
202)
- 7 Charging for pre-application planning advice on development proposals**  
(Pages 203 -  
214)
- 8 Decisions Made Under Delegated Authority** (Pages 215 -  
220)
- 9 Any Urgent Business**



**Subject:** Declarations of Interests Received for the 65<sup>th</sup> meeting of the Planning Decisions Committee

**Date:** 23 October 2018

**Venue:** Rooms 1, 2, 3 & Marketing Suite, LLDC, Level 10, 1 Stratford Place, Montfichet Road, London E20 1EJ

FOR NOTING

---

**This report will be considered in public**

---

**1. DECLARATION OF INTERESTS**

1.1 For the purposes of transparency, where a Member of the Committee is an elected Member of a Host Borough to which a planning application and/or other matter to be dealt with at this meeting relates, that fact will be set out in this report, noting that being an elected Member of a Host Borough in itself does not constitute a disclosable pecuniary interest. However, if the Member concerned does have a disclosable pecuniary interest for the reasons set out in section 3 of this report he/she will need to declare it prior to and/or at the meeting and take the necessary consequential actions. Any Member in attendance as a substitute will similarly need to declare any interests in the business on the agenda, including disclosable pecuniary interests, at the meeting.

**2. RECOMMENDATIONS**

2.1 In light of the items of business listed on the agenda for this meeting of the Committee, the relevant Members are asked to declare any disclosable interests and state whether or not any of the interests declared are or could:

2.1.1 fall within the definition of pecuniary interests as set out in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (Disclosable Pecuniary Interests Regulations) (as the same may be amended); or

2.1.2 If they are not disclosable pecuniary interests are classed as interests which are material and which conflict or may conflict with the interests of the Corporation.

2.2 That the interests set out below be noted.

### **3. EXPLANATION OF INTERESTS**

- 3.1 A Member of this Planning Decisions Committee who is present at a meeting of this Committee and who has and/or may reasonably be considered to have a pecuniary interest in any item of business before the meeting, shall at the meeting and as soon as practicable after its commencement disclose the nature and extent of his or her interest. Provided that, with regard to any disclosable pecuniary interest that falls within the definition of a sensitive interest (as set out in regulation 32 of the Disclosable Pecuniary Interests Regulations), the Member shall be permitted to disclose not the interest but the fact that he or she has a disclosable pecuniary interest in the matter concerned.
- 3.2 A Member who has and/or may reasonably be considered to have a disclosable pecuniary interest shall not unless he or she is granted a dispensation pursuant to regulation 33 of the Disclosable Pecuniary Interests Regulations:
- a) participate, or participate further, in the consideration or discussion of the matter and shall leave the meeting during its consideration; and
  - b) vote, or further vote, on any question or matter with respect to it.
- 3.3 A Member of this Planning Decisions Committee who is present at a meeting of this Committee and who has an interest that is not a disclosable pecuniary interest but is an interest (whether held directly or indirectly) which is material and which conflicts or may conflict with the interests of the Corporation shall at the meeting and as soon as practicable after its commencement disclose the nature and extent of that interest.
- 3.4 A Member who has disclosed an interest that is not a disclosable pecuniary interest but which is material and which conflicts or may conflict with the interests of the Corporation may, notwithstanding his or her interest, participate in the consideration or discussion and vote on the matter and be included for the purposes of a quorum at any meeting at which the matter is considered provided that:
- a) the Member or a Connected Person does not have a Registrable Interest in the matter, other than, in accordance with SO 6.4(a), where the Registrable Interest constitutes the holding of office as an elected member of one of the Growth Boroughs who is appointed to sit on the Committee, in which case the holding of that office of itself shall not constitute a matter which is material and which is considered to conflict with the interests of the Corporation; and
  - b) his/her interest does not give rise to a real danger of bias or is one which a member of the public aware of all the facts will regard as so significant that it is likely to prejudice the Member's judgement of how to act in the public interest.

- 3.5 For the purposes of determining whether or not a Member has an interest which is material and which conflicts or may conflict with the interests of the Corporation the meanings given to the terms "Registrable Interest" and "Connected Person" are set out in the Corporation's Standing Orders (approved September 2012, updated March 2017).
- 3.6 A Member shall not be counted in the quorum present at a meeting in relation to a resolution upon which s/he is not entitled to vote (SO6.2).

#### **4 FOR INFORMATION**

- 4.1 Elected Members of Host Boroughs to which planning applications relate (where applicable)
- Telereal Trillium - 17/00222/FUL
    - Councillor Dan Tomlinson, London Borough of Tower Hamlets
  - Iceland Wharf - 18/00095/FUL
    - Councillor Dan Tomlinson, London Borough of Tower Hamlets
- 4.2 Independent Members
- James Fennell is Chief Executive of Nathaniel Lichfields & Partners and Emma Davies is Managing Director of CBRE Planning UK.
  - Neither member has been involved in decision making on any of the matters listed in the Decisions Made under Delegated Authority item on this agenda.

This page is intentionally left blank



**Minutes of the Meeting of the London Legacy Development Corporation  
Planning Decisions Committee**

- Date:** Tuesday 25 September 2018  
**Time:** 6.00 pm  
**Venue:** Rooms 1, 2 & 3, LLDC, Level 10, 1 Stratford Place,  
Montfichet Road, London E20 1EJ
- Present:** Philip Lewis (Chair)  
Sukhvinder Kaur-Stubbs  
Piers Gough CBE RA  
Pam Alexander  
James Fennell MRTPI MRICS  
Louise Wyman MRICS MLA  
Councillor Dan Tomlinson  
Councillor Terry Wheeler  
Councillor Nick Sharman
- In Attendance:** Anthony Hollingsworth, Director of PPDT  
Catherine Smyth, Head of Development Management,  
PPDT  
Josh Hackner, Planning Development Manager  
Sara Dawes, Principal Planning Development Manager  
Richard McFerran, Principal Planning Development  
Manager  
Anne Ogundiya, Principal Planning Development Manager  
Russell Butchers, Senior Planning Development Manager  
Zena Hassan, Assistant Committee Secretary  
Jamie Lockerbie, Legal Advisor  
Jamie Mordue, Committee Secretary, GLA  
Chloe Newbold, Committee Secretary, GLA

## 1 Updates, Order of Business and Requests to Speak

1.1 The Chair welcomed Councillor Dan Tomlinson, a representative from London Tower Hamlets, to his first Planning Decisions Committee Meeting.

1.2 The Chair stated there were update reports for: Item 6 – Land adjacent to Eastcross Bridge, Queen Elizabeth Olympic Park, E20 18/00340/FUL; Item 11 – Plot S4 Substructure 18/00355/REM; and Plot S4 Superstructure 18/00354/REM; and Item 12 – Decisions made under Delegated Authority.

1.2 The Chair stated that the order of business would be as set out on the agenda.

1.3 The Chair stated that the following requests to speak had been received:

- Item 5 – Review of the Local Plan – Publication stage draft Local Plan

In objection of Officers' recommendation:

Stephen Wilkinson (Lee Valley Park)

- Item 6 - Land adjacent to Eastcross Bridge, Queen Elizabeth Olympic Park, E20 18/00340/FUL

In support of Officers' recommendation:

Craig Roberts (LLDC)

Ed Fane (LLDC)

Peter Le Masurier (Skywalk Adventure)

- Item 7 - Land at Marshgate, Pudding Mill, E15 2NH 17/00669/VAR

In support of Officers' recommendation:

Laura Jenkinson (GVA)

Ian Dubber (Workspace)

Scott Bailey (Anthology)

- Item 9 – Sugar House Island (formerly known as Strand East) Plots R7 and R8 – 17/00468/NMA and 18/00366/NMA and 17/00369/REM and 15/00384/REM

In support of Officers' recommendation:

Machiel van Soest, Vastint UK B.V.

Lauren Gilling, Vastint UK B.V

Andrew Cobden, Vastint UK B.V

Christopher Schiele, GL Hearn

Jennie Bean, GL Hearn

Antony Nelson, Planit-IE (Landscape Architects)

Michael Westlake, ARCVS-ML (Architects Plot R7)

Fiona Young, ARC-ML (Architects Plot R7)

Richard Lavington, MaccreeanorLavington Architects (Architects Plot R8)



## **2 Apologies for Absence**

- 2.1 Apologies for absence were received from Emma Davies MRICS, Councillor James Beckles and Councillor Rachel Tripp.

## **3 Declarations of Interest**

- 3.1 The Committee received the report of the Director of Planning Policy and Decisions which set out, for the purposes of transparency, where a Member of the Committee was an elected Member of a Host Borough to which a planning application and/or other related matters were to be dealt with at the meeting.

- 3.2 Elected Members of Host Boroughs to which planning applications relate (where applicable):

- Land adjacent to Eastcross Bridge, QEOP – High Ropes - 18/00340/FUL  
Councillor Rachel Tripp, London Borough of Newham  
Councillor James Beckles, London Borough of Newham  
Councillor Nick Sharman, London Borough of Hackney
- Marshgate Lane – 17/00669/VAR  
Councillor Rachel Tripp, London Borough of Newham  
Councillor James Beckles, London Borough of Newham
- 1-2 Hepscott Road – 15/00446/FUL – and 33-35 Monier Road 15/00212/FUL (Aitch Group)  
Councillor Dan Tomlinson, London Borough of Tower Hamlets
- Sugar House Island (formerly known as Strand East) Plots R7 and R8 – 17/00468/NMA and 18/00366/NMA and 17/00369/REM and 15/00384/REM  
Councillor Rachel Tripp, London Borough of Newham  
Councillor James Beckles, London Borough of Newham
- The International Quarter London, Building S9 – 18/00255/REM  
Councillor Rachel Tripp, London Borough of Newham  
Councillor James Beckles, London Borough of Newham
- The International Quarter London, Building S4 (Substructure) – 18-00355-REM and (Superstructure) – 18-00354-REM  
Councillor Rachel Tripp, London Borough of Newham

### 3.3 Independent Members

- James Fennell is Chief Executive of Nathaniel Lichfields & Partners and Emma Davies is Managing Director of CBRE Planning UK.
- Neither member has been involved in decision making on any of the matters listed in the Decisions Made under Delegated Authority item on this agenda.

## **4 Minutes of the Previous Meeting held on 24 July 2018**

4.1 The Committee received the minutes of the previous Planning Decisions Committee held on 24 July 2018.

4.2 At the meeting in July, the Committee had agreed to delegate authority to the Director of PPDT to consider any implications arising from the publication of the National Planning Policy Framework for each proposal prior to the issue of decision notices. The Committee requested that the minutes be amended to reflect this.

### **4.3 Resolved (Unanimously):**

**4.4 That the Minutes of the meeting on 24 July 2018 be amended to reflect the point raised above and then signed as a true record of the meeting.**

## **5 Review of the Local Plan – Publication stage draft Local Plan**

5.1 The Committee received the report of the Director of Planning Policy and Decisions and a presentation was also provided.

5.2 The Committee noted that, in September 2017, the Legacy Corporation Board had agreed to initiation of the Local Plan review. The purpose of the review process was to ensure the Plan remained up to date and relevant. As a result of the public consultation, as well as the requirements of the New National Planning Policy Framework and draft New London Plan, a number of proposed changes to the Local Plan were highlighted for the Committee.

5.3 The Committee noted a revised Community Infrastructure Levy (CIL) Charging Schedule. Proposed amendments had been assessed against the required viability evidence and reflected the amount currently paid by development as a result of indexation and introduced some new types of development for which a charge is proposed.

5.4 Officers advised that the comments and views of the Planning Decisions Committee on the proposed changes to the Local Plan and the CIL Charging Schedule would be reported to the Board. The Board would consider whether to approve the proposed changes, for the purposes of formal consultation and subsequent submission for Examination. Officers anticipated that the Examination was likely to take place in 2019 with adoption at the latter end of 2019.

- 5.5 Officers advised the Committee that the Local Plan Strategy for the area remained largely unchanged and the key issues were to ensure that the policies within the Plan were in general conformity with the new London Plan and met the requirements of current national planning policy.
- 5.6 Officers outlined the key potential changes to policies within the following areas: Employment and Economy; Housing; Design; Infrastructure; Sub areas; and site allocations.
- 5.7 The Committee heard that the key proposed changes within the Employment and Economy policies were as follows:
  - 5.7.1 Policy B.1 related to location and maintenance of employment uses. The policy had been updated to:
    - 5.7.1.1 align with the approach of the New London Plan, namely to protect industrial floorspace capacity within Strategic Industrial Location (SIL), Local Significant Industry Sites (LSIS), Other Industrial Location (OIL) and other non-designated sites;
    - 5.7.1.2 include recognition that the LLDC area is within the new 'retain capacity' category; and
    - 5.7.1.3 specifically support the introduction of a Cultural Enterprise Zone in Hackney Wick and Fish Island.
  - 5.7.2 Policy B.2 related to local centres, neighbourhood and a thriving town. The policy had been updated to:
    - 5.7.2.1 include a focus on culture and night time economy and;
    - 5.7.2.2 include new retail floorspace requirements, as provided for in the draft London Plan.
  - 5.7.3 Policy B.4 provided for low cost and managed workspace and had been updated to define and reflect London Plan definitions of 'low cost' and 'affordable' workspace.
  - 5.7.4 Policy B.5 was tailored to increase local access to jobs, skills and employment training. The policy had been updated to highlight opportunities of working with boroughs to support completion of apprenticeships and increase representation.
- 5.8 The key proposed changes within the Housing policies were:
  - 5.8.1 Policy H.1 provided for a mix of housing types and had been updated to:
    - 5.8.1.1 reflect the emphasis on small sites within the draft London Plan;

- 5.8.1.2 seek diversification in the range of housing provided to meet identified requirements; and
- 5.8.1.3 optimise housing delivery through Build to Rent models.
- 5.8.2 Policy H.2 was tailored to deliver affordable housing and had been updated to reflect the Mayor of London's Affordable Housing and Viability SPG and draft New London Plan threshold approach (35 per cent on private land/50 per cent on public land) whilst retaining the tenure mix of 60 per cent London Affordable Rent and 40 per cent Intermediate products.
- 5.8.3 New policies H.7 and H.8 were introduced to encompass Shared Living Accommodation and Innovative Housing Models, respectively. These policies set out approaches to suitable locations, design standards; achieving mixed and inclusive neighbourhoods and affordable housing.
- 5.9 The key proposed changes within the Design (Built and Natural Environment) policies, were:
  - 5.9.1 Following a review by the Quality Review Panel (QRP), both Policy BN.4 and BN.10 had been updated. Policy BN.4 was expanded to contain policy addressing the design of both residential and non-residential, including mix-used schemes; and BN.10 had been redrafted as 'Policy BN.5' to be clearer and more specific on acceptable locations, designs and policy tests for tall buildings.
  - 5.10 The Committee heard that the key potential changes within the Infrastructure policies, were:
    - 5.10.1 The Infrastructure Delivery Plan had been reviewed and an updated list of identified projects provided, which LLDC and its partners would seek to fund and resource. A school's study was undertaken and confirmed the need to continue to pursue school expansion in the longer term, in accordance with population change and growth.
    - 5.10.2 The general policies remained as previously drafted. There was a continued focus on the importance of development and enhancement of local connectivity which was further supported by the Transport Study undertaken as part of the evidence base for the Local Plan Review.
- 5.11 The Committee heard that proposed changes within the Site Allocations, were:
  - 5.11.1 SA1.4 Bream Street and SA1.5 Wick Lane had been deleted as both schemes had detailed planning permission and were under construction.
  - 5.11.2 There had been three new site allocations: SA4.4 Three Mills; SA4.5 Bow Goods Yards; and SA2.4 Chobham Farm North.
  - 5.11.3 Additional development plots and further residential development had been introduced to SA3.1 Stratford Town West.

- 5.11.4 All site allocations would include a minimum housing number and the applicable affordable housing threshold of either, 35 per cent or 50 per cent, dependent on whether the site was private or publicly owned.
- 5.12 The Committee heard from Stephen Wilkinson of Lee Valley Regional Park Authority (LVRPA), in objection to the Officers recommendations. Mr Wilkinson told the Committee that LVRPA manages the Lee Valley VeloPark and Hockey and Tennis Centre, and that these venues closely identified with the LLDC's commitment to the convergence agenda. Mr Wilkinson told the Committee that planning permission previously secured for minor changes to the site had been hard to secure as the site is situated within Metropolitan Open Land. To ensure long-term viability for the site, LVRPA had requested an exception to the policy requirements within the Local Plan, and those that related to Metropolitan Open Land, to allow future development on the site.
- 5.12 The Committee noted the objection of Mr Wilkinson, on behalf of LVRPA, and expressed support for officers' view that such an exception could not be considered a sound approach for a Local Plan. It was noted that the LVRPA are a significant partner in the LLDC area and the Committee agreed that it should be possible for officers to discuss the issue further with LVRPA representatives to find a form of words that would satisfy the specific concerns of LVRPA and Officers. In addition, the Committee emphasised its continued commitment to the convergence agenda.
- 5.13 A Committee member noted the retail floorspace for the Stratford Metropolitan site had been expanded and questioned the evidence-base for the expansion and drew attention to the current retail market climate. Comments on the Bow Goods Yard site allocation were also provided, though the Member indicated that he was clearer on the purpose of the text following discussion with officers. The requirement to retain design teams as part of securing design quality was questioned.
- 5.14 Members raised a distinction between affordable housing as a whole and social rented housing. Officers confirmed that London Affordable Rent was equivalent to social rent. Officers advised the Committee of the 35 per cent affordable housing target and, within this figure, an affordable housing tenure mix of 60 per cent London Affordable Rent/40 per cent intermediate housing. The Committee sought to clarify that the 35 per cent threshold stood as a minimum. A Committee member also commented on importance of the protection of industrial land and jobs within the Corporation area and ensuring adherence with the tall buildings policy.
- 5.15 The Committee asked what consideration had been given to safeguard the health and safety of children from the impacts of potentially mixed-use areas, for example from pollution. Officers advised that, although the school policy does not directly reference concerns such as transport and noise impacts, they were referenced elsewhere within other policy documents and agreed to ensure that the cross-referencing methodology is used to easily navigate between the

applicable policies. A question was asked about the site allocation for Bromley by Bow district centre and whether there was sufficient on the requirement to provide new pedestrian and cycle links and crossings in that development. Officers confirmed that this was included in the text of the site allocation.

- 5.16 Members noted the introduction of a shared living policy and highlighted the importance of mixed-communities and achieving a mix of uses within such development schemes. Concerns were raised of short-term tenancies. Officers reassured the Committee that the policy was drafted in accordance with Policy H18 of the draft London Plan.
- 5.17 Members noted the CIL rates and queried the term 'all others uses' and if the associated charge would apply to high-value enterprises. Officers explained that the way in which CIL rates were required to be developed and presented meant that it was not possible to distinguish between the potential viability or profitability of particular potential development schemes. It was also highlighted that it remained more appropriate to capture specific contributions from some development through s.106 agreements and that the LLDC adopted S106 and CIL SPD set out the approach that is taken to S106 agreement and CIL. The Committee stated that it would be useful to receive a list of potential 'other uses'.

**5.18 Resolved (unanimously):**

**5.18.1 To NOTE the draft revised Local Plan.**

**5.18.2 To NOTE the draft CIL Preliminary Draft Charging Schedule.**

**5.18.3 To NOTE the contents of the supporting documents attached to the report.**

**6 Land adjacent to East Cross Bridge, Queen Elizabeth Olympic Park – 18/00340/FUL**

**[Louise Wyman MRICS MLA left the meeting]**

- 6.1 The Committee received the updated report of the Planning Development Manager and noted the additional consultation responses received, revisions to condition 8 (Event Management Plan) and the revised recommendation. A presentation was also provided.
- 6.2 The Committee noted the planning application sought permission for the construction of a high ropes adventure course with two single storey buildings containing reception, store, accessible W.C and associated landscaping and infrastructure.
- 6.3 The Committee noted the site is within the North Park area of Queen Elizabeth Olympic Park (QEOP), within the London Boroughs of Hackney and Newham. The site runs parallel with Eastcross Bridge and much of the site is contained on the East of the River Lea. The Committee was shown photos of the site location within QEOP and drawings of the proposed single storey buildings.

- 6.4 The Committee was advised that the proposed scheme promotes the QEOP as a major visitor and tourist destinations and complied with the relevant policies within the Local Plan and London Plan.
- 6.5 Officers told the Committee that the course would comprise of 23 ‘tree-like’ columns, ranging between 6.8 and 14.8 metres in height with landing platforms on each. The key part of the proposal would be two zip-lines running across the River Lea. The single storey buildings would have a combined floorspace of 89sqm, which was considered minor in scale. QRP commended the design of the single storey buildings. The Committee were shown CGI drawings of how the scheme would look, both open and closed, and the area would be open to the public outside of operational hours.
- 6.6 Officers advised the Committee that the application was advertised in the newspaper and site notice. London Borough of Hackney had no objections. LLDC Design and Landscape Officers supported the proposals, subject to planning conditions securing material samples and detailed drawings.
- 6.7 The Committee was impressed that the structures resembled trees, would blend into the park and were influenced by the history of trees in the area. The main material proposed for the structures is Cumaru timber, which is commonly used in the Park and weathered well. Sampling of other materials was on-going.
- 6.8 Members queried how the existing trees would grow and interact with the facilities. Officers told the Committee that a planning condition would require the applicant to provide details of the relationship of the proposed structures with existing trees and how they would be maintained.
- 6.9 The Committee raised concerns as to whether one toilet would be sufficient for the scheme. Officers told Members that the site is in Metropolitan Open Land (MOL) and it was important to minimise the scale of the building as much as possible in order to preserve the openness of the MOL, and a neighbouring café could manage the additional flow of people. The applicant told the Committee that he had operational experience at a similar site in Sandown Park and that large queues were not a common occurrence.
- 6.10 The Committee questioned how the scheme would consider crowd control. Officers advised that the high-ropes would be ticketed and use timed. Customers would be unable to gain access when the course reached full capacity. Anticipated footfall is expected to be 240 people per day and the course could accommodate 60 people at one time. The applicant confirmed that the scheme was fully covered for insurance and no injuries had yet been reported on their facility elsewhere.
- 6.11 The cost to use the facility would vary between £10 and £30, and offers and discounts would be provided to local residents. Further, the scheme would employ between 10 and 25 staff, ideally from the local area. Members

suggested collaboration with local employment schemes, such as Hackney Works be secured.

**6.12 Resolved (Unanimously):**

**6.12.1 To APPROVE the applications, for the reasons given in the report and grant planning permission and advertisement consent subject to the conditions set out in this report.**

**6.12.2 To DELEGATE authority to the Director of Planning Policy and Decisions to:**

**1) Finalise the recommended conditions as set out in the report, including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary and;**

**2) Issue the decision notice following the conclusion of the consultation period, subject to no new material issues being raised in the consultation period.**

**7. Land at Marshgate Lane – 17/00669/VAR**

7.1 The Committee received the report of the Principal Planning Development Manager and a presentation was provided.

7.2 In May 2018, the Committee heard an application for a variation to condition 2 (approved drawings) of planning permission ref: 14/00422/FUL for a mixed-use development comprising 254 residential units within eight new buildings (ranging from 3-12 storeys) and 4,257m<sup>2</sup> Gross Internal Area (GIA) of commercial floorspace on three floors, within Buildings 1 and 2. The development would also provide public and private open space and routes; a 15m wide safeguarded area for new bus/pedestrians/cycle link; 69 car parking spaces (29 of which are for use by people with disabilities) and 597 cycle parking spaces (residential and commercial).

7.3 The Committee, at its meeting in May 2018, deferred the application for full planning permission to allow officers to work with the applicant to consider:

- 1) the proposed architectural expression;
- 2) the proposed mix of units;
- 3) how the development would provide a high-quality living environment for future residents;
- 4) the reduction in three bed units;
- 5) the proposed amendments to the appearance of the amended buildings; and
- 6) explore enhanced affordable housing.

7.4 Discussions with the applicant were held and the s.73 variation amended. The Committee was told that the s.73 variation would: increase employment use from



4,257m<sup>2</sup> to 5,472m<sup>2</sup>; decrease residential floorspace from 28,003m<sup>2</sup> to 27,514m<sup>2</sup>; optimise residential floorspace, increasing the number of residential units from 254 to 260, (an increase of 6 units over the consented scheme and a reduction of 15 units from the scheme deferred at the May Planning Decisions Committee (PDC) meeting). As revised since the May PDC meeting, the alterations proposed relate to Buildings 1, 2 and 3 only, including façades treatment.

- 7.5 In response to previously raised concerns by Members at the May PDC, the Committee was told that the figure for affordable housing had increased from 17.7 per cent to 21 per cent and overall family housing had increased from 60 per cent to 62 per cent, including a greater proportion of London Affordable Rent tenure. All previously proposed studio units had been removed and the provision of one and two bed apartments increased.
- 7.6 The Committee was shown the site location and CGI drawings of how the buildings would look on completion and advised that the recess between the commercial and residential floorspace had been reintroduced and was 2.5m in depth.
- 7.7 The Committee was provided with consultation responses from May 2018. No additional consultation was considered necessary and no further objections received.
- 7.8 Officers described the proposal as a sustainable regeneration scheme providing a significant amount of new housing, as well as commercial floorspace and new public open space, broadly in accordance with development plan policies; the application was considered to be acceptable in planning policy terms and the scale met the 'liveability' standards under the Mayor's Housing SPG.
- 7.9 A representative from Workspace (the applicant) was present and addressed the Committee. He advised that changes made to s.73 were to ensure that Workspace could provide the widest choice of business space to the business community; provide improved and increased affordable housing, whilst maintaining design quality; and provide up to 450 jobs through additional commercial floorspace.
- 7.10 Members sought clarity on the market rent for the commercial workspace and if this extended to affordable rent. The applicant advised that modelled rent is £20 per sq. ft and 10 per cent of commercial space was allocated to affordable rent, and, as set out in s.106 agreements, this would provide a 20 per cent discount on market rent, or roughly £16 per sq. ft.
- 7.11 Some Members noted the improvements made by the applicant and were excited by opportunities arising from the development.
- 7.12 Some Members were concerned that 21 per cent affordable homes had not reached the threshold as set by the Mayor in the draft London Plan. Conversely, it was noted that the scheme is subsidising affordable workspace and it is likely that the younger generation would benefit.

**7.13 Resolved (seven votes in favour; one abstention):**

**7.13.1 To APPROVE the application for the reasons given in the report and grant planning permission subject to:**

- 1. the satisfactory completion of the deed of variation to the original legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which were set out in the report; and**
- 2. the conditions set out in the report.**

**7.13.2 To CONFIRM that their decision has taken into consideration the environmental information addendum submitted in relation to the application, as required by Regulation 26(1) of the EIA Regulations.**

**7.13.3 To AGREE to delegate authority to the Director of Planning Policy and Decisions to:**

- 1. Finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the deed of variation to the original s.106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;**
- 2. Finalise the recommended deed of variation to the original legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and**
- 3. Complete the deed of variation to the original s.106 legal agreement referred to above and issue the planning permission.**
- 4. Determine the associated S96A application for non-material amendments referred to above.**

**8. 1-2 Hepscoth Road and 33-35 Monier Road - 18/00302/DOV and 18/00303/DOV**

**8.1** The Principal Planning Development Manager introduced the report and a presentation was also provided.

**8.2** The Committee noted that 1-2 Hepscoth Road was under construction and as approved would comprise a 6-storey mixed use development and provide 922 sqm

(GIA) of commercial space with yard area, 30 residential dwellings (seven affordable homes), 14 x one bed, 12 x two bed and 4 x three bed units, amenity areas, disabled parking, cycle parking and refuse/recycling stores.

- 8.3 The Committee noted that 33-35 Monier Road also under construction and as approved would comprise a six-storey mixed use development and provide 667m<sup>2</sup> of commercial workspace on the ground floor and 45 residential flats (10 affordable homes) on the upper floors; 15 x one bed, 17 x two bed and 13 x three bed. The proposal includes landscaped public realm, roof top level amenity space, on site cycle parking and refuse facilities.
- 8.4 The Committee was shown CGI drawings of Monier Road and Hepscott Road on completion, estimated for end of September 2019 and end of 2019 respectively.
- 8.5 The Committee was advised that the applicant wished to renegotiate the Heads of Terms of the s.106 legal agreements for both sites, as far as they related to affordable housing. The proposed deeds of variations sought to remove the requirement to provide seven units of affordable housing on the Hepscott site and to increase the number of affordable homes on Monier Road from 10 to 17, located on two floors of the six-storey block. Officers explained that the increase on Monier Road would counteract the loss of affordable housing at the Hepscott site.
- 8.6 In response to the consultation, the London Borough of Hackney had not objected to the proposed variations. In contrast, the view of the London Borough of Tower Hamlets was that the variation would result in off-site affordable housing provision, which should only be considered in special circumstances; the reason provided was not considered sufficient by Tower Hamlets. Tower Hamlets also responded that a minimum of 50 per cent affordable housing should be secured; and that the proposal would be contrary to their Council's policy DM3 of the Managing Development Documents.
- 8.7 Officers told the Committee that Policy H2 of the Local Plan says that off-site provision could only be considered where it:
1. provides equivalent number and type of affordable units across all sites related to the proposal;
  2. does not prejudice the delivery of affordable housing;
  3. is delivered at no financial advantage to developer;
  4. is linked to the completion of the market housing elements of the scheme;
  5. is located where able to provide for local housing needs; and
  6. would be beneficial to achieve and maintain mixed and balanced communities.
- 8.8 Officers stated that the possibility off-site affordable housing is provided for within the draft London Plan, where it would better deliver mixed and inclusive communities than if it was on-site. There was no financial advantage to the developer and figures had been cross-checked with LLDC viability consultants. The proposals as revised would still provide an appropriate balance and mix of units and the proposal would maintain the headline figures for affordable housing.

- 8.9 Some Members submitted that the proposal seemed to benefit only the housing association with no sufficient reason presented to the Committee. The Mayor had endorsed mixed community living and to approve the proposal would contradict the draft London Plan. Other Members submitted that affordable housing was present in three other of the developer's sites in this area, and that the request to release one building for private rental sector was reasonable.
- 8.10 A representative from Aitch Group, the applicant, was present and addressed the Committee. The Committee was advised that 256 residential units would be occupied by the end of October, subject to provision of utilities. The applicant's previous focus on private sales and affordable housing had now been extended to include a private rental portfolio. The applicant advised that property freeholds would be retained for both residential and commercial purposes and disclosed the intention to provide longer leases in future. Emphasis was placed on provision of different tenures and the challenges of residential housing were recognised.
- 8.11 Officers advised the Committee that a precedent would not be set if the recommendation was approved. Members were told that on-site affordable housing would still be the preference for affordable housing, and the current recommendation was the result of a unique set of circumstances and was a finely balanced decision.

**8.12 Resolved (six votes in favour, two against)**

**Application reference 18/00302/DOV**

**8.12.1 To APPROVE the Deed of Variation pursuant to s.106 of the Town and Country Planning Act 1990 (as amended) as detailed in Section 7 and the appended draft Heads of Terms.**

**8.12.2 To DELEGATE authority to the Director of Planning Policy and Decisions to:**

- 1. Finalise the Deed of Variation referred to above as the Director of Planning Policy and Decisions considers reasonably necessary; and**
- 2. Complete and issue the Deed of Variation referred to above.**

**Application reference 18/00303/DOV**

**8.12.3 To APPROVE the Deed of Variation pursuant to s.106 of the Town and Country Planning Act 1990 (as amended) as detailed in Section 7 and the appended draft Heads of Terms.**

**8.12.4 To AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to:**

- 1. Finalise the Deed of Variation referred to above as the Director of Planning Policy and Decisions considers reasonably necessary; and**

## **2. Complete and issue the Deed of Variation referred to above.**

### **9. Land at Sugar House (formerly known as Strand East); comprising R7 and R8**

- 9.1 The Principal Planning Development Manager introduced the report and a presentation was also provided.
- 9.2 The applicant submitted applications for sites R7 and R8 related to Non-Material Amendments and Reserved Matters (including approval of details).
- 9.3 The Committee was presented with two applications for Non-Material Amendments to the 2012 Planning Permission:
- 9.4 The first application requested the alteration of the parameter plans for 'Building Line Requirement', 'Maximum Storey Heights', 'Uses at Ground Floor' and 'Underground Car Parking Strategy'. All proposed changes had been considered non-material in nature and tested to demonstrate that they would not generate any significant, new or different environmental impacts.
- 9.5 The second application requested an alteration to the Site Wide Dwelling Mix specified in condition A15 of the 2012 permission. The application proposed increases to two and three bed units; and a reduction to the number of studios and one, four and five bed units. The total number of units remained the same and Officers considered the proposals acceptable.
- 9.6 The Committee was shown drawings of R7. The reserved matters proposals for Plot R7 were comprised of the following:
1. Scale and Appearance - a linear block along the Riverside Park with an 8 storey (Block A) element mirroring a similar block to the south at Plot R8, and a 4-storey element with a set-back fifth floor (Block B). In addition, a 14-storey accent tower with a 4-storey plinth element (Block C). The materials palette includes warm tones of brick and lighter tones of concrete. QRP have commended the scale and appearance of the Plot.
  2. Land use and Layout - 82 residential units (44 x 1beds; 13 x 2 beds; 25 x 3 beds) of which 11 (13.4 per cent) would be wheelchair adaptable units. In addition, 330sqm of commercial floorspace.
  3. A shared underground car park with Plot R8 which is accessed from Plot R7.
  4. Landscaping - All associated hard and soft landscaping within and surrounding the plot.
- 9.7 The Committee was shown drawings of R8. The reserved matters proposals for Plot R8 were comprised of the following:

1. Scale and Appearance - a linear block along the Riverside Park with an eight storey (Building A) element, and a 4-storey element with a set-back fifth floor (Building B). A 16-storey accent tower to the south of the plot (Building C), with a four-storey plinth element to the west (Building D). The material palettes for the Plot were presented to the Committee and it was noted that QRP have commented on the simplicity and elegance of the 16-storey tower.
  2. Land use and Layout - 116 residential units (52 x one beds; 20 x two beds; 23 x three beds; 21 x four beds, of which 12 (10.3 per cent) would be wheelchair adaptable units
  3. A shared underground car park with Plot R7, also accessed from Plot R7.
  4. Landscaping - all associated hard and soft landscaping within and surrounding the plot.
- 9.8 The applications also sought to discharge conditions related to housing quality, daylight, sunlight and overshadowing, parking management plan and waste management strategy.
- 9.9 Officers told the Committee that details of the applications were advertised by site and press notices and by letters sent to surrounding occupiers. No objections had been received but Officers drew the Committee's attention to consultation comments received. The Committee noted that QRP supported the proposals for Plots R7 and R8.
- 9.10 The Committee commended the design of the scheme and agreed with QRP comments.
- 9.11 Members asked Officers to expand on consultation comments received from the Canal and River Trust, which raised concerns for the height of Block C. Officers told the Committee that assessments of potential impacts had been carried out and overshadowing from this building was unlikely to be an issue due to its location. In addition, in order to protect the listed mill complex at Three Mills Island, the building heights parameter plan were amended in 2017 to remove storeys from Plot R2 and R4, and add them to Plots R7 and R8 so as not to lose units overall.
- 9.12 The Committee commented on the reduction of four and five-bedroom units, particularly the reduction of 5-bedroom units from 16 to zero. The applicant was present at the meeting and told that Committee that it was a necessary change to accommodate layout adjustments and retain high-standards of quality. The applicant assured the Committee that the scheme would continue to achieve the original agreement of 40 per cent housing units (two-bedroom units or above).

9.13 Resolved (seven votes in favour, one abstention)

**Non-Material Amendments – Plot R7 and R8 (ref:17/00468/NMA)**

9.13.1 To APPROVE the Application for Non-Material Amendments to Parameter Plans PP-1-101 rev B 'Building Line Requirement', PP-1-103 rev M 'Maximum Storey Heights', and PP-108 rev C 'Underground Car Parking Strategy' attached to planning permission ref: 12/00336/LTGOUT/LBNM dated 27<sup>th</sup> September 2012 (as amended).

**Non-Material Amendments – Site Wide Housing Strategy (ref:18/00369/NMA)**

9.13.2 To APPROVE the Application for Non-Material Amendments to vary Condition A15 (Site Wide Dwelling Mix) of planning permission ref: 12/00336/LTGOUT/LBNM dated 27<sup>th</sup> September 2012 (as amended).

9.14 Resolved (unanimously):

**Plot R7, 17/00369/REM**

9.14.1 To APPROVE the Application for the Approval of Reserved Matters for the construction of two blocks comprising 82 residential units and approximately 330sqm of non-residential floorspace (falling within Use Classes A1 (retail), A3 (restaurants and cafes), A4 (drinking establishments) and/or B1 (office)), an underground vehicular car park (including a connection to development Plot R8 at basement level), and hard and soft landscaping, pursuant to conditions A3 (Time Limits) and C1 (Reserved Matters – Layout, Scale, Appearance and Landscaping), and the partial submission of details pursuant to Conditions C8 (Housing Standards), C11 (Daylight, Sunlight and Overshadowing), C15 (Parking Management Plan) and C36 (Waste Management Strategy) of planning permission 12/00336/LTGOUT/LBNM dated 27<sup>th</sup> September 2012 (as amended).

**Plot R8, 15/00384/REM**

- 9.14.2 To APPROVE the Application for the Approval of Reserved Matters for the construction of two blocks comprising 116 residential units, an underground vehicular car park (including a connection to development Plot R7 at basement level), and hard and soft landscaping, pursuant to conditions A3 (Time Limits) and C1 (Reserved Matters – Layout, Scale, Appearance and Landscaping), and the partial submission of details pursuant to Conditions C8 (Housing Standards), C11 (Daylight, Sunlight and Overshadowing), C15 (Parking Management Plan) and C36 (Waste Management Strategy) of planning permission 12/00336/LTGOUT/LBNM dated 27th September 2012 (as amended).**
- 9.14.3 To DELEGATE authority to the Director of Planning Policy and Decisions to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary.**

**10. The International Quarter London, Building S9 – 18/00255/REM**

- 10.1 The Principal Planning Development Manager introduced the updated report to the Committee and a presentation was also provided.
- 10.2 The Committee was shown the emerging revised masterplan for the International Quarter Development. Buildings S5, S6, S7 and S8 had been built out and were occupied. Buildings at the northern end of the site were subject to on-going discussions related to the revised masterplan. Members were advised that an application for amendments to the approved Zonal Masterplan would be forthcoming in conjunction with applications for the northern plots.
- 10.3 The Committee was asked to note that the application was presented in conjunction with Agenda Item 11.
- 10.4 The Committee was presented with a reserved matters application, which sought approval for revised landscaping around Building S9 including public realm character areas known as Redman Place, Gallery Gardens, Bridge Plaza and Railway Walk. The Committee was shown plans for each of the character areas and CGI drawings of how the areas would look upon completion. Building S9 is due to open in Summer 2019 and would provide office space for British Council and Cancer Research.
- 10.5 The Committee noted that Redman Place (previously known as Carpenters Square) covered the majority of the area between S4 and S9. A north/south pedestrian/cyclist/vehicle route would run through the site. The majority of Redman Place would consist of a linear landscaped area known as Gallery Gardens, the design of which had responded to the British Council exhibition and would incorporate a covered stepped ‘amphitheatre’ for viewing projections/gallery



façade. Gallery Gardens would be divided into four planting zones: 'Rain Gardens'; 'Woodland Core'; 'Flowering Woodland' and 'Eastern Embrace'.

- 10.6 Officers advised the Committee that Orchard Walk and Bridge Plaza were located to the North of S9 and formed an important pedestrian route through the site. The service road for S9 is at the rear of the building. The Endeavour Square interface would be located to the South-east of Building S9. Bridge Plaza had been designed to host informal events such as buskers, dance and music; and Orchard Walk would link Bridge Plaza and Redman Place, framed with fruit-bearing trees including apple, plum and sweet cherry. The Committee was shown a detailed planting plan for each of the areas.
- 10.7 The Committee heard that Officers had assessed the proposed development and considered it to be in conformity with the Stratford City Outline Planning Permission and would largely be consistent with the approved Zonal Masterplan ('ZMP') and Site Wide Strategies for Zone 2. The reserved matter application proposed 4,765sqm of public open space, which would be in excess of the minimum requirements laid out in the ZMP. However, the character would be consistent with ZMP principles via provision of public gardens, pedestrian connections, park furniture, provision of public art, an area for seasonal displays and performances.
- 10.8 The Committee was provided with details of the various materials that would be used in the character areas such as stainless steel 'rails' that would evoke the area's railway history and would assist with wayfinding. The Committee noted that the quality and appearance of the public realm around Building S9 would be of a high standard and was supported by QRP.
- 10.9 Members commented on improvements to the landscape, namely the walkway by the railway, which would be a popular route; though concerns of encroachment into the public realm remained.
- 10.10 The Committee questioned access routes for pedestrians/cars/taxis. Officers advised that service access would be via Turing Street, at the rear of the building. Members were reminded of a requirement within the ZMP for the provision of a secondary vehicular route. This secondary route would be found North of Redman Place but due to on-going development, a temporary route had been in place. In addition, Officers told the Committee that car entry to Redman Place would be managed and restricted to blue badge holders, emergency vehicles and taxi drop offs.
- 10.11 **Resolved (Unanimously)**
- 10.11.1 **APPROVE application 18/00255/REM, with the FULL DISCHARGE of conditions B1, B8, B9, B10, Q1 and Q4 of the Stratford City Outline Planning Permission (10/90641/EXTODA) in relation to reserved matters for landscaping works for Plot S9 subject to the conditions set out within this report.**

**10.11.2 AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary.**

**11. The International Quarter London, Building S4 – 18/00355/REM and 18/00354/REM**

11.1 The Principal Planning Development Manager introduced the updated report and a presentation was also provided. The Committee was asked to consider the application in conjunction with Agenda Item 10.

11.2 The Committee noted the smaller footprint of Building S4, incorporated into the new masterplan. Various reasons were provided for the reduction, including the provision of additional space between sites. The new scheme would provide a 21-storey mixed building with a basement comprised of offices, retail and leisure uses; and associated landscaping.

11.3 The Committee considered two applications for reserved matters related to Building S4. The applications related to new substructure and superstructure details. The substructure application related to below-ground works in Building S4 and sought approval for details of the siting and engineering works, in-ground drainage services and utilities. The superstructure application related to above-ground work in Building S4, specifically the floorspace, uses, massing and associated landscaping.

11.4 The updated report, provided to the Committee, outlined that the s.96A application had been approved, which permitted the redistribution of leisure floorspace from IQL North to IQL South. The proposed development was considered to be in conformity with the Stratford City Outline Planning Permission and would largely be consistent with the ZMP and Site Wide Strategies for Zone 2. Further, the updated report confirmed that the applications would not be likely to give rise to new or different significant environmental effects.

11.5 The Committee was told that cycle parking would be located in the basement and accessed via a ramp. Whereas previously, the cycle hub was located on the ground floor. Retail and leisure uses would be on the ground and first floors with offices spaces above. Building S4 qualified as a tall building. Accordingly, Officers assessed the scheme against Policy BN10 and considered it compliant.

11.6 The Committee noted that public realm information for Building S4 had been set out in Agenda Item 10.

11.7 The Committee noted the comments received from QRP, which recommended further exploration of how to activate Turing Street. Officers told the Committee that Turing Street would provide parking for vehicles, a service street and a main route for taxis. A focus of further activity had been actioned at the site and improvements made. In addition, QRP had commented on the success of the

architectural expression of Building S4 by use of facades and materials. Officers informed the Committee of a new condition that would require a list of façade types and junctions to be agreed with the Local Planning Authority, prior to commencement of the relevant part of the development.

11.8 The Committee raised concerns related to encroachment on the public realm and emphasised that acceptance of Building S4 should not suggest acceptance of any future IQL site applications. The Director of Planning Policy and Planning Decisions noted the comments made and confirmed that these comments had and would continue to be, put to the applicant as part of pre-application discussion on the amended masterplan for the northern part of the IQL south site.

11.9 The Committee recognised the challenges of mixed-use development and commended the design of the building.

**11.10 Resolved (Unanimously)**

**11.10.1 To APPROVE application 18/00354/REM with the FULL DISCHARGE of conditions B1, B8, B9, Q1 and Q4 of the Stratford City Outline Planning Permission (10/90641/EXTODA) in relation to reserved matters for superstructure works for Plot S4, subject to the conditions set out in this report;**

**11.10.2 To APPROVE application 18/00355 /REM with the FULL DISCHARGE of conditions B1, B8 and B9 of the Stratford City Outline Planning Permission (10/90641/EXTODA) in relation to the substructure works for Building S4; and**

**11.10.3 To AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to make any refinements, amendments, additions and/or deletions to the proposed draft conditions as the Director of Planning Policy and Decisions considers reasonably necessary.**

**12. Decisions made under Delegated Authority**

12.1 The Head of Development Management introduced an updated report of decisions made under delegated authority.

12.2 The Committee were advised that the original delegated decisions report for July 2018, published in the Committee agenda included 14 decisions made in August 2018. The information and statistics had been updated and were reflected in a revised report.

12.3 Between 1-31 July 2018, 68 applications had been received and approved.

12.4 Between 1-31 August 2018, 39 applications had been received, of which 22 were approval of details; and all were approved.

12.5 Members requested, that in the future, the font size for the delegated decisions information be larger, so that it can be more easily read.

**12.5.1 To NOTE report and the attached Appendix 1 and 2.**

**13. Any Urgent Business**

13.1 A member commented on a recently decided planning application which allowed an additional storey to a house on the Trowbridge Estate. Concerns were raised that, as the application had been approved under delegated powers, a precedent could be set, which could have a detrimental impact on the estate. The Director of Policy and Planning Decisions noted the comments and confirmed that PPDT would set out a proposal for how future applications might be managed and that this would be the subject of a future meeting with the residents and the ward Member to discuss concerns and provide guidance.

**14. Close of Meeting**

14.1 The meeting ended at 09.20pm.

---

Chair

---

Date

**Contact Officer:** Zena Hassan, Assistant Committee Secretary; Tel: 020 3288 8834; Email: [planningcommittee@londonlegacy.co.uk](mailto:planningcommittee@londonlegacy.co.uk)



**Subject:** TSVC Building, Land bounded by Hepscoth Road and Rothbury Road, E9 5HH - 17/00222/FUL

**Meeting date:** 23 October 2018

**Report to:** Planning Decisions Committee

**Report of:** Richard McFerran, Principal Planning Development Manager

FOR DECISION

---

**This report will be considered in public**

---

## **1. EXECUTIVE SUMMARY**

- 1.1. The application seeks consent for the redevelopment of the TSVC/BT site which covers an area of 0.54ha and is bound by Rothbury Road and White Post Lane to the north, Hepscoth Road to the west, the Lea Tavern and 92 White Post Lane site to the east and the McGrath waste site to the south.
- 1.2. The application is for the demolition of existing buildings and structures and the erection of two urban blocks with four separate buildings (A-D) of six-storeys in height which would provide 145 residential units (2 x studio units; 45 x one-bedroom units; 88 x two-bedroom units and 10 x three-bedroom units); and 2,213 sqm of commercial floorspace, together with associated parking, access and landscape arrangements.
- 1.3. The proposals include the provision of new public realm in the form of a new north-south route known as Davey Way which would link into a wider adopted pedestrian route linking Hackney Wick Overground Station with Fish Island via the proposed replacement Roach Point Bridge. The urban blocks would be located either side of Davey Way. The block to the west would be a larger podium style block containing Buildings A-C. The smaller urban block, Building D, would be located on the eastern side of Davey Way. The proposals also include residential amenity areas, provision of 16 x Blue Badge parking spaces, a loading bay, cycle parking and refuse areas.
- 1.4. The application includes the provision of 35% affordable housing (when measured by habitable room), equating to a total of 50 units. The commercial floorspace would be located at ground floor level and would consist of two units to the north of the site fronting onto Rothbury Road and 1 unit to the south of the site fronting onto Davey Way.
- 1.5. The application site currently comprises a large low-rise industrial building which is used for storage purposes (Use Class B8) by BT Ltd. It covers an area of 1,349 sqm and adjoins a three-storey ancillary office building (630 sqm). These

buildings are broadly located in the centre of the site, set back from all sides, surrounded by car parking areas.

- 1.6. The site has a PTAL ranging between 2 and 3 with bus routes along White Post Lane and Rothbury Road and London Overground services at Hackney Wick Station (150m to the north).
- 1.7. The key matters for assessment set out in the report include the following:
  - Principle of Development including Affordable Housing and Employment Provision
  - Setting of Adjacent Conservation Area, Urban Design Analysis and Layout
  - Housing Tenure, Quality and Amenity
  - Transport
  - Environmental matters, including Energy and Sustainability
  - Planning Obligations
- 1.8. The scheme is considered to be acceptable on land use grounds noting that the proposed development includes a net uplift in the amount of employment floorspace provided on site and a significant increase in employment density. The proposed commercial space would be provided as flexible B1/B2/B8 use and would therefore respond to the aspirations for Hackney Wick and Fish Island as contained within the Hackney Wick and Fish Island SPD. The residential component is also considered to be acceptable noting that the 145 units are of an acceptable unit-mix and of acceptable quality noting their compliance with the standards contained within the Mayor's Housing SPG. The housing provision will also make a welcome contribution to LLDC's housing targets.
- 1.9. With respect to affordable housing, the original offer constituted 15%, which was considered unacceptable by PPDT. Following subsequent assessment of the submitted viability statement, officers were able to negotiate 35% onsite affordable housing which PPDT's Viability Consultant has confirmed exceeds their view of what is the technically viable amount of 19.4%. The tenure split has been negotiated as 20% London Living Rent units, 31% London Affordable Rent units and 49% shared-ownership units. The affordable offer is therefore considered to be acceptable and would comply with the guidance contained within the Mayor's Affordable Housing and Viability SPG.
- 1.10. The proposals are considered to be of an acceptable density for the site's accessibility level and surrounding context. The layout, scale and massing has been assessed as acceptable and in accordance with Policy BN.10 noting that the proposals have been subject to QRP review who considers the architecture to have the potential to be 'outstanding' subject to conditions. The architectural expression and selection of materials is considered to be of a very high quality and combined with the massing is considered to respond positively to the surrounding area. It is acknowledged that PPDT's Heritage Consultant considers that the development would result in less than substantial harm to nearby heritage assets including the adjacent Fish Island & White Post Lane Conservation Area. However, in accordance with the test set out at para. 196 of the NPPF it is considered that the public benefit associated with the scheme, including a good affordable housing offer, increased employment floorspace and provision of land for a new north/south pedestrian route, would outweigh the limited harm.

- 1.11. The proposals would also deliver a high quality public realm and would comply with the Hackney Wick and Fish Island SPD through the provision of the provision of new public realm in the form of a new north-south route known as Davey Way which would link into a wider adopted pedestrian route linking Hackney Wick Overground Station with Fish Island via the proposed replacement Roach Point Bridge.
- 1.12. The proposed development would perform well in environmental terms. The units within the scheme would receive good levels of sunlight and daylight and would have a minimal impact on surrounding buildings and consented schemes. Subject to appropriate conditions the scheme would also have an acceptable performance in energy and sustainability terms and a carbon offset payment of £184,068.00 would be secured through the s106 agreement.
- 1.13. Subject to conditions, and measures proposed to be secured by s106 legal agreement, it is considered that the impacts of the scheme can be robustly mitigated. The scheme is considered to represent a sustainable form of development in compliance with relevant planning policies and subject to legal obligations to be secured through a s106 Agreement.

## **2. RECOMMENDATIONS**

### **2.1 The Committee is asked to:**

- a) **Approve the application for the reasons given in the report and grant planning permission subject to:**
- 1. the satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and**
  - 2. the conditions set out in this report.**
- b) **Agree to delegate authority to the Director of Planning Policy and Decisions to:**
- 1. Consider any direction from the Mayor of London and to make any consequential or necessary changes to the recommended conditions and/or recommended heads of terms;**
  - 2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;**
  - 3. Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this**

**report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and**

- 4. Complete the section 106 legal agreement referred to above and issue the planning permission.**

### **3. FINANCIAL IMPLICATIONS**

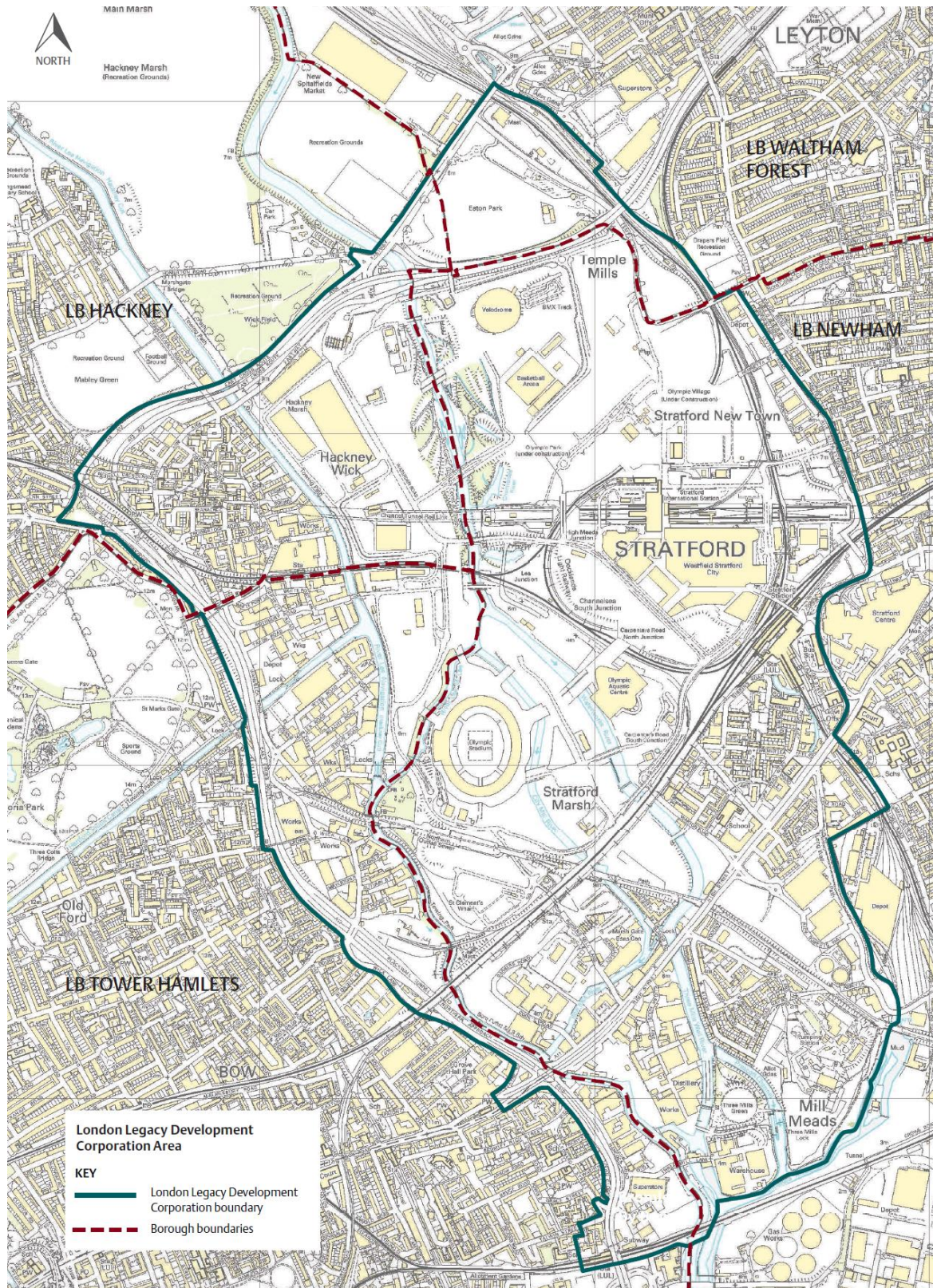
- 3.1. There are no financial implications as a result of this application.

### **4. LEGAL IMPLICATIONS**

- 4.1. The recommendation is that planning permission is granted, subject to completion of a s106 legal agreement to ensure adequate mitigation of the impacts of the development. The contents of the required s106 agreement is described in this report (Draft Heads of Terms).



# Site Plan



© Crown copyright and database rights 2012 Ordnance Survey 100050265

<b>Location:</b>	Land bounded by Hepscoth Road and Rothbury Road, TSVK Building, London, E9 5HH
<b>London Borough:</b>	London Borough of Tower Hamlets
<b>Proposal:</b>	Demolition of existing buildings/structures and the erection of four blocks of six-storeys in height comprising 145 residential units (2 x studio units; 45 x one-bedroom units; 88 x two-bedroom units and 10 x three-bedroom units) and 2,213 sqm of commercial floorspace (Use Class B1/B2/B8), together with associated parking, access and landscape arrangements.
<b>Applicants:</b>	Telereal General Properties GP Limited
<b>Agent:</b>	GL Hearn
<b>Architecture:</b>	Carey Jones Chapman Tolcher (CJCT)

**Figure 1: Application site (highlighted in red) in the context of the wider Fish Island area.**



## 5. SITE & SURROUNDINGS

5.1. The application site is a 0.54-hectare site that is located in Hackney Wick within the London Borough of Tower Hamlets (LBTH). The site is bounded by Rothbury

Road to the north, Hepscott Road to the west, the Lea Tavern and 92 White Post Lane sites to the east and the McGrath recycling/waste transfer site to the south.

- 5.2. The site currently comprises a large single storey warehouse, a three-storey office building and surface car-parking around the perimeter of the site. The site is enclosed on all sides by metal security fencing. Existing vehicular access to the site is from Hepscott Road and the junction of White Post Lane and Rothbury Road.
- 5.3. Historically the site had been occupied by residential development. However, this was cleared in the mid-20<sup>th</sup> Century and has been used for commercial purposes ever since. The site is currently occupied by TSVC and is utilised by BT Ltd for warehouse/storage purposes; however, BT have advised that the facilities are no longer fit for purpose and that the existing operations will be relocated to another site in due course. The current use of the site is considered to be Use Class B8 (storage and distribution), with some ancillary office floorspace.
- 5.4. Hackney Wick is an area that is undergoing substantial change as supported by the relevant policies within the LLDC Local Plan (2015). The character of the area over recent decades has been largely industrial intermixed with a community of artists and makers who have been attracted by low rents within a number of warehouse buildings in the area. New development in the area seeks to re-provide employment floorspace but also deliver a significant number of new homes that takes advantage of the strategic location close to Hackney Wick Overground Station and the amenities of the Queen Elizabeth Olympic Park.
- 5.5. Construction has already commenced on a number of nearby development sites including 54-56 White Post Lane (15/00416/FUL) and 24-26 White Post Lane (15/00540/FUL) which are residential schemes with employment floorspace at ground floor level, whilst a similar scheme at nearby 25 Trego Road (17/00225/FUL) was approved in September 2018. A larger scheme (16/000451/OUT) of a similar nature for the McGrath site to the south of the application site also benefits from committee resolution for approval and the s106 is currently being finalised. As part of the regeneration of the surrounding area an application (17/00307/FUL) for a new pedestrian bridge, to connect into the Neptune Wharf development and Roach Road to the south of the Hertford Union Canal, was approved in October 2017.
- 5.6. The site is not located within a conservation area; however, it is adjacent to the Fish Island and White Post Lane Conservation area which abuts the site to the north, east and south and is characterised by small clusters of industrial buildings which date from the 1860s onwards. The nearby buildings at 92 White Post Lane and the McGrath House and outbuildings are recognised within the conservation area appraisal as non-designated heritage assets.
- 5.7. The site currently has a public transport accessibility (PTAL) rating of between 2 and 3 noting that it is approximately 150m from Hackney Wick Overground Station and is within a 20-25-minute walk of Stratford Station (providing access to DLR, Underground and National Rail services). There are also three bus routes running within close proximity of the site. The site is located within LBTH's Controlled Parking Zone (CPZ) B4.

- 5.8. The site lies outside the Hackney Wick neighbourhood centre boundary (which runs to the north along Rothbury Road and White Post Lane) as proposed within the Hackney Wick & Fish Island SPD. The site is also located within an area of flood risk noting that the EA flood maps for planning show that the site is located within Flood Zone 3 in an area benefitting from flood defences and protected from river flooding up to the 1 in 100-year (1% annual probability) event.
- 5.9. The application site is not subject to a site allocation policy as identified within the LLDC Local Plan. However, the adjoining Wickside and Trego Road sites are subject to Site Allocation Policy SA1.3: Hepscott Road, which promotes the comprehensive mixed-use redevelopment of the site to include employment, residential, creative and cultural uses and a linear park.

## **6. RELEVANT PLANNING HISTORY**

### **Application Site**

- 6.1. PA/77/00342 – Development of Telephone Service Centre (TSVC) for the Post Office, comprising section stock storage, office and welfare and vehicle parking (Approved – January 1978).
- 6.2. PA/78/00377 – Erection of perimeter fence 2.9-3.0 metres high to enclose site (Approved – August 1978).
- 6.3. PA/05/00048 – Erection of single storey extension to existing storage building (March 2005).
- 6.4. The following planning applications for neighbouring sites are also a relevant consideration to this application:

### **Neptune Wharf Site**

- 6.5. 12/00210/OUT - Outline planning application for comprehensive mixed use redevelopment of the site known as 'Neptune Wharf', as set out in the Development Specification (October 2013), in up to 4 phases/zones containing up to 18 buildings to provide for a mix of land uses: Phases/Zones 1 and 2 comprising: Application for outline permission (all matters reserved) for 1 No. Building (Block A); and Application for outline permission (landscaping reserved) for 13 No. Buildings (Blocks B-N) including: Residential floorspace (Use Class C3) comprising 422 dwellings (37,440sqm GIA); Non-residential floorspace (Use Classes A, B and D) comprising 3,348sqm GIA; Phases/Zones 3 and 4 Application for outline planning permission (with all matters reserved except access) to provide 4 Buildings (Blocks O, P, Q and R) including development comprising: Residential floorspace (Use Class C3) providing up to 7,691sqm GIA or up to 100 dwellings; Non-residential floorspace (Use Classes A, B and D1) providing up to 6,255sqm to include: Local retail, service, and food and drink uses (Use Classes A1-A4); Business premises (Use Classes B1); and 3 Form Entry Primary School (Use Class D1).

(Application Approved – March 2014)

### **52 – 54 White Post Lane, E9 5EN**

- 6.6. 15/00416/FUL - Demolition of existing buildings and structures and erection of a five (5) to six (6) storey building to provide 2367 sqm (GIA) of commercial space

(use class B1c) with commercial yard area for servicing, 55 residential dwellings (19 x 1 bed, 19 x 2 bed and 17 x 3 bed), upper level amenity areas, cycle parking and refuse/recycling stores.

(Application Approved – April 2016)

**24 – 26 White Post Lane, E9 5EN**

- 6.7 15/00540/FUL - Demolition of existing buildings and structures and erection of four new linked buildings of up to six storeys and 21.3m in height (maximum of 26.2m AOD) to provide 2,916sqm business floor space (Use Class B1c), 103 residential units (Class C3), commercial yard, new public realm, vehicular access, together with car and cycle parking, landscaping and other associated works.

(Application Approved – May 2016)

**1 – 2 Hepscott Road, E9 5HB**

- 6.8 15/00446/FUL - Full planning permission for mixed use redevelopment comprising: Demolition of existing buildings and construction of a new 6 storey building to provide 917 sqm (GIA) of commercial space (use class B1c) with yard area, 31 residential dwellings (13 x 1 bed, 12 x 2 bed, 5 x 3 bed and 1 x4 bed), amenity areas, disabled parking, cycle parking and refuse/recycling stores.

(Application Approved - June 2016)

**Hackney Wick Central**

- 6.9 16/00166/OUT - Outline planning application (with all matters reserved except access) as set out in the Development Specification for the demolition of 28,281sqm GIA of existing buildings on site and development of a phased comprehensive mixed-use development (Phases 1, 2 and 3) of up to 119,242sqm GIA floor space to be compliant with Design Code. Residential (Use Class C3) of up to 78,931sqm to deliver approx. 874 units; Employment (Use Classes B1a and B1c) of a minimum of 29,908sqm; Retail (Use Classes A1-A4) of up to 4,493sqm; and Community Facilities (Use Class D1/D2) for a minimum of 381sqm and up to 2,318sqm; with up to 3,593sqm of on plot undercroft or basement car parking, together with a minimum of 23,359sqm public realm, play space, open space and associated vehicle access.

(Application reported to Planning Decisions Committee on 25<sup>th</sup> April 2017 and benefits from committee resolution to approve. Application currently awaiting GLA stage II decision and signing of s106 agreement.)

**Queen's Yard, White Post Lane, E9 5EN**

- 6.10 16/00271/OUT - Hybrid planning application for the mixed-use redevelopment comprising: 1) Application for planning permission for the demolition of all buildings on site. 2) Application for Outline planning permission for a new theatre (use class sui generis) providing up to 1,500 sqm (GIA) of floorspace with associated access and servicing arrangements. 3) Application for full planning permission for mixed use redevelopment to provide 2,562sqm (GIA) of flexible commercial floorspace (use class B1(a), (b)&(c)), 116 residential units (use class C3), an enhanced public realm (including working yard), amenity space, car parking, cycle parking and all associated works.

(Application Pending Consideration)

**McGrath Depot, 3 – 13 Hepscott Road, E9 5HB**

6.11 16/00451/OUT - Proposal: 'Hybrid' planning application for mixed-use redevelopment of 2.88ha site comprising:

- 5 retained/part-retained/refurbished buildings, demolition of all remaining operational buildings, structures and plant.
- up to 39 blocks to provide for a mix of land uses comprising: Residential (476 units) (up to 51,758sqm GIA) (Use Class C3); Commercial and Community Uses (up to 10,849sqm GIA) (Class A, B, D1/2);
- new open space and public realm including canal-side urban park, private and communal amenity space, and associated landscaping;
- Provision of new site access points, pedestrian and vehicular access routes, surface and underground car parking and cycle parking, servicing.
- Associated site works including excavation and re-grading of levels, utility diversions/upgrades and other supporting infrastructure/engineering works.

(Application went to Planning Decisions Committee on 22<sup>nd</sup> May 2018 and benefits from committee resolution to approve. Application currently awaiting GLA stage II decision and signing of s106 agreement.)

**25-37 Rothbury Road, E9 5EN**

6.12 16/00441/FUL - Application for full planning permission for mixed use redevelopment comprising: construction of a new 6 storey building to provide 645 sqm (GIA) of commercial space (use class B1) with yard area, 23 residential dwellings (7 x 1 bed, 11 x 2 bed and 5 x 3 bed), amenity areas, cycle parking and refuse/recycling stores.

(Application Approved – December 2017)

**25 Trego Road, E9 5HJ**

6.13 17/00225/FUL - Application for full planning permission for demolition of the existing building and erection of a new building ranging between one and six storeys in height to provide 1,915sqm of commercial floorspace (Use Class B1) at ground and lower-ground floor level and 52 residential units (Use Class C3) on the upper floors, together with associated landscaped public open space, communal amenity terraces, cycle parking and refuse stores.

(Application Approved – September 2018).

**Roach Point Bridge**

6.14 17/00307/FUL - Removal of existing Roach Point pedestrian bridge and erection of a replacement pedestrian and cycle bridge across the Hertford Union Canal, with new northern and southern approaches and associated infrastructure and landscaping.

(Application Approved – October 2017)

## 7. APPLICATION PROPOSALS

- 7.1. The application seeks consent for the demolition of the existing buildings and structures and the erection of four blocks of six storeys in height comprising 145 residential units (2 x studio units; 45 x one bedroom units; 88 x two bedroom units; and 10 x three bedroom units) and 2,213m<sup>2</sup> of commercial floorspace, together with associated parking, access and landscape arrangements including the provision of a new public connection through the site to enable the pedestrian link between Hackney Wick Station and Fish Island.
- 7.2. Following submission of the application, amendments have been made to:
- Increase the provision of affordable housing, from 15% to 35% by habitable room.
- 7.3. The overall number of units and the height and massing of the development remains as submitted.
- 7.4. The proposed development would take the form of two urban blocks. This has largely been derived from the requirement to provide the north-south route, known as Davey Way, through the site. The larger urban block would be located on the western side of Davey Way and would feature commercial space at ground floor level and residential units on the upper floors. It takes the form of a podium block with three separate buildings, Buildings A, B and C, of 6 storeys in height. The podium level at first floor would be used as communal amenity space. At ground floor level, the commercial floorspace would wrap around the central service area, car park, cycle stores and refuse stores. The car park would be accessed from Hepscoth Road and would have the capacity for 16 blue badge spaces together with a loading bay for the commercial use. Half of the units within Building A would be accessed from a central core and internal corridor, whilst the remaining half would be accessed via an external deck access. All of the units within Buildings B and C would be accessed from central cores and internal corridors.
- 7.5. The smaller urban block, known as Building D, would be located on the eastern side of Davey Way and would also be 6 storeys in height. Building D would have a commercial unit at ground floor level with residential units on the upper floors. All residential units would be accessed from external access decks and would have access to an area of communal amenity space. Building A would house a total of 40 residential units (max 8 units per core), Building B would house a total of 50 residential units (max 5 units per core), Building C would house a total of 40 residential units (max 8 units per core) and Building D would house a total of 15 residential units (max 3 units per core).
- 7.6. The external elevations of the buildings have been designed to respond to the surrounding context. The elevations of Buildings A, B and C which would front onto the existing streets, Rothbury Road and Hepscoth Road, would have a formal repetitive aesthetic which would be resultant from a brick frame which would delineate repeating bays across the elevations. Depth and texture to these elevations would be provided by inset brickwork and soldier course detailing. The fenestration to these elevations would continue the formal approach, whilst balconies would be inset and feature metal balustrades to reference the industrial heritage of the area.

- 7.7. The elevations of Buildings C and D, which would front onto Davey Way, would also feature regular bays in order to reinforce this as an important public thoroughfare. However, the language of these elevations would shift to a less formal arrangement by way of a more playful approach to fenestration with windows within the vertical bays being offset from each other.
- 7.8. The rear elevations of Buildings A, B and C would front onto the residential courtyard and would feature a formal fenestration arrangement with less formal balcony strategy to include projecting metal balconies that would be offset from one another to provide visual interest. The rear of the eastern wing of Building A and the rear of Building D would contain the access decks which would connect the building core with unit entrances within these buildings.
- 7.9. All units within the proposed development would benefit from access to balconies, either inset balconies where they face the public realm or projecting balconies where they would face onto the podium courtyard. The scheme would also provide 1,474 sqm of communal amenity space, including 1,324 sqm to the podium between Buildings A, B and C and 150 sqm to the east of Building D. 438 sqm of play space would also be provided.
- 7.10. Buildings A and C would be finished in dark multi-stock facing brickwork with a lighter multi-stock facing brickwork used on courtyard facades. Buildings B and D would be finished in stock brickwork to reflect the different character of the new north-south public route.
- 7.11. The podium between the buildings would have a pre-cast concrete finish whilst the openings to the commercial units would feature a bronze metal surround. The glazed elements would also be designed to be able to accommodate perforated metal screens which could be used to provide privacy to occupants of the commercial units where necessary.
- 7.12. The development would also provide the northern portion of the north-south through route which is known as Davey Way. The route is designed to improve pedestrian connections in this part of Hackney Wick and will provide a direct route between Hackney Wick Overground Station and the Hertford Union Canal. The pedestrian route has been designed to mirror the alignment, width, gradient and design of the southern end of the through route as approved under 17/00307/FUL. A sculptural wall and pedestrian steps would be included in order to deal with the change in level between Davey Way and the ground floor level of Building C.
- 7.13. A total of 244 cycle spaces for the residential use would be provided in secure stores adjacent to the separate entrance cores within the development. A further 4 spaces for visitor parking would be provided within the public realm. 22 cycle spaces would also be provided for the commercial uses in separate stores.
- 7.14. The residential accommodation of 145 units is broken down by unit type and tenure as follows:



**Table 1: Breakdown of unit and tenure mix.**

	Private	London Affordable Rent	London Living Rent	Shared Ownership	Total
<b>Studio</b>	2	0	0	0	2
<b>1 bed 2 person</b>	24	0	5	16	45
<b>2 bed 3/4 person</b>	69	9	2	8	88
<b>3 bed 5 person</b>	0	4	3	3	10
<b>Total</b>	95	13	10	27	145

- 7.15. The 145 residential units would comprise 2 x studio units (1.3%); 45 x 1-bedroom units (31%), 88 x 2-bedroom units (60.7%) and 10 x 3-bedroom units (7%).
- 7.16. A total of 50 units would be affordable. 13 of these would be on an London Affordable Rent basis (9 x 2-bedroom units; and 4 x 3-bedroom units).
- 7.17. 10 of the affordable units would be made available on a London Living Rent basis (5 x 1-bedroom units; 2 x 2-bedroom units; and 3 x 3-bedroom units). London Living Rent is described within the Draft London Plan (2017) as a new type of intermediate housing designed to help households on average earnings save for a deposit to buy a home of their own. Eligibility for London Living Rent is restricted to households renting privately or socially with a maximum household income of £60,000.
- 7.18. The remaining 27 affordable units would be available on a shared ownership basis. The shared ownership units would be marketed to a range of income thresholds below the GLA cap of £90,000 in order to ensure affordability. 50% of the shared ownership units would be available on the GLA income thresholds, whilst the remaining 50% would be available on lower income thresholds (£45,000 for 1-bed units and £65,000 for 2-bed units). The marketing would be for a minimum period of 6 months after which the income cap would revert to the GLA cap.
- 7.19. The affordable housing would be located in Blocks C and D of the development. All London Affordable Rent units would be located in Block D alongside 2 x London Living Rent units. The remaining 8 x London Living Rent units would be located in Block C together with all Shared Ownership units.
- 7.20. The development has a residential density of 265 dwellings per hectare; which falls outside the density range set by The London Plan of 100 -240 dwellings per hectare, for the accessibility level of the site.
- 7.21. 10% of all dwellings within the development would be designed as wheelchair accessible or adaptable dwellings.
- 7.22. The 2,213sqm of commercial floorspace (Use Class B1 a - c) would be located on the ground floor of the development and would front on to Davey Way, McGrath Road and Rothbury Road. The commercial space has been designed to be flexible in layout so that it can accommodate a range of unit sizes with floor to ceiling heights of up to 4.5m to accommodate creative uses.

## 8. POLICIES & GUIDANCE

### National Planning Policy Framework

- 8.1. The revised National Planning Policy Framework was published in July 2018. This document sets out the Government's planning policies for England including the presumption in favour of sustainable development. It is a material consideration in the determination of all applications. The policies in the NPPF are therefore material considerations in the determination of applications.
- 8.2. The following NPPF sections are relevant to this planning application:
- 4. Decision making
  - 5. Delivering a sufficient supply of homes
  - 6. Building a strong, competitive economy
  - 8. Promoting healthy and safe communities
  - 9. Promoting sustainable transport
  - 10. Supporting high quality communications
  - 11. Making effective use of land
  - 12. Achieving well-designed places
  - 14. Meeting the challenge of climate change, flooding and coastal change
  - 16. Conserving and enhancing the historic environment
- 8.3. For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the adopted 'Development Plan' for this site current is The London Legacy Development Corporation's Local Plan 2015-2031 (July 2015) and the London Plan (2016).

### The Draft London Plan (December 2017)

- 8.4. The Mayor of London published a draft new London Plan on 29th November 2017, which has been submitted for its Examination in Public along with minor suggested changes. The policies in the draft new London Plan currently have limited material weight when making planning decisions. This report may make reference to policies within the new London Plan where they are directly relevant to the assessment of the application proposal. However, the relevant development plan policies remain those within the current London Plan (March 2016) and the LLDC Local Plan (July 2015).

### The London Plan (March 2016)

Policy 2.4	The 2012 Games and their legacy
Policy 2.9	Inner London
Policy 2.13	Opportunity areas
Policy 2.14	Areas for regeneration
Policy 3.4	Optimising Housing Potential
Policy 3.5	Quality and Design of Housing Developments
Policy 3.9	Mixed and Balanced Communities
Policy 3.10	Definition of Affordable Housing
Policy 3.12	Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
Policy 3.12	Affordable Housing Thresholds
Policy 4.1	Developing London's Economy

Policy 4.12	Improving Opportunities for All
Policy 5.2	Minimising Carbon Dioxide Emissions
Policy 5.3	Sustainable Design and Construction
Policy 5.5	Decentralised Energy Networks
Policy 5.6	Decentralised Energy in Development Proposals
Policy 5.7	Renewable Energy
Policy 5.9	Overheating and Cooling
Policy 5.11	Green Roof and Development Site Environs
Policy 5.12	Flood Risk Management
Policy 5.13	Sustainable Drainage
Policy 5.15	Water Use and Supplies
Policy 5.17	Waste Capacity
Policy 5.21	Contaminated Land
Policy 6.3	Assessing the Effects of Development on Transport Capacity
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.1	Building London's Communities and Neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.4	Local character
Policy 7.5	Public realm
Policy 7.6	Architecture
Policy 7.7	Location and Design of Tall and Large Buildings
Policy 7.8	Heritage Assets and Archaeology
Policy 7.14	Improving Air Quality
Policy 7.15	Reducing Noise and Enhancing Soundscapes
Policy 7.19	Biodiversity and access to nature
Policy 8.2	Planning Obligations

London Legacy Development Corporation Local Plan (July 2015)

Policy SP.1	Building a strong and diverse economy
Policy S.1	Health and Wellbeing of prospective residents.
Policy B.1	Location and maintenance of employment uses
Policy B.2	Thriving town, neighbourhood and local centres
Policy B.4	Providing low-cost and managed workspace
Policy B.5	Increasing local access to jobs, skills and employment training
Policy Cl.1	Providing new and retaining existing community infrastructure
Policy H.1	Providing a mix of housing types
Policy H.2	Delivering affordable housing
Policy SP.2	Maximising housing and infrastructure provision
Policy SP.3	Integrating the built and natural environment
Policy SP.4	Planning for and securing infrastructure
Policy BN.1	Responding to place
Policy BN.3	Maximising biodiversity
Policy BN.4	Designing residential schemes
Policy BN.5	Requiring inclusive design
Policy BN.8	Maximising opportunities for play
Policy BN.10	Proposals for tall buildings

Policy BN.11	Reducing noise and improving air quality
Policy BN.12	Protecting archaeological interest
Policy BN.13	Improving the quality of land
Policy BN.16	Preserving or enhancing heritage assets
Policy T.2	Transport Improvements
Policy T.4	Managing development and its transport impacts to promote sustainable transport choices and prioritise pedestrians and cyclists
Policy T.5	Street Network
Policy T.6	Facilitating local connectivity
Policy T.7	Transport assessments and travel plans
Policy T.8	Parking and parking standards in new development
Policy T.9	Providing for pedestrians and cyclists
Policy T.10	Using the waterways for transport
Policy SP.5	A sustainable and healthy place to live and work
Policy S.1	Health and wellbeing
Policy S.2	Energy in new development
Policy S.3	Energy infrastructure and heat networks
Policy S.4	Sustainable design and construction
Policy S.5	Water supply and waste water disposal
Policy S.6	Waste reduction
Policy S.7	Overheating and urban greening
Policy S.8	Flood risk
Policy 4.2	Bringing forward new connections to serve new development
Policy 1.1	Managing change in Hackney Wick and Fish Island
Policy 1.2	Promoting Hackney Wick and Fish Island's unique identity and appearance
Policy 1.3	Connecting Hackney Wick and Fish Island
Policy 1.4	Preserving or enhancing heritage assets in Hackney Wick and Fish Island
Policy 1.5	Improving the public and private realm in Hackney Wick and Fish Island
Policy 1.6	Building to an appropriate height in Hackney Wick and Fish Island

8.5. Other relevant material considerations:

- Mayor of London –Housing SPG (2016)
- Mayor of London –Olympic Legacy SPG (2012)
- Mayor of London –Affordable Housing and Viability SPG (2017)
- LLDC Planning Obligations SPD (2016)
- LLDC Hackney Wick and Fish Island SPD (2018)

## 9. CONSULTATIONS

- 9.1. The application was advertised in the press through publication in the East London Advertiser on 6<sup>th</sup> July 2017, and a total of three site notices were displayed around the site on 30<sup>th</sup> June 2017. Details of the consultation responses received are set out in the table and paragraphs below:

External Consultees

<p>LB Tower Hamlets Planning</p>	<p>Objections to the overall affordable housing provision and accessibility. Conditions recommended with respect to design.</p> <p><u>Officer comment:</u></p> <p>It should be noted that the affordable housing offer has increased from 15% to 35% throughout the lifespan of the application. At the time of the objection the affordable housing offer was 23% by habitable room. This has subsequently increased to 35% and therefore meets the relevant policy requirements.</p> <p>With respect to accessibility, a condition is recommended to ensure that 90% of the units comply with Building Regulations Part M 4(2) and 10% comply with Part M 4(3). This is considered to be compliant with London Plan guidance.</p> <p>Conditions are also recommended for material samples and detailed drawings of architectural elements to ensure a high-quality appearance.</p>
<p>LB Tower Hamlets Highways</p>	<p>Further information was requested in relation to servicing arrangements and cycle parking which was subsequently provided and considered acceptable. No objection subject to conditions regarding details of cycle parking, a construction management plan, and a delivery and servicing plan, and legal obligations relating to public right of way through Davey Way, a travel plan and highway improvement works.</p> <p><u>Officer Comment:</u></p>

	Conditions and legal obligations are recommended to be imposed as requested.
LB Tower Hamlets Environmental Health	No objections subject to conditions regarding contaminated land and air quality.  <u>Officer Comment:</u> A contaminated land condition is imposed as requested.
LBTH Tower Hamlets Flooding	No response received.
Environment Agency (EA)	The Environment Agency originally objected to the application on flood risk grounds. Specifically, they considered that the Flood Risk Assessment submitted with the application did not comply with the requirements of para. 102 of the NPPF (2012) which requires LPAs to adopt proactive strategies to adapt to climate change, taking full account of flood risk and coastal change. This was on account of the development proposals not adequately demonstrating that there would be no loss of flood storage capacity on site.  In response to this the applicant worked closely with the EA and produced further modelling information which was considered satisfactory by them subject to two conditions relating to flood storage compensation and flood water entry design.  <u>Officer Comment:</u> Flooding conditions imposed as requested.
<u>Transport for London</u>	No objection subject to a condition regarding cycle parking.

	<p><u>Officer Comment:</u></p> <p>A cycle parking condition is recommended to be imposed as requested.</p>
Historic England	No comment to make.
Greater London Archaeology Advisory Service	<p>No objection subject to a suitable archaeological condition.</p> <p><u>Officer Comment:</u></p> <p>An archaeological condition is recommended to be imposed as requested.</p>
Met Police	<p>No objection subject to a condition relating to Secure by Design measures.</p> <p><u>Officer Comment:</u></p> <p>A Secure by Design condition is recommended to be imposed as requested.</p>
London Fire and Emergency Planning Authority	No objection.
London Cycling Campaign	No response received.
London Overground	No objection.
Natural England	No objection subject to the Natural England standing advice for development in and around the Queen Elizabeth Olympic Park.
Canal Rivers Trust	No comment to make.
LB Hackney Planning	No objection.
East End Waterways	No response received.
HWFI Planning and Development Group	No response received.

Affordable Wick	No response received.
Stour Space	No response received.
Lea Rivers Trust	No response received.
HWFI Cultural Interest Group	No response received.

#### Internal Consultees

- 9.2. **LLDC Design** – LLDC Design have worked with the officers at the planning authority over the duration of the pre-application and application process to resolve a site constraint in terms of flooding and to shape the footprint to incorporate access to a new bridge.
- 9.3. The planning authority supports the application in design terms with endorsement from the Quality Review Panel. The authority finds that the scheme satisfies the criteria for BN.10 for its height most specifically in its greater role to the neighbourhood by contributing public realm to facilitate access to a new connection in Fish Island. The scheme has a simple external appearance but proposes quality residential accommodation within.
- 9.4. As a relatively simple building there is an importance placed on the detail which will be secured by condition, a very high-quality brick choice and design of the ground floor unit fronts being of importance.
- 9.5. **PPDT’s Environmental Consultant (Arup)** – PPDT’s Environmental Consultant reviewed the submitted information within the application. Clarification was originally sought with respect to air quality, arboriculture, sunlight/daylight/ ecology, sustainability and contaminated land. Further information was subsequently provided by the applicant and considered acceptable subject to conditions in relation to dust management, non-road mobile machinery, an air quality neutral assessment, plant equipment, surface water drainage and contaminated land. These conditions are recommended to be imposed as requested.
- 9.6. **PPDT’s Transport Consultant (Jacobs/CH2M)** – PPDT’s Transport Consultant reviewed the relevant information within the application and raised no objections subject to further clarification on trip rates, servicing, accessible parking, a travel plan and the methodology regarding the parking survey within the surrounding area. Conditions have been requested in relation to details of visitor cycle parking, updated travel plans, a delivery and servicing plan and a construction management plan. These conditions are recommended to be imposed as requested.
- 9.7. **PPDT’s Heritage Consultant (MOLA)** – PPDT’s Heritage Consultant reviewed the relevant information within the application and concluded the development would result in less than substantial harm to the adjacent Fish Island & White Post Lane Conservation Area and the non-designated heritage assets at 92 White Post Lane and within the adjoining McGrath site. The less than substantial harm is considered to be resultant from the long street frontages that present themselves to the heritage assets. Paras. 10.63 – 10.64 of this report weighs up the public



benefit of the scheme against this identified harm as per the requirement of the NPPF.

- 9.8. **The Quality Review Panel (QRP)** - The application has been subject to three QRP reviews with a final review having taken place in September 2018. QRP support the approval of the application and consider that the scheme would make a significant contribution to the regeneration of the area, including the provision of the new north-south pedestrian route. The panel consider that the scheme proposes high quality accommodation and supports the scale, massing and architectural expression – but stresses the importance of high quality detailing, materials and construction, together with the retention of the design team. The panel concluded that the scheme has the potential to meet the tests of Policy BN.10. The suggested conditions and legal obligations are recommended to be imposed as requested.

## **10. ASSESSMENT OF PLANNING ISSUES**

### **Principle of Development**

- 10.1. The application site is located within Sub-Area 1 (Hackney Wick and Fish Island) of the Legacy Corporation's Local Plan. The Sub-Area has the development potential for 2,500 homes to be delivered, in addition to those already with consent (to total 4,500) across the Plan period. The delivery of new homes is envisaged to come forward in a genuinely mixed-use environment, interlaid amongst business, retail and community uses.
- 10.2. The principle of a mixed-use redevelopment, delivering residential and employment floorspace in this location is considered therefore to be well-established. The proposals are considered to accord with the area objectives as set out within Sub-Area 1 of the Local Plan. In particular the development will deliver new homes (including a high proportion of affordable homes), an uplift in commercial floorspace and an architectural and massing approach that seeks to improve visual amenity and responds to surrounding heritage assets and historic context.

### Employment Floorspace

- 10.3. LLDC's Local Plan Policy B.1 (Location and maintenance of employment uses) is applicable in the assessment of the employment component of the proposed development. This policy states that Class B Uses shall be focused within the identified Employment Clusters and District Centres where there is an expectation that new development should deliver a range of B Class Use employment and business space in a range of sizes.
- 10.4. Further guidance on employment floorspace is provided within Local Plan Policy 1.1 (Managing change in Hackney Wick & Fish Island). It emphasises the importance of managing change resultant from new development in the area, and seeks to address this by stating that proposals will only be acceptable where they maintain the overall amount of existing floorspace.
- 10.5. The applicant is compliant with this approach in that the existing quantum of employment floorspace would be re-provided as part of the redevelopment of the site. The total existing floorspace within the site is 1,979 sqm comprising the

warehouse and ancillary office floorspace. The development proposals would include 2,213 sqm of commercial floorspace (Use Class B1/B2/B8) which would be provided at ground floor level within Buildings A-D. This therefore represents an uplift of 234 sqm in comparison to the existing employment provision.

- 10.6. In addition, the existing uses on site are considered to be of a relatively low employment density. The applicant has advised that the current operation supports a total of 10 full time employees; albeit it is considered that using the Homes and Community Agency Employment Density Guide (2015) the established lawful B8 use of the site could support up to 25 full time jobs. In comparison, the proposed B1 floorspace could support a significant uplift in employees of up to 184 jobs (based on 12 sqm per employee for B1a use).
- 10.7. The proposed employment floorspace is also considered to be of a high standard. It has been designed to be as flexible in order that it can be operated as larger units or subdivided into smaller tenanted spaces if required. The units would benefit from active frontages which would provide outlook onto surrounding streets and provide good levels of daylight. They would also feature floor-to-ceiling heights of up to 4m in order to accommodate a range of users. They would also benefit from an internal loading bay within the ground floor car park.
- 10.8. It is noted that para. 4.12 of the Local Plan requires that yard space is taken into account when considering industrial floorspace. In relation to this it is acknowledged that a northern part of the car park, which covers approximately 600 sqm, is currently used as open storage. However, this open storage is considered to be carried on an informal basis within the car park and it is therefore not considered reasonable to include this space within the overall amount of existing industrial floorspace.

#### Residential provision

- 10.9. London Plan Policy 3.3 seeks to increase the housing capacity in London and sets out targets for planning authorities, which will improve housing choice, housing quality and affordability. The policy requires planning authorities to identify and seek to enable '*...additional development capacity to be brought forward having regard to the other policies of The London Plan and in particular the potential to realise brownfield sites...*' Policy 3.5 requires the design of new housing development to enhance the quality of local places. The Mayor's Olympic Legacy Supplementary Planning Guidance indicates that the '*...Wick and Fish Island Sub-area as a whole has the potential to accommodate around 6,000 new homes and 160,000m<sup>2</sup> of new and improved business floorspace in its main areas of change...*'
- 10.10. The Draft London Plan was also published in December 2017. It remains at an early stage in the adoption process and therefore holds limited weight in the decision-making process. However, with respect to housing targets it specifies that the 10-year target for the LLDC area is 21,610 units with an annualised average of 2,161.
- 10.11. Local Plan policy SP2 sets out LLDC's strategic vision with respect to housing, which is to provide in excess of The London Plan target of 1,471 per annum. Within the Hackney Wick and Fish Island sub area it is anticipated that over the plan period some 4,500 new homes could be delivered. The proposed 145 residential

units would provide a welcome contribution towards meeting LLDC's housing requirements identified in The London Plan and Policy SP.2 of the Local Plan.

- 10.12. The mixed-use development is consistent with the development plan policies and accords with the specific London Plan policies referred to above. Further assessment of the development proposals against Local Plan Policies H.1 and H.2, and the Mayor's affordable housing and viability SPG in terms of the proposed tenure, mix and affordability of the residential accommodation are discussed in the paragraphs below.

#### Mix and Affordable Housing Provision

- 10.13. Policy H.1 of the Local Plan requires that residential proposals provide a mix of housing types to create sustainable new neighbourhoods that contribute towards mixed and balanced communities. Policy H.1, part (1) requires that development proposals provide at least 50% of units at two bedrooms or more. The scheme is in accordance with the policy, in that it proposes 98 units that are two-bedroom or more which equates to 68% of units.
- 10.14. Policy 3.11 of The London Plan sets the current strategic affordable housing target for London as at least an average of 17,000 additional affordable homes a year. Policy SP.2 of the Local Plan states that of the 1,471 residential units target per annum, a minimum of 455 will be affordable; this translates into a LLDC area-wide 35% target for affordable housing. Policy 3.12 of The London Plan requires LPA's to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to affordable housing targets.
- 10.15. The Local Plan states that providing for housing needs, including through different affordable tenures, is crucial to achieving mixed and balanced communities. Policy H.2 requires affordable housing to be maximised on sites capable of providing ten units or more, with a tenure split of 60:40 between affordable rent and social rent (60%) and intermediate (40%).
- 10.16. The Mayor's affordable housing and viability SPG provides further guidance on acceptable affordable tenure provision noting that the Mayor is keen to maintain flexibility to meet local needs while ensuring the delivery of his preferred affordable housing products, described as:
- At least 30% low cost rent (social rent or affordable rent), with rent levels set at levels that the LPA considers 'genuinely affordable';
  - At least 30% as intermediate products, with London Living Rent\* and /or shared ownership being the default tenures assumed. The split between these tenures is advised to be determined by the Applicant, in discussion with registered providers on a site-by-site basis; and
  - The remaining 40% to be determined by the relevant LPA.
- \* London Living Rent is a new type of intermediate affordable housing that will help, through low rents on time-limited tenancies, households with a maximum household income of £60,000 to save for a deposit to buy their own home.
- 10.17. The application originally proposed an affordable housing offer of 15% of units which equated to 10 units. However, as a result of discussions between the

applicant and PPDT officers the affordable housing offer has increased to 50 units which equates to 35% of the total development when measured on a habitable room basis. Details of the proposed mix and tenure of the affordable housing offer are set out as per the below table:

**Table 2: Breakdown of affordable housing offer.**

<b>AFFORDABLE TENURE</b>					
	<b>UNITS</b>		<b>HABITABLE ROOMS</b>		<b>TENURE SPLIT</b>
	(Type)	(No.)	(No.)	(% of total scheme)	(% of affordable housing)
<b>LONDON LIVING RENT</b>	1 Bed	5	10	2.5%	
	2 Bed	2	6	1.5%	
	3 Bed	3	12	3%	
<b>TOTAL</b>		10	28	7%	20%
<b>LONDON AFFORDABLE RENT</b>	1 Bed	0	0	0%	
	2 Bed	9	27	7%	
	3 Bed	4	16	4%	
<b>TOTAL</b>		13	43	11%	31%
<b>SHARED OWNERSHIP</b>	1 Bed	16	32	8%	
	2 Bed	8	24	6%	
	3 Bed	3	12	3%	
<b>TOTAL</b>		27	68	17%	49%
<b>COMBINED TOTAL</b>		<b>50</b>	<b>139</b>	<b>35%</b>	<b>100%</b>

10.18. The provision of 35% affordable housing is supported on the basis that it complies with LLDC's strategic target as per the Local Plan. Furthermore, it also complies with the strategic target as set out within the Mayor's Affordable Housing and Viability SPG (2017). This document sets out a 'threshold' approach to viability and

ensures that schemes which provide 35% affordable housing will not be required to undergo a viability review or be subject to a future affordable housing review (other than an early review, when an agreed level of implementation has not been achieved within two years from the date of decision). It should also be noted that the 35% affordable housing offer is a commercial offer which significantly exceeds the agreed technically viable amount of 19.4%.

10.19. It is acknowledged that Draft London Plan Policy H6 (in conjunction with draft London Plan Policies E4 and E7) seeks 50% affordable housing to be provided in order to follow the threshold approach where development is on industrial land appropriate for residential use and would result in a net loss of industrial capacity. In response to this it is noted that the application proposes an uplift in commercial floorspace and includes the possible provision of B1c/B2/B8 use and as such does not preclude a potential uplift in industrial floorspace. However, it is acknowledged that the commercial space could also be used for B1a (Offices) and B1b (Research and Development) purposes which are not considered to be industrial uses. In order to ensure that there is no loss of industrial capacity a condition is recommended requiring details of the commercial uses, including the breakdown of the employment uses, to be approved by the Local Planning Authority. The condition permits up to 630 sqm of B1a use noting that this would replace the existing ancillary office with the rest expected to be industrial use. The condition therefore ensures that there would be no reduction in industrial capacity and as such the 35% threshold is appropriate and the overall percentage of affordable housing is therefore supported.

10.20. In terms of tenure mix, it is acknowledged that the Local Plan states that in order to provide for housing need, different affordable tenures are crucial to achieving mixed and balanced communities. Policy H.2 requires affordable housing to be maximised on sites capable of providing ten units or more, with a tenure split of 60:40 between affordable rent and social rent (60%) and intermediate (40%).

10.21. In relation to the above, the proposed affordable housing tenure for this application is broken down as follows:

- London Affordable Rent (31%);
- London Living Rent (20%); and
- Shared Ownership (49%).

10.22. Whilst not compliant with the Local Plan guidance on tenure mix, PPDT officers are satisfied that the tenure mix can be supported on the basis that it is fully compliant with the approach to tenure mix within the Mayor's Affordable Housing and Viability SPG. This states that a flexible approach should be taken with respect to tenure mix in order to meet local need and ensure the delivery of the Mayor's preferred affordable products. The scheme is considered to be compliant with the Mayor's preferred tenure split which is set out as follows:

- At least 30% low cost rent (social rent or affordable rent). London Affordable Rent should be the default level of rent;
- At least 30% as intermediate products, with London Living Rent and/or shared ownership the default tenures assumed in this category; and
- The remaining 40% to be determined by the LPA.

- 10.23. For the purposes of clarification, London Affordable Rent is rent for households on low incomes with the rent levels based at social rent levels, and in viability terms is a lower value housing product in comparison to intermediate housing products. London Living Rent is a new type of intermediate housing that is designed to help households with around average earnings to save for a deposit to buy a home of their own. Eligibility is restricted to households renting privately or socially with a maximum household income of £60,000.
- 10.24. It is acknowledged that Tower Hamlets have their own framework rent levels, however this would further reduce the values generated by these units and would further reduce the viability of the scheme and the numbers of affordable housing units that could be delivered. In terms of the shared ownership units, these would be available on the following range of income levels below the GLA maximum cap:
- 33% of accommodation to households with a gross income of up to £50,000;
  - 33% of accommodation to households with a gross income of between £50,000 to £65,000; and
  - 33% of accommodation to households with a gross income of above £75,000.
- 10.25. The above income caps would be secured for a minimum 6-month marketing period after which the caps would revert to those set out within The London Plan.
- 10.26. The quantum of affordable housing would be secured in the s106 Agreement which would also include an early affordable housing review mechanism should works on site not be commenced within 18 months of the granting of planning permission. Given that the affordable housing offer complies with the 35% 'fast track' affordable housing target as per the Mayor's Affordable Housing and Viability SPG, a late review mechanism is not required.
- 10.27. The London Affordable Rent units would be located in Building D, the London Living Rent units would be located in Buildings C and D and the Shared Ownership units would be located in Building C. Whilst there is communal amenity space (including play space as discussed at para 10.59) to the rear of Building D, a legal obligation will be used to ensure that occupants of Building D also benefit from access to podium garden between Buildings A, B and C. Although Building D is a smaller block from the other larger proposed urban block this is resultant from the need to provide the north-south route through the site and align with the pedestrian connection to be provided as part of the McGrath scheme and Roach Point Bridge further to the south. Officers are satisfied that the scheme is 'tenure blind' in that Building D is of the same high quality of the other buildings within the development. It should also be noted that there is no policy requirement for the affordable housing to be pepper potted throughout the scheme.

#### Density

- 10.28. The density of the new development should be considered in light of London Plan policy 3.4 and the Mayor's Housing SPG. The London Plan Density Matrix indicates that for a central setting (noting the site falls within 800m of the Stratford Metropolitan Centre) with an accessibility level of PTAL 2/3, a density range of 100 to 240 dwellings per hectare is acceptable, albeit it should be noted that local

context and character, design and public transport capacity should also be considered.

- 10.29. The proposed development is marginally above the London Plan density range, with a density of 265 dwellings per hectare. However, officers consider that despite this the density of the development is appropriate for the site and its setting (a detailed assessment of design is made in paras. 10.34 to 10.68). The proposed massing and heights of the building would be in keeping with the emerging built environment in the area and is considered to be acceptable in the context of the site and surrounding area. The site is also within short walking distance from Hackney Wick Station and benefits from regular bus services along White Post Lane, Hepscott Road and Rothbury Road. On this basis officers consider that the density for the site is acceptable noting that paragraph 3.28 of The London Plan specifically states that the density ranges within it are broad and that they should not be applied mechanistically. Public transport accessibility is also predicted to increase to PTAL 4 by 2021, due to planned improvements to public transport infrastructure. It should also be noted that Policy D6 of the Draft London Plan moves away from a standardised approach to density to one which optimises housing density in appropriate locations.

#### Waste Transfer Site

- 10.30. As per the recently approved scheme at 25 Trego Road (17/00225/FUL), it is noted that the application site abuts the adjacent McGrath's (Wickside) site to the south which is used as a demolition contractor's depot and a waste transfer station. Permission (16/00451/OUT) for the comprehensive redevelopment of this site is currently pending the completion of a s106 Agreement as discussed at para. 6.11. Should that redevelopment come forward, then a range of uses would be provided which would be compatible with the residential proposals subject of this application.
- 10.31. However, as there is no guarantee redevelopment would take place, consideration needs to be given to whether the principle of the development proposal at hand is acceptable, in the context of the existing waste transfer and demolition contractors' depot uses.
- 10.32. The adjacent McGrath site covers an area of 2.88 hectares with the waste transfer facility having a maximum throughput of over 200,000 tonnes of waste per annum. It is acknowledged that the Environment Agency's Waste Data Interrogator shows that in 2016 the site handled a significantly lower amount of waste – 26,353 tonnes. However, it is considered pertinent to consider the 'worst case scenario' of the proposed development adjoining such an intensive waste transfer use and the environmental effects that would be associated with such a use.
- 10.33. With respect to the above, it is considered that there would likely be significant environmental effects on a residential use being situated in such proximity to an intensive waste use. This includes air quality, odours and noise issues. It is also considered that there would be poor visual amenity from occupants of a significant number of units which would overlook the adjoining McGrath site. As such it is considered reasonable to recommend a Grampian condition, as per the 25 Trego Road consent, that would prevent the occupation of any block within the site until the waste transfer and demolition contractor depot uses have permanently ceased.

## **Urban Design Analysis and Layout**

- 10.34. Strategic Policy SP.3 of the Local Plan deals with how development integrates with the natural, built and historic environment. It states that LLDC will create a high-quality built and natural environment, by ensuring development that contributes to place making, enhances its surroundings, maintains and promotes local distinctiveness, supports delivery of the priorities for the various sub-areas and respects LLDC's Design Quality Policy.

### Form/Massing/Siting

- 10.35. The application was subject to extensive pre-application dialogue which is considered to have resulted in a scheme of significant quality. The siting of the buildings is considered to suitably address the existing street layout including Rothbury Road to the north and Hepscott Road to the west, providing active frontages along these routes and knitting back together the historic street pattern and urban grain in this part of Hackney Wick.
- 10.36. An important factor in the layout of the development has been the welcome inclusion of the north-south pedestrian connection through the site in accordance with requirements of the Hackney Wick & Fish Island SPD. The alignment of this route to provide a direct pedestrian connection to Hackney Wick Station and its generous 14m width would run through the site and the scheme's design reflects this with one larger urban block and one smaller urban block. However, officers are satisfied that this approach is appropriate to the surrounding context noting that the grain of the smaller urban block responds to the grain of the Lea Tavern site directly to the north and the existing buildings to the west.
- 10.37. The siting of Buildings C and D, together with the inclusion of commercial uses and residential entrances at ground floor level, would also help provide strong frontages to both sides of the new public route helping to provide activity and overlooking to the public realm.
- 10.38. The massing of the larger urban block would also be successfully broken up by the arrangement of the three separate buildings and the gaps that would be created between them. This would allow each of the buildings to take on a slightly different character and also increase the amount of light into the courtyard and residential units and also allows views out from the first-floor podium garden.
- 10.39. All four buildings would be six storeys in height noting that as a result of an iterative pre-application process, and a QRP steer, the height reduced from a maximum of eight storeys to seven storeys and then finally to six storeys as per this application. Six storeys are considered to result in a more comfortable massing which is in keeping with the emerging character of this part of Hackney Wick.

### BN.10 Assessment

- 10.40. Policy BN.10 of the Local Plan is also an important consideration in design assessment. It deals with proposals for tall buildings which the sub-area policy (Policy 1.6) has identified as being over 20m height in this location. Specifically, Policy BN.10 requires buildings to exhibit outstanding architecture and incorporate high quality materials, finishes and details. It also requires development to respect scale/grain; make a positive contribution to streetscape; provide active frontages;



provide publicly accessible space; incorporate sufficient communal space; contribute to public routes; promote legibility; suitably deal with micro-climatic conditions; and protect views of heritage assets. The policy therefore requires a comprehensive assessment of design matters.

- 10.41. All buildings on the site would be six storeys in height; however due to variations in ground level across the site their heights would vary from between 23m and 24m AGL. Given that the development exceeds the 20m threshold an assessment has been made against each of the criteria of Policy BN.10 below:

BN.10(1): Exhibit outstanding architecture and high-quality materials, finishes and details:

- 10.42. The proposed development has been presented to QRP on three separate occasions. QRP have expressed their support for the proposed development and that it has the potential to meet the requirements of Policy BN.10, including the requirement for outstanding architecture, subject to the quality of detailing, materials and construction. Conditions are recommended to ensure that the quality of these elements are suitably achieved and delivered as part of the finished scheme. QRP have also recommended the retention of the design team through to detailed design and construction. A legal obligation is therefore recommended within the draft Heads of Terms to require the retention of the design team or ensure that a payment is made to allow the original design team to monitor and review any submitted details from an alternative design team.
- 10.43. In terms of architectural expression, subject to the aforementioned conditions, officers are satisfied that the design and materiality of the scheme would result in a series of well-mannered buildings which would have a high-quality appearance and which would complement the existing and emerging built environment in Hackney Wick. Officers agree with the QRP conclusion that, in the specific context of Hackney Wick, the buildings could be considered as 'outstanding'.
- 10.44. The buildings would be predominantly finished in brick which is considered to be in keeping with the historic industrial character of the surrounding area and the distinctive character of the emerging developments on nearby sites. Whilst the predominant material of existing and emerging buildings within the area is brick; it is considered that there is no prevalent tone. The selection of brick tones to the proposed buildings is considered to reflect this varied appearance in brickwork in the wider area and would help lend the individual buildings separate identities and reinforce different character areas. In particular, the commonality of the stock brick facades that would be used on Buildings B and D would create a strong relationship across Davey Way and provide a distinct sense of place to this northern end of the public route.
- 10.45. The street facing elevations of the development would feature a brick frame detail. Despite the proposed variation in brickwork across the site it is considered that this brick frame detailing would help tie the development together and allow them to be read as a family of buildings. The frame approach would lend the elevations a robust aesthetic with strong horizontal and vertical proportions. This, in combination with the 'punched' balcony voids and fenestration, would lend the elevations a regular and formal appearance. This is considered to be in keeping with the requirement of the Hackney Wick and Fish Island SPD which requires

buildings that front onto primary streets to be designed with a strong sense of definition with a composed and ordered character. The infill panels and soldier course banding to these elevations would provide additional visual interest.

- 10.46. The single storey podium element in between buildings would present itself to the street frontages in a pre-cast concrete finish. The use of concrete is considered to be appropriate as it too reflects the industrial heritage of the area and picks up on some of the materiality of emerging developments nearby, including Hackney Wick Station. The use of concrete is considered to contrast successfully with the adjoining brick buildings to allow visual separation. whilst the tone of the concrete would successfully reconcile with the tone of the adjacent brickwork. Full details of the proposed pre-cast concrete finish will be secured via condition.
- 10.47. It is also noted that bronze would be used to frame ground floor windows to the commercial uses, whilst a proposed perforated bronze screening system could be used to provide privacy to the commercial uses and at the same time provide visual interest to passers-by. Bronze would also be used for balcony balustrading throughout the development. It is considered that the use of this proposed material is acceptable in principle and would further reflect the industrial character of the area. The warm colour would also provide a pleasant contrast with the proposed brickwork tones. Further details of all these elements, including the screening system, are secured by condition.
- 10.48. Overall the development is considered to exhibit a high-quality design which, subject to conditions, would have a sensitive and well-mannered appearance and would successfully contribute to the regeneration of this part of Hackney Wick. The buildings are therefore considered to exhibit outstanding architecture and demonstrate high quality materials and finishes, complying with part (1) of Policy BN.10.

BN.10(2): Respect the scale and grain of their context:

- 10.49. The proposed development is considered to successfully respond to the positive urban grain in the area. As discussed previously, the siting of the Buildings A & C is considered to successfully address the existing street layout including Rothbury Road to the north and Hepscott Road to the west, providing active frontages along these routes and knitting back together the historic street pattern and urban grain in this part of Hackney Wick. The finer grain of Building D would respond to the grain of the Lea Tavern site directly to the north and the existing buildings to the west.
- 10.50. As per the guidance contained within the Hackney Wick and Fish Island SPD, the longer blocks within the development would also successfully break down the massing of these elements with defined five storey breaks from podium level up. This would give the appearance of individual buildings of a finer grain which is more responsive to the surrounding area.
- 10.51. The larger urban block has also been arranged as a series of development blocks around a central courtyard at podium. This further complies with the guidance for new development as per the Hackney Wick and Fish Island SPD. The provision of a new north/south route through the site, reinstating the historic street layout, would also improve permeability and respond to the proposed layout of the adjacent

McGrath scheme. It is therefore considered that the proposals suitably reflect the scale and urban grain of the area and as such part (2) of Policy BN.10 has been suitably addressed.

BN.10(3): Relate well to street widths and make a positive contribution to the streetscape:

- 10.52. The development is considered to contribute strongly to streetscape. It would reinstate building frontages to Hescott Road and Rothbury Road and would help create well defined and legible streets. As discussed above, it is considered that the architecture incorporates a number of elements which would successfully break up the massing of the development, and which would help ensure that the buildings don't appear overbearing to passing pedestrians and make a positive contribution to the street, contrasting successfully with the emerging development on nearby sites.
- 10.53. Importantly, the development also includes the provision of a well-defined new north-south route with active frontage at ground floor levels on both sides. The scheme is therefore considered to relate well to street widths and make an important contribution to streetscape- thereby complying with part (3) of Policy BN.10.

BN.10(4): Generate an active street frontage:

- 10.54. The scheme has been designed to maximise active frontages across the site. The proposals include significant provision of commercial space at ground level within the development – including on both sides of the new north/south pedestrian route. These would be served by large shopfront style windows to maximise glazing on these elevations and provide activity to the new and existing streets/routes. These shopfronts would be supplemented by the residential entrances to the building, which would provide further activity.
- 10.55. It is noted that at QRP in September 2018, the panel expressed some concern about the proposed use of full height glazing to the proposed ground floor shopfronts. The particular concern was in relation to a lack of a stallriser which would provide a degree of privacy and hide any clutter placed on the ground within the proposed commercial spaces. In light of this a condition is recommended to require further details of the proposed shopfront system to include the provision of a stallriser within it. Subject to the above condition, it is considered that the proposals would make a positive contribution to active street frontage and the scheme is therefore compliant with part (4) of Policy BN.10.

BN.10(5): Provide accessible public space within their curtilage:

- 10.56. The proposed development is considered to contribute significantly to public open space through the provision of the Davey Way pedestrian route which is a requirement of the Hackney Wick and Fish Island SPD. The proposed scheme would contribute the northern end of this north/south pedestrian route covering an area of 736 sqm.
- 10.57. The indicative landscaping proposals for Davey Way are considered to be of a high quality, including the sculptural wall which would help address the level change between the graded (fully inclusive) route and the ground floor level of Block B.

Final details of the landscaping are reserved through a condition which is recommended to ensure full integration with the design of the remainder of the pedestrian route – through the McGrath site and the consented Roach Point Bridge. Public accessibility to Davey Way would be secured through the s106 Agreement. The provision of this quality public space is considered to comply with part (5) of Policy BN.10.

BN.10(6): Incorporate sufficient communal space:

10.58. The proposed scheme would provide a total of 1,474 sqm of shared amenity space in the form of two communal gardens – a podium level courtyard between Buildings A, B & C covering 1,324 sqm and a ground floor garden to the rear of Building D covering 150 sqm. These landscaped spaces are considered to be of high quality and would successfully serve a number of purposes, including acting as a transition space for residents to access their front doors/building cores, play space and communal amenity space. Full details of all landscaping will be reserved via condition. A legal obligation is also recommended to ensure that residents of all blocks, irrespective of tenure, have access to the podium level courtyard space between Buildings A, B & C.

10.59. In terms of play space, the approximate number of children predicted to live in the development is based on the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG. In total 28 children are predicted to live at the proposed development, which results in a play space requirement of 280 sqm. The proposals would provide an on-site total of 438 sqm of playable space, in excess of minimum requirements, located within the podium courtyard and within the communal garden to the east of Building D. As described above, residents of Building D would have access to the play space within the podium garden between Buildings A, B & C, in addition to the play space within the communal garden to the rear of Building D. No information has been provided in relation to the specific details of the play space and the provision for the target age groups as contained within the Mayor's Play and Informal Recreation SPG and it is therefore recommended that these details are secured by condition. For children over the age of 12, it is also noted that the site falls approximately 200m to the Queen Elizabeth Olympic Park, within the 400m maximum desirable distance set out within the Mayor's Play and Informal Recreation SPG. Play space would also be further supplemented by the significant open/play spaces within the McGrath development should it come forward.

10.60. In light of the above it is considered that part (6) of Policy BN.10 is met.

BN.10(7): Contribute to defining public routes and spaces and (8): promote legibility:

10.61. As discussed, the proposed development is considered to significantly contribute to public routes and public space through the provision of 736 sqm of land for the northern end of Davey Way. The siting and design of the proposed buildings would also significantly strengthen and define the public routes around the site which would make a significant improvement to legibility in this part of Hackney Wick. The proposed development is therefore considered to be well defined and legible in accordance with parts (7) and (8) of Policy BN.10.

BN.10(9): Create new or enhance existing views, vistas and sightlines and (10) Preserve or enhance heritage assets and the views to/from these, and contribute positively to the setting of heritage assets including conservation areas:

- 10.62. The proposed development would represent a significant improvement in visual amenity in comparison to the existing poor-quality buildings that exist on the site. The development would provide strong street frontages with articulated elevations that would enhance views along existing streets and provide new views from the new pedestrian route through the site.
- 10.63. There are no designated or non-designated heritage assets on the site, however it is noted that the Fish Island and White Post Lane Conservation Area lies immediately adjacent to the site, as do the non-designated heritage assets at 92 White Post Lane and within the McGrath site. PPDT's Heritage Consultant has reviewed the proposals and concluded that they would result in less than substantial harm to these heritage assets given proximity of the application site and the long frontages that would be presented to them.
- 10.64. In accordance with para. 196 of the NPPF (2018) the public benefits of the scheme have been weighed up against the identified harm. It is concluded that the significant public benefit associated with the scheme includes:
- The provision of 145 high quality residential units towards LLDC's housing targets;
  - A good affordable housing offer of 35% which is in excess of the technically viable position of 19.4%;
  - An uplift in employment floorspace with the potential to significantly job density; and
  - The provision of part of a new north/south pedestrian route which would significantly improve connectivity in Hackney Wick and Fish Island including access to Hackney Wick Station.
- 10.65. This significant public benefit is considered to outweigh the limited harm to the setting of nearby heritage assets which is confined to a limited number of views.
- 10.66. Historic England considers that there is potential for evidence of archaeological significance on the site noting that this part of the River Lea has attracted human activity from prehistoric times onwards. A condition is therefore attached to safeguard any potential archaeological remains within the site.
- 10.67. Officers therefore consider that parts (9) and (10) of Policy BN.10 has been met.
- BN.10: Proposals for tall buildings are likely to be refused where they would have a significant adverse (11) impact on micro-climatic conditions (wind/down-draughts), (12) impacts to the surrounding area (overlooking/daylight /overshadowing/reflection etc), (13) existing views of landmarks, parkland, heritage assets, waterways, views along streets etc.
- 10.68. The proposals have been subject to environmental testing and the associated technical documents have been reviewed by PPDT's Environmental Consultants who have raised no objection. The scheme is not considered to give rise to any significant adverse micro-climatic conditions and its massing would work to ensure good levels of natural light penetrate into the amenity spaces and adjoining

scheme. A more detailed assessment of the impact on the surrounding area is discussed further in paras. 10.80 to 10.94

- 10.69. As discussed previously the scheme is also considered to work successfully with the emerging developments within this part of Hackney Wick and would make improvements to existing views, particularly along street corridors. There is considered to be no significant adverse impacts on any nearby heritage assets including the adjacent conservation area.
- 10.70. Officers therefore consider that parts (11), (12) and (13) of Policy BN.10 has been met.

## **Residential Quality**

### Minimum Space Standards

- 10.71. Policy BN.4 of the Local Plan deals with the quality and design of residential development and seeks to ensure an appropriate standard of accommodation is provided, and that schemes are built to the highest environmental standards. In terms of space standards, the policy requires all development to meet the National Technical Standards which have been adopted as part of the Mayor's Housing SPG. In response to this it should be noted that all proposed units within the development would comply with the all the relevant technical standards including the overall size of the units, the size of bedrooms, the amount of storage space and minimum floor to ceiling heights.
- 10.72. In accordance with the Housing SPG all of the proposed residential units would include private amenity areas in the form of private balconies. The proposed balconies are also considered to comply with, and in many cases exceed, the requirements set out within the Housing SPG in terms of minimum sizes and widths and would provide quality usable amenity spaces to each of the flats.

### Access

- 10.73. Access to the residential units would require accessing the respective buildings from their entrance lobbies on either Hepscott Road or Davey Way and rising through the building using the staircase or lifts that would service each core. The individual units within Buildings B and C and the eastern wing of Building A would be accessed via internal corridors. These would not receive natural daylight or ventilation as desired (but not required) by the Mayor's Housing SPG; however, the corridors are not of an excessive length and would therefore provide suitable accessibility.
- 10.74. It is noted that the through units within the eastern wing of Building A and the entirety of Building D would be accessed via an external deck access arrangement. Officers are supportive of the use of deck access to these residential units noting that they have been designed to include void areas, with depths of 1m adjacent to windows which front onto the deck access. These voids help provide defensible space within the scheme and help improve daylight penetration to the windows immediately below. The access decks within Building A would serve a maximum of four units, whilst the access decks within Building D would serve a maximum of three units.

10.75. In terms of units per core, Buildings A and C would feature eight units per core, Building B would feature five units per core and Building D would have three units per core. The development therefore complies with the Mayor's Housing SPG which recommends no more than eight units per core for schemes of this nature.

#### Aspect

10.76. The Mayor's SPG suggests that single aspect north-facing units should be avoided where they would be exposed to noise levels or contain three or more bedrooms. Within the scheme 69% of all units would be dual aspect; the applicant has sought to minimise the number of single aspect units, those that are single aspect have been designed to be one or two-bedroom flats. There are no north facing single aspect units within the scheme

#### Inclusive Design

10.77. The residential units have been designed to meet inclusive design standards; 90% of dwellings would be in accordance with Optional Requirement M4 (2) Category 2 of Part M of the Building Regulations. This would ensure that reasonable provision is made for all people to gain access and use the development; meet the needs of occupants with differing needs including some older or disabled people; and to allow adaption of the dwellings to meet the changing needs of occupants over time.

10.78. 10% of dwellings have also been designed in accordance with Optional Requirement M4 (3) Category 3 of Part M. This would ensure that these dwellings would be provided to meet the needs of occupants who use wheelchairs and be designed to allow for simple adaption for users' needs. These requirements will be secured via condition.

10.79. In addition, all commercial spaces, communal areas and public spaces, including Davey Way, have been designed to be fully inclusive. The proposals therefore meet Policy BN.5 in requiring inclusive design.

#### Daylight and Sunlight

10.80. Local Plan Policy BN.4 (6) sets out that new residential development should receive adequate levels of daylight and sunlight and that existing surrounding development will not experience an unacceptable loss of sunlight and daylighting in accordance with the BRE guidance.

10.81. A daylight and sunlight assessment has been submitted with the application using a range of BRE methodologies including Vertical Sky Component (VSC), Direct Daylight (DD) (also known as the No Sky Line test), Average Daylight Factor (ADF) and Annual Probable Sunlight Hours (APSH). Two daylight/sunlight testing scenarios were undertaken. The first (baseline) assessed the current form plus all neighbouring sites with planning consent. The second (cumulative) assessed the above plus all detail and outline planning applications at the time of submission. This includes the McGrath/Wickside scheme and represents the maximum-impact scenario. The Applicant's Daylight and Sunlight assessment has been reviewed by PPDT's Environmental Consultants who have confirmed the information is acceptable.

- 10.82. The assessment examines the impact on surrounding buildings, both existing buildings and consented schemes including 29 White Post Lane, 43 White Post Lane, 51 White Post Lane, 92 White Post Lane (Units 1, 2 & 3), Roach Works, 1-2 Hepscott Road and 52-54 White Post Lane.
- 10.83. In terms of daylight impact, it is considered that the proposed development would have minimal impact. Three windows within Unit 1, 92 White Post Lane would fall short of BRE daylighting standards in both the baseline and cumulative scenario. These windows would retain VSC values of between 0.61 and 0.66 their former value, just short of the BRE VSC guidance of 0.8. Unit 2, 92 White Post Lane would see a more significant impact with five windows falling short of BRE VSC targets with retained values ranging between 0.35 and 0.51 of their former value. However, it is noted that these windows do not serve residential units and as such the impact is considered acceptable. In terms of Unit 3, 92 White Post Lane all windows would be BRE compliant in the baseline scenario. Five windows would fall short of BRE VSC standards in the cumulative scenario however this is resultant from the impact from the Wickside scheme. Again, these windows do not serve residential units.
- 10.84. In terms of 1-2 Hepscott Road which is currently under construction, the assessment demonstrates that there would only be one window which would fail BRE daylighting standards in the baseline scenario. This window would serve a bedroom and would have a retained VSC of 0.63 in comparison to the BRE guidance of 0.8. However, it should be noted that bedrooms are considered to have a lesser requirement for daylight amenity and as such the impact is acceptable. In the cumulative scenario, a total of five windows would not meet BRE guidance. Four of these five windows would serve bedrooms where there is a lesser requirement for daylight amenity. The remaining window would serve a Living/Kitchen/Dining (LKD) room. However, it is one of three windows serving this room with the others meeting the BRE guidance.
- 10.85. The development at 52-54 White Post Lane is also under construction. In the cumulative scenario one window would not meet BRE guidance. However, this window would serve a LKD with the other window to this room remaining in excess of BRE guidance.
- 10.86. With regards to the sunlight impact on surrounding properties, there would be a small number of windows affected, including 9 to 51 White Post Lane which would experience a reduction in winter sunlight beyond BRE recommendations whilst four windows to Unit 2, 92 White Post Lane which would see reductions in summer and winter sunlight. This is considered to be an acceptable impact within an urban environment.
- 10.87. In terms of the daylighting performance of the proposed development itself, a total of 75% of all rooms would pass the BRE ADF recommendation, including 68% of all LKDs and 86% of all bedrooms. A further DD (or No Sky Line) test was undertaken, which demonstrates that 76% of all rooms would meet BRE guidance, including 87% of LKDs and 74% of bedrooms where there is a lesser requirement for daylight amenity. Out of the 26 LKDs that would not meet BRE daylight guidance, 10 would achieve a DD value of between 70% and 79%, narrowly below



the BRE recommended 80%. The remaining 16 LKDs are located across all four buildings and include units within all three tenures.

- 10.88. With respect to sunlighting, it is considered that the scheme would have a generally acceptable performance with 63% of all rooms achieving BRE guidance for annual sunlight. This would rise to 79% for winter sunlight. Of those rooms that would not meet BRE sunlighting guidance, this is largely due to the presence of overhanging balconies or external access decks.
- 10.89. In terms of the communal amenity spaces, the BRE test was undertaken with respect to the amount of sunlight received on 21<sup>st</sup> March. The test suggests that at least 50% of amenity spaces should receive at least two hours sunlight on this day. The podium level courtyard between Buildings A, B and C would perform well (61%) against this guidance, however the communal garden to the rear of Building D would not meet the BRE test with none of the space achieving two hours of sunlight on 21<sup>st</sup> March. On balance, it is considered that the sunlighting performance of the amenity spaces is acceptable noting that during the summer months, when the amenity space to Building D is likely to be more intensively used, 59% of the space would receive at least two hours of sun on the June solstice. Furthermore, it should also be noted that access to the podium level garden for residents of Building D will also be secured through a legal obligation. With regards to sunlight amenity to Davey Way, 17% of the area would receive direct sunlight on 21<sup>st</sup> March, which would increase to 92% on 21<sup>st</sup> June.
- 10.90. In summary, it is considered that the proposed scheme would have an acceptable performance in sunlight and daylight terms and the communal amenity spaces would be suitably lit.

#### Overlooking

- 10.91. Policy BN.4 states that development should minimise the impact upon existing surrounding development and not result in an unacceptable loss of privacy or an unreasonable degree of overlooking towards habitable rooms and private amenity spaces within or around existing development. The Mayor's Housing SPG also provides guidance on overlooking and privacy and suggests that minimum distances can be useful yardsticks for visual privacy but adhering rigidly to these measures can sometimes restrict density. Instead the position and aspect of habitable rooms and amenity spaces should be considered, and windows should avoid directly facing each other where distances are tight.
- 10.92. Separation distances between windows in the proposed development and the consented developments on the opposite side of Rothbury Road would be 12.5m, whilst the separation distances to the blocks within the proposed Wickside scheme would be 15m to the blocks on the opposite side of Hepscott Road and 15.5m to the blocks on the opposite side. All of these separation distances are considered to be acceptable and in keeping with the grain of Hackney Wick and it is considered there would be no actual or perceived overlooking to and from these units.
- 10.93. It is acknowledged that the closest separation distance is between Building D and the west facing elevations of the existing buildings at Units 2 and 3, 92 White Post Lane. The separation distance to Unit 2 is 9.5m whilst the separation distance to Unit 3 is only 6m at its closest point, albeit this building is offset from Building D.

However, these buildings are used as offices, workshops/studios, galleries and storage space as opposed to residential use and as such there is considered to be no loss of residential amenity. It should also be noted that there are no windows on the eastern or southern elevations of Building D which directly face any windows within Unit 3.

- 10.94. In terms of within the development itself, the separation distances would generally be in excess of 30m across the podium courtyard and 14m between Buildings B and D. The closest separation distances would be between the flank walls of Buildings A, B and C with the 'pinch point' being the 10m gap between the southern elevation of Building A and the northern elevation of Building C. However, all of the affected units would be dual aspect and would also benefit from an uninterrupted primary outlook over Hepscott Road or the podium courtyard. The outlook from units within the development is therefore considered to be acceptable.

### **Transport**

- 10.95. Policy T.4 of the Local Plan provides guidance on managing development and its transport impacts to promote sustainable transport choices, facilitate local connectivity and prioritise pedestrians and cyclists. Policy T.8 of the Local Plan also provides guidance with respect to vehicle parking and parking standards within new developments including a requirement that parking is provided at a low level appropriate to the location with minimum levels of provision in locations with the highest levels of public transport accessibility.
- 10.96. Policy T.9 of the Local Plan builds on the requirements for pedestrians and cyclists and includes guidance on parking provision for cyclists which should meet or exceed the current London Plan standards. For residential development, this includes provision of one secure and covered parking space per studio and one-bedroom units. Two secure and covered spaces should be provided for all other unit sizes. London Plan Policy 6.3 is also a relevant consideration and states that development should not adversely affect safety on the transport network and that development effects on transport capacity should be fully assessed.
- 10.97. The applicant has submitted a Transport Assessment in order to explain how relevant policy issues have been addressed. This has been reviewed by PPDT's Transport Consultant and TfL who have raised no objections to the application subject to relevant conditions and s106 obligations in order to suitably mitigate any relevant transport impacts.
- 10.98. In terms of vehicular parking, the proposals would be car-free other than the provision of blue badge parking. A total of 16 blue badge spaces would be provided. Given that there would be 15 wheelchair accessible units, the blue badge parking provision would marginally exceed London Plan standards which requires one space for each wheelchair accessible unit. The car park would be located at ground floor level beneath the podium garden and would be accessed from Hepscott Road. Building B has been designed to include an access corridor at ground floor level, so residents of Building D have a direct route to the car-park.
- 10.99. Residents of the development, other than blue badge holders, would be prohibited from applying for on-street parking permits from LB Tower Hamlets and this is recommended to be secured through a condition. Permit-free parking is supported

in this location given the good access to public transport and is in keeping with other recent permissions for similar development in the area. Public transport accessibility is also predicted to increase to PTAL 4 by 2021, due to planned improvements to public transport infrastructure. A condition is also attached which requires details of electric charging provision within the development.

- 10.100. These parking arrangements have been reviewed by LLDC's Transport Consultant and the Local Highway Authority (LBTH) who consider the proposals to be acceptable in principle.
- 10.101. In terms of servicing for the commercial uses, a servicing bay would be provided within the car-park area underneath the podium garden. Delivery vehicles would be able to load/unload within this space subject to agreeing a delivery slot with the estate management team. A swept path analysis demonstrates that vehicles of up to the size of Luton box vans (average 6.9m length) would be able to enter and exit the service bay in forward gear. Larger vehicles, including refuse collection vehicles, would be able to avail of a proposed service bay on Rothbury Road. Details of this and for pavement improvements will be secured through a s278 agreement with LBTH. Conditions are also recommended to secure details of servicing, deliveries and waste management.
- 10.102. The low level of car parking provided would ensure that the impact on trip-generation by the development, both residential and commercial, on the local highway would be negligible with only 31 predicted trips in the morning peak hour. There would therefore be no negligible impacts upon highway capacity or safety resultant from the application with the largest proportion of trips expected to be undertaken by public transport.
- 10.103. In terms of public transport capacity, the impact from the proposed application is considered to result in negligible increases in public transport journeys. The worst-case scenario is all residents using Hackney Wick Station, travelling in the same direction, during the peak AM and PM hours. However, this would result in less than six additional trips per train during these peak hours, which can easily be absorbed within the existing and cumulative capacity scenarios. TfL have reviewed this and confirmed that the increases are not significant, and that there is sufficient capacity in their networks to accommodate these additional journeys.
- 10.104. In terms of cycle parking, the proposals would provide 243 cycle spaces for the residential accommodation, meeting the standards set out in The London Plan. The residential cycle parking would be provided in stores at ground and lower ground floor level. The scheme also proposes 4 cycle spaces for visitors and 22 spaces for the commercial uses, which would also comply with London Plan requirements. Full details of long-term and short-term cycle storage are recommended to be required via condition.
- 10.105. As previously discussed, the scheme makes provision for the northern end of the new north/south pedestrian connection which is required by the Hackney Wick and Fish Island SPD. The proposed scheme would therefore allow for improved connectivity in this part of Hackney Wick & Fish Island, significantly improving accessibility to Hackney Wick Station from the numerous developments to the south. Conditions are recommended in order to secure full details of the final design and materials of the public realm in order to ensure that the landscaping

proposals for Davey Way successfully integrate with the remainder of the route. Conditions are also imposed with respect to construction management, waste management and service and deliveries to mitigate against any impact on local residents. A s106 obligation would also require details of a public realm management strategy to be submitted and approved by the Local Planning Authority; and there would be an obligation to secure public access over Davey Way. As per the comments received from PPDT's Transport Consultants, legal obligations are also recommended requiring the submission of updated travel plans for both the residential and commercial uses.

- 10.106. In summary, it is considered that the transport related matters arising from the proposed development is acceptable. Subject to the aforementioned conditions and s106 obligations it is considered that the proposals are policy compliant and would not result in any undue impacts upon transport capacity or safety.

### **Environmental matters**

#### Flooding

- 10.107. Local Plan Policy S.8 (Flood risk and sustainable drainage measures) provides guidance on dealing with flood risk as part of development proposals. It states that where development is proposed within Flood Zones 2 and 3 and does not benefit from a designated Local Plan site allocation then the sequential test should be applied, and if failed, the exception test should be applied.
- 10.108. The site is currently within Flood Zone 2 – however parts of the site are expected to fall within Flood Zone 3 in the future and the site is therefore considered to have a medium risk of flooding. However, as agreed by PPDT's Environmental Consultant and the Environment Agency (EA), the submitted flood risk assessment demonstrates that that the sequential test is passed and the exception test is not therefore required.
- 10.109. It is noted that the EA originally objected to the proposals on the basis that they considered they were inadequate as the development was not resilient to the flood levels for the 1 in 100 year +35% allowance for climate change scenario. Particular concern was expressed in relation to flood storage compensation, finished floor levels, resistance and resilience measures and safe access and egress routes in a flood event. In response, the applicant made revisions to the scheme and provided updated modelling information. Resultantly, the EA have confirmed that they have no objections subject to conditions dealing with flood storage compensation and flood water entry design. These conditions are included as per the EA recommendation.
- 10.110. The proposed development is therefore considered to be in accordance with Policy 5.12 of the London Plan and Policy S.8 of the Local Plan.

#### Sustainability and Energy

- 10.111. Policy S.2 of the Local Plan deals with energy in new developments. It states that developments will be expected to minimise carbon dioxide emissions to the fullest extent possible by application of the Energy Hierarchy as set out below:

- 1) Reducing energy requirements.

- 2) Supplying the energy that is required more efficiently.
  - 3) Meeting remaining energy requirements through renewable energy sources where viable.
- 10.112. Policy S.2 also states that residential developments should meet the regulated zero carbon emissions standard of zero emissions. Where this cannot be met then a financial contribution to the Legacy Corporation Carbon Offsetting Fund will be required. The Legacy Corporation's Carbon Offset SPD sets out the cost and methodology for carbon offsetting as follows:
- 'Carbon gap' (Tonnes of Co2) X Price of Carbon (£60) x 30 (years) = offset payment.
- 10.113. Related to the above, it should also be noted that Policy S.3 of the Local Plan deals with energy infrastructure and heat networks. It places an emphasis on connecting to existing heat networks or the creation of new networks, subject to certain conditions.
- 10.114. The application is supported by an Environmental Sustainability Statement (which includes an appended Energy Statement) which have been reviewed by PPDT's Environmental Consultant. The statement discusses how the development proposals have followed The London Plan energy hierarchy. This includes a description of how a number of 'be-lean' measures would be incorporated to reduce the energy consumption of the development, reduce Co2 emissions and meet or exceed Building Regulation requirements. This includes high levels of insulation, air tightness levels, efficient lighting and energy saving controls for heat and lighting.
- 10.115. In terms of 'be-clean' measures the statement also examines possible connections to existing decentralised energy networks and concludes that it is not feasible to connect to the Queen Elizabeth Park Heat Network. Officers accept that this is not possible in the short term, however given that this is only a snapshot of decentralised energy in the area at this particular time, it is considered appropriate to ensure that an updated report, secured through the s106, is submitted in advance of substantial commencement to allow the Local Planning Authority to ascertain whether a connection to an existing network is possible at that stage.
- 10.116. Only where it is demonstrated that connection to the existing heat network is not reasonably likely will an on-site CHP scheme be permitted. This approach is considered to suitably address The London Plan energy hierarchy and the requirements of the Local Plan. It should also be noted that a s106 obligation would ensure that the development is future proofed to enable connection to a wider district heating network should it one come forward.
- 10.117. However, despite the aforementioned measures, the scheme would still not meet the zero-carbon emissions target as set out within the Local Plan and would produce residual Co2 emissions of 102.6 tonnes per annum. In accordance with the Local Plan and the LLDC Carbon Emissions SPD this triggers a Carbon Offset payment of £184,068.00 which would be secured through the s106 Agreement.
- 10.118. Local Plan Policy S.4 deals with sustainable design and construction. It requires development to demonstrate that it achieves the highest standards of sustainable design and construction. For non-domestic uses within development it is expected

that the application will demonstrate that it is capable of achieving a minimum of BREAAAM level (2011) of 'Very Good', whilst achieving a maximum score for water use. Conditions are imposed to ensure that the development complies with these requirements.

- 10.119. In summary, subject to the aforementioned conditions and s106 obligations, it is considered that the scheme would accord with the sustainability goals of the Legacy Corporation as contained within the Local Plan. The energy and sustainability strategy would help ensure that the redeveloped site is a sustainable place to live and work and that there is suitable mitigation in place to deal with departures from local or regional planning policy.

#### Noise and Air Quality

- 10.120. Policy BN.11 of the Local Plan deals with reducing noise and improving air quality. It states that development will be expected to:

- Be constructed and designed in a manner that minimises emissions of pollutants to the air and public exposure to the adverse impact of noise.
- Demonstrate compliance with policies in the Local Plan and the London Plan which contribute to minimise the effect of emissions and noise.

- 10.121. The application has been supported by an Environmental Assessment which has been assessed by PPDT's Environmental Consultant and LB Tower Hamlet's Environmental Health Officer. It is considered that, subject to appropriate mitigation, the development would be acceptable in both noise and air quality terms in the event that the existing waste transfer and associated industrial uses on the McGrath site are ceased in advance of occupation. A condition has also been recommended by both PPDT's Environmental Consultant and LB Tower Hamlet's Environmental Health Officer requiring the submission of an Air Quality Neutral Assessment.

- 10.122. The proposed redevelopment of the McGrath site would result in compatible uses with the proposed residential led proposals for the application site. However, as previously discussed, safeguards need to be put in place to prevent residential occupation of the site until these adjacent incompatible uses have ceased. This is noting that PPDT's Environmental Consultant has confirmed that there would likely be an unacceptable impact with regards to air quality and noise levels resultant from an operational waste transfer station on the adjacent site. As such a Grampian condition is recommended to prevent residential occupation until the Environment Agency waste carrier licence for the use of the McGrath site has expired or been formally revoked, and the demolition contractor's depot use has ceased; and any existing waste on the site has been cleared.

- 10.123. In addition, the construction activities from the redevelopment of the site have the potential to have a significant impact upon residential amenity by way of undue noise and vibration. A condition is therefore recommended which requires the submission of a Demolition and Construction Management Plan to be submitted and approved in writing prior to the commencement of works. The submitted details are required to include details of hours of work as well as how noise would be mitigated, managed and monitored during construction to ensure nearby sensitive receptors are protected from unacceptable levels of noise.

10.124. From an air quality perspective, the proposed development would be within relevant short and long-term air quality standards, however there is likely to be an exceedance of annual nitrogen dioxide emissions. As such the residential units would be fitted with a mechanical ventilation with heat recovery system. It is recommended that details of this system are secured via condition. Conditions are also imposed with respect to dealing with air quality impacts and dust resultant from demolition and construction activities. A separate condition is also imposed with respect to the use of non-road mobile machinery (NRMM) on the site and compliance with the NRMM Low Emission Zone requirements in order to minimise air quality impacts. The aforementioned conditions are considered to ensure that the development accords with Policy BN.11 of the Local Plan.

#### Contamination

10.125. The application site and the wider masterplan area have historically been used for a variety of industrial uses and is adjacent to a large waste transfer site. Contamination of the ground is therefore a concern and a desk-top study has been undertaken of the application site. The study report has identified that there are potentially unacceptable risks associated with ground contamination at the site which require further investigation and assessment.

10.126. PPDT's Environmental Consultants and the Environment Agency have both reviewed the submitted desk study and agree with its conclusions. No objections have been raised, however a condition has been recommended with respect to a robust scheme of ground investigation measures and monitoring to suitably mitigate against any pollution discovered during construction and impacts upon long term health. The condition includes a requirement to produce a remediation strategy to suitably deal with any in-ground pollution and a verification report to suitably demonstrate that the remediation works have been completed in accordance with the approved details. Conditions have also been recommended in relation to unexpected contamination and controlled waters.

10.127. Subject to the imposition of the aforementioned conditions, it is considered that any contaminated land can be properly treated and made safe before development of the site and as such the long-term health of future users or occupiers of the site can be suitably mitigated. The proposals are therefore considered to accord with London Plan Policy 5.21 and Local Plan Policy BN.13.

#### Ecology

10.128. Policy BN.3 of the Local Plan requires protection and enhancement of biodiversity within open spaces, parks and built-up areas. The proposed development is considered to make an improvement to the ecology of the application site by incorporating significant areas of soft landscaping within the communal gardens and through the inclusion of biodiverse roofs to each of the four buildings. Conditions of all landscaping and biodiverse roofs are recommended. It should also be noted that Natural England were consulted on the proposals and raised no objections.

#### **Planning Obligations**

10.129. The following heads of terms for the Section 106 Agreement are recommended to mitigate the effects of the development:

## Affordable Housing

- 35% affordable housing (measured on a habitable room basis).
- Affordable housing tenure mix to include the following (by habitable room):
  - 31% London Affordable Rent (13 units: 9 x 2 bed; 4 x 3 bed);
  - 20% London Living Rent (10 units: 5 x 1 bed; 2 x 2 bed; 3 x 3 bed); and
  - 49% Shared Ownership (27 units: 16 x 1 bed; 8 x 2 bed; 3 x 5 bed).
- London Affordable Rents to be based on the weekly rents (exclusive of service charge) published annually by the GLA for London Affordable Rent.
- London Living Rents to be based on the maximum rent levels (inclusive of service charges) applicable to the site published by the GLA annually for affordable housing for middle-income Londoners.
- Shared ownership income caps (to be secured for a minimum marketing period of 6 months and thereafter revert to London Plan income caps) to include:
  - Nine units to a household with a gross income of up to £50,000;
  - Nine units to a household with a gross income of between £50,000 to £60,000; and
  - Nine units to a household with a gross income of above £75,000.
- An early stage viability review (upwards only) to be triggered on the basis that development is not substantially implemented within 18 months of the date of planning permission.
- 10% (5 units) of the affordable housing provision (to include at least 2 x London Affordable Rent units) shall be provided as easily adaptable dwellings for wheelchair users.

## Transport

- Car club membership for a period of one year to the first household to occupy each residential unit.
- Membership and attendance of local construction management group.
- Requirement to enter into a s278 agreement with LBTH in relation to the provision of the on-street servicing bay and improve the footway adjacent to the boundary of the site.
- North/south route to be delivered prior to occupation of an agreed number of residential units.
- Pedestrian and cyclist access to the land comprising the new north/south route to be provided in perpetuity.

## Sustainability

- Payment of carbon offset payment of £184,068.00 to be paid prior to commencement of development to be spent on carbon offset projects as per the adopted LLDC Carbon Offset SPD (2016).
- The developer shall use reasonable endeavours to connect to the Olympic Park District Energy Network.



- If it is demonstrated that it will not be possible to connect to a new or proposed district energy network then an on-site CHP system shall be provided prior to first occupation.
- The development shall be futureproofed as to enable future connection to a new or existing district energy network.

#### Other

- Residents of all blocks and all tenures to have access to the podium level amenity space between Buildings A, B and C.
- All demolition and construction activities to be carried out in accordance with the National Considerate Constructors Scheme.
- No residential units shall be occupied until the commercial space has been completed to shell and core.
- Agreement to enter into local labour and business schemes.
- Architect retention or payment to the local planning authority to allow design monitoring.
- Public realm management strategy to be submitted and public access to north/south pedestrian route within the development.
- Commercial space to be fitted out to shell and core.
- Submission of a workplace strategy to include details on the processes for lettings, management and maintenance of the commercial space.

#### **Community Infrastructure Levy (CIL)**

- 10.130. The site is liable for both Mayoral and LLDC CIL which based on the proposed scheme and current price index results in an approximate payment (not taking any social housing relief that might be applied for) of £1,081,584.56.

### **11. HUMAN RIGHTS & EQUALITIES IMPLICATIONS**

- 11.1. Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the Applicants and any third party *opposing* the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account
- 11.2. In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the

assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. In particular Members must pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

**and;**

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

11.3. Officers are satisfied that the application material and Officers' assessment has taken into account these issues. Officers consider that the effects of the proposal would not be so adverse as to cause harm and justify a refusal of consent or permission.

## **12. CONCLUSION**

12.1. The proposed redevelopment of this site is considered to be in accordance with the regeneration objectives for Fish Island and Hackney Wick as set out within the Local Plan (Sub-Area 1). The provision of 145 high quality residential units is supported and would make a welcome contribution to the Legacy Corporation's housing targets. Officers also welcome the affordable housing package which equates to 35% affordable housing when calculated on a habitable room basis. The tenure split within this is also acceptable on the basis that it provides a range of tenures including London Affordable Rent, London Living Rent and Shared Ownership. A broad range of income caps have also been secured for the Shared Ownership units to ensure affordability. The overall affordable housing percentage and tenure split would ensure that the development would comply with the Mayor's 'Fast Track Route'.

12.2. The quality of the residential units that would be provided are also considered to be generally very good. 68% of all units would be family sized units in excess of the Local Plan requirements of 50%. All units within the scheme would be compliant with nationally described space standards, 69% would be dual-aspect, and have access to private amenity space in the form of balconies and communal amenity space. A condition is recommended to ensure that 10% of the new residential units would be wheelchair adaptable dwellings. The remaining units would also be required to be delivered in accordance with the access guidance and standards set out in Building Regulations M4(2). The scheme is also considered to have acceptable lighting conditions, and an acceptable impact with regards to sunlight and daylight on neighbouring property.

12.3. The proposed development is considered acceptable on the basis that the 2,213 sqm of commercial floorspace would represent an uplift from existing employment floorspace and therefore exceed requirements for re-provision. The re-provided employment floorspace would be provided at ground floor level and is planned to

be a high-quality space with generous floor-to-ceiling heights of up to 4m. The space has been designed to be flexible, so that it could operate successfully as larger units or be subdivided into smaller tenanted spaces. Officers welcome the likely substantial uplift in employment density as a result of this re-provision noting that the Homes and Communities Agency Employment Density Guide (2015) indicates an uplift from 25 jobs to up to 184 jobs.

- 12.4. The proposal is considered to be of an acceptable density for its accessibility level and surrounding context. The layout, scale and massing has been assessed as acceptable and in accordance with Policy BN.10; the new public realm would open the site up and create new routes and spaces that connect to the existing urban fabric and street network, including a new north-south link. The architectural expression and selection of materials is considered to be of a very high quality and combined with the massing is considered to respond positively and appropriately to the setting of the adjacent conservation area and nearby non-designated heritage assets.
- 12.5. The proposals have been assessed as meeting the 'liveability' standards under the Mayor's Housing SPG, and Officers consider that the quality of the residential accommodation and amenity areas is high.
- 12.6. The proposal is considered to be compliant with national, regional and local plan policies and guidance. The proposal is considered to represent sustainable development, as presumed in favour in the NPPF.
- 12.7 Subject to conditions, and other measures proposed to be secured by s.106 legal agreement, it is considered that the impacts of the scheme can be mitigated. The scheme is considered to represent a sustainable form of development in compliance with relevant planning policies.
- 12.8 It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the satisfactory completion (under authority delegated to the Director of Planning Policy and Decisions) of a legal agreement under section 106 of the Town and Country Planning Act 1990.
- 12.9 The application is also recommended for approval subject to the conditions set out below.

## **12 CONDITIONS**

### **1) Time Period**

The development to which this permission relates must be begun no later than three years from the date of this decision notice.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

### **2) Approved Plans**

The development shall be carried out and retained thereafter in accordance with the following drawings and documents:

XXX

Reason: To ensure that the development is undertaken in accordance and retained with the approved drawings.

3) Phasing of Development

Prior to the commencement of above ground works, a phasing plan requiring details of the sequence of construction and first use of buildings and public realm shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent piecemeal development and to facilitate the early delivery of the north/south pedestrian route.

4) Non-Road Mobile Machinery

No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development.

5) Archaeology

A) No development (except demolition above ground floor level) hereby permitted shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions, and all of the following:

- i. The provision of a site deposit model.
- ii. The programme and methodology of site investigation and recording.
- iii. The programme for post investigation assessment.
- iv. Provision to be made for analysis of the site investigation and recording.
- v. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- vi. Provision to be made for archive deposition of the analysis and records of the site investigation.
- vii. Nomination of a competent person or persons/ organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development (except demolition above ground floor level) shall take place other than in accordance with the Written Scheme of Investigation approved under part (A) of this condition.

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part (A) of this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard the heritage assets by ensuring that any archaeological remains that may exist on site are not permanently destroyed.

## 6) Demolition and Construction Management Plan

No demolition or development hereby permitted shall commence until full details of the proposed demolition and construction methodology, in the form of a Method of Demolition and Construction Statement, have been submitted to and approved in writing by the local planning authority. The Method of Demolition and Construction Statement shall include details regarding:

- a) Hours of work and noise mitigation and monitoring measures;
- b) Safeguarding of buried services;
- c) The notification of neighbours with regard to specific works;
- d) Advance notification of road closures;
- e) Details regarding parking, deliveries, and storage (including hours of deliveries);
- f) Details of measures to prevent the deposit of mud and debris on the public highway;
- g) A feasibility survey to consider the potential for moving demolition and construction material from the site by waterborne freight.
- h) Details of compliance of construction vehicles with Construction Logistics and Community Scheme (CLOCS) standards and Fleet Operator Recognition Scheme (FORS) registration;
- i) Details of collaboration with adjoining development sites to mitigate against detrimental impacts; and
- j) Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network.

No demolition or construction shall commence until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site or otherwise during the construction period in accordance with the approved details. The demolition and construction shall thereafter be carried out in accordance with the details and measures approved in the Method of Demolition and Construction Statement.

Reason: To avoid hazard and obstruction being caused to users of the public highway and to safeguard residential amenity from the start of the construction process.

*Pre-commencement justification: To ensure that demolition and construction impacts are appropriately mitigated in advance of commencement of works.*

## 7) Demolition & Construction Dust Monitoring and Mitigation

Prior to commencement of development hereby permitted, a scheme for dust monitoring, assessment and mitigation for all demolition and construction activities shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be substantially in accordance with the best practice guidance entitled 'The control of dust and emissions from construction and demolition' published by the GLA in November 2006 (or any subsequent revision) and shall include:

- a) The identification of dust sensitive premises to be used as the location for dust monitoring, including any arrangements proposed for amending the selected locations if new dust sensitive premises are introduced;
- b) The frequency and other arrangements for dust monitoring; and
- c) The arrangements for reporting the results of dust monitoring and the implementation of mitigation measures to the Local Planning Authority.

The demolition and construction shall thereafter be carried out in accordance with the scheme for dust monitoring, assessment and mitigation for all demolition and construction activities.

Reason: To ensure that the construction of the development minimises its environmental impacts.

*Pre-commencement justification: submission required prior to commencement to ensure that the Local Planning Authority to ensure that the impact of the construction is appropriately mitigated.*

#### 8) Demolition and Construction Waste Management Plan

The development shall not be commenced until a Demolition and Construction Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The objectives of the management plan shall be to ensure all waste arising from demolition and construction works are managed in a sustainable manner, maximising the opportunities to reduce, reuse and recycle waste materials. The management plan shall also detail the compliance and assurance requirements to be maintained on the Site during all phases of works including site-preparation and remediation. The management plan shall include as a minimum the following information:

- a) Classification of all waste including hazardous waste according to current legislative provisions;
- b) Performance measurement and target setting against estimated waste forecasts;
- c) Reporting of project performance on quantities and options utilised;
- d) Measures to minimise waste generation;
- e) Opportunities for re-use or recycling;
- f) Provision for the segregation of waste streams on the Site that are clearly labelled;
- g) Licensing requirements for disposal sites;
- h) An appropriate audit trail encompassing waste disposal activities and waste consignment notes;
- i) Measures to avoid fly tipping by others on lands being used for construction. Returns policies for unwanted materials;
- j) Measures to provide adequate training and awareness through toolbox talks; and
- k) Returns policies for unwanted materials.

The demolition and construction shall thereafter be carried out in accordance with the Demolition and Construction Waste Management Plan.

Reason: To ensure that the construction of the Development minimises its environmental impacts.

*Pre-commencement justification: The submission is required prior to commencement to ensure that the Local Planning Authority to ensure that the impact of the construction is appropriately mitigated.*

9) Drainage Strategy

Prior to the commencement of the development hereby permitted (except demolition above ground floor level), full details of the proposed surface water drainage, for the demolition, construction and operation phases of the development, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure.

10) Flood Storage Compensation

The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment Addendum Report, Ref. 1620004486-RAM XX-00-RP-YE-002 Rev A (September 2018, Ramboll) and the compensatory flood storage measures detailed within the report. The mitigation measures shall be fully implemented prior to occupation, and there shall be no reduction in flood storage until the subsequent compensatory storage space is made available.

Reason: To prevent flooding on site and elsewhere by ensuring that any flood storage loss resulting from the development is compensated for at all times.

11) Flood Water Entry Design

No development (except demolition above ground floor level), shall take place until a detailed scheme for flood water entry within the development has been submitted to and approved in writing by the Local Planning authority, in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and retained thereafter.

Reason: To ensure that the final detailed design, including steel podium deck, culverts and louvres, do not reduce the flood storage provision as demonstrated within hydraulic modelling contained within the Flood Risk Assessment Addendum Report, Ref. 1620004486-RAM XX-00-RP-YE-002 Rev A (September 2018, Ramboll).

12) Piling Method Statement

No piling, including impact piling, shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for impact on ground water, damage to subsurface water

infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water and The Environment Agency. All piling shall be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure and some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

### 13) Contamination

A) No demolition or development hereby permitted shall commence until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the local planning authority:

- i) A site investigation scheme, based on previous findings to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- ii) The site investigation results and the detailed risk assessment resulting from i);
- iii) An options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be implemented in accordance with the details and measures approved.

B) Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan ('long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

C) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unexpected contamination will be dealt with.

Reason: To protect the health of future users or occupiers of this site and the wider environment.

*Pre-commencement justification: to ensure there is no detrimental health impacts on future users or occupants of the site.*



#### 14) Materials

Prior to the commencement of above ground construction works pursuant to the development hereby permitted, mock up sample panels of each façade type, including its junctions with adjoining facades, shall be provided at a scale and location to be agreed with the Local Planning Authority. The mock up sample panels shall be accompanied by a schedule of all materials to be used in the external elevations of the buildings. The details shall be approved in writing by the Local Planning Authority and the development shall be thereafter built in accordance with the approved details. The following details are required:

- a) Brick (including mortar);
- b) Pre-cast concrete;
- c) Windows frames;
- d) External doors;
- e) Balustrades;
- f) Balconies;
- g) External access decks
- h) 'Shopfronts';
- i) Perforated screens; and
- j) Rainwater goods.

Reason: To ensure that the external appearance of the building is satisfactory.

#### 15) Detailed Design

Prior to the commencement of above ground construction works pursuant to the development hereby permitted, detailed architectural drawings (at scales of 1:5, 1:10 or 1:20 where appropriate) shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be thereafter built in accordance with the approved details. The following details are required:

- a) Detailed brick elements;
- b) Detailed pre-cast concrete elements;
- c) Windows;
- d) Building entrances (including vehicle entrance and cycle, plant and refuse stores);
- e) Shopfronts (including provision of a stallriser);
- f) Perforated screens;
- g) Soffits;
- h) Parapets; and
- i) Balconies (including soffits and balustrade detailing).

Reason: To ensure that the construction detailing and external appearance of the building is satisfactory, and to protect the amenity of residents.

#### 16) Landscape Plan

Prior to the commencement of above ground construction works pursuant to the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be thereafter carried out in accordance with the approved details

prior to the date of first occupation. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent) and current arboricultural best practice. The submitted details shall demonstrate the following:

- a) The quantity, size, species (including invasive non-native species and associated control methods), position and the proposed time of planting of all trees and shrubs to be planted;
- b) An indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection;
- c) Specification of which shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape;
- d) Details of hard landscaping, street furniture, lighting and short-stay cycle parking;
- e) Details of any proposed root barrier systems;
- f) Details of play space and play equipment;
- g) Details of green/brown roofs; and
- h) Details of how the landscaping maximises biodiversity and provides new habitats.

Reason: In order to ensure high quality soft and hard landscaping in and around the site in the interests of the ecological value of the site and in the interests of visual amenity.

#### 17) North/South Pedestrian Route Details

Prior to the commencement of above ground construction works pursuant to the development hereby approved, final details of the design and finish of the proposed north/south pedestrian route shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be thereafter carried out in accordance with the approved details prior to the date of first occupation.

- a) Detailed architectural drawings of the public realm (including cross-sections) at scales of 1:20 or 1:50 where appropriate;
- b) Specification of trees (including indication of anticipated mature size, routine maintenance and tree pits) and planting; and
- c) Details of hard landscaping, street furniture, lighting and short-stay cycle parking.

Reason: In order to ensure a high quality public realm and in the interests of visual amenity.

#### 18) Replacement of dead/damaged planting

Any trees, shrubs or hedges included in the landscaping scheme for the development hereby permitted that die, are removed, become seriously damaged or diseased, within five years of planting, shall be replaced within the first planting season following death, removal, damage or disease.

Reason: In order to ensure long term retention of the landscaping in and around the site in the interests of the ecological value of the site and in the interests of visual amenity.

#### 19) Updated Travel Plans

Prior to the occupation of the development hereby permitted, updated travel plans for both the commercial and residential uses shall be submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: To avoid obstruction of the surrounding streets and limit the effects of the increase in travel movements within the locality.

#### 20) Cycle Parking

Prior to the occupation of the relevant phase of the development hereby permitted, details of the provision to be made for long-stay cycle parking (minimum capacity: 243 long stay residential spaces; four short stay spaces; and 22 workspace spaces) shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be implemented in full in accordance with the approved details before the occupation of the relevant block and shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport.

#### 21) Waste and Recycling Storage

Prior to the first occupation of the development hereby permitted, details of waste and recycling storage for the development shall be submitted to and approved in writing by the Local Planning Authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the development hereby permitted, and shall thereafter be retained solely for its designated use. The waste and recycling storage areas/facilities are expected to demonstrate the following:

- a) The facilities are appropriately ventilated.
- b) They have a suitably robust design including walls that are fitted with rubber buffers and that any pipes/services are fitted with steel cages.
- c) They feature gates/doors with galvanised metal frames/hinges and locks.
- d) They have sufficient capacity to service the relevant building/use.
- e) They have maintenance facilities, including a wash-down tap and floor drain.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area.

22) BREEAM New Construction (Interim Rating)

Within three months of the commencement of works on site, certificates from the Building Research Establishment shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the commercial units hereby permitted have achieved an interim BREEAM rating of 'Very Good' (shell only) under the BREEAM New Construction 2014 Scheme. The works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development has an acceptable level of sustainability.

23) BREEAM New Construction (Final Certificates)

Within three months following the first occupation of the commercial units hereby permitted, certificates from the Building Research Establishment shall be submitted to and approved in writing by the Local Planning Authority demonstrating that they have achieved a final BREEAM rating of 'Very Good' shell only under the BREEAM New Construction 2014 Scheme. The approved details shall thereafter be maintained onsite.

Reason: To ensure that the development has an acceptable level of sustainability.

24) Secured by Design

The development shall be constructed and operated thereafter to 'Secured by Design Standards'. A certificate of accreditation to Secured by Design Standards shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential development hereby permitted.

Reason: To ensure that the development maintains and enhances community safety

25) Electric Charging Provision

Prior to the commencement of ground floor construction works, details of electric vehicle charging provision shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: To enable vehicles to draw off, park and turn clear of the highway, minimising danger, obstruction and inconvenience to users of the adjoining highway and to minimise impact on amenity.

## 26) Service and Delivery Plan

Prior to the occupation of the development hereby permitted, a Service and Delivery Management Plan (including details of refuse collection for residential and commercial uses) shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be put in place prior to first occupation, and the development hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: To avoid obstruction of the surrounding streets and limit the effects of the increase in travel movements within the locality as well as safeguarding public safety and the amenity of the surrounding area.

## 27) Internal and External Plant Equipment

Prior to the commencement of above ground construction works, full details of internal and external plant equipment and trunking, including any CHP equipment, building services plant, ventilation and filtration equipment and any commercial kitchen exhaust ducting/ventilation, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and all flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the manufacturers' instructions.

Reason: To ensure appropriate appearance and that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or to the area generally.

## 28) Noise Levels – Internal Noise Levels

There shall be no occupation of any residential unit hereby permitted, unless it is designed and constructed in accordance with BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the below internal noise levels.

Bedrooms- 30dB LAeq,T\* and 45dB LAfmax

Living rooms- 35dB LAeq, D\*

\*T- Night-time 8 hours between 23:00-07:00

\*D- Daytime 16 hours between 07:00-23:00.

The composite sound reduction of the building envelope (including openings or vents for background ventilation) shall ensure that appropriate internal noise levels can be achieved.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources.

### 29) Noise Levels – Mechanical Equipment or Plant

Noise from any mechanical equipment or building services plant, as measured in accordance with BS4142: 2014, shall not exceed the background noise level L90B(A) 15 minutes, when measured outside the window of the nearest noise sensitive or residential premises.

Reason: To protect the amenities of adjoining occupiers and the surrounding area.

### 30) Lighting Strategy

Prior to the commencement of above ground construction works, a lighting strategy for the streets, buildings and open spaces shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the lighting scheme has been designed to ensure that it minimises impacts on bats and other species impacted by artificial lighting and minimises any impact upon residential amenity. The development hereby permitted shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that habitat provisions achieve their stated aim of providing value for biodiversity by ensuring a considerate lighting design.

### 31) Hours of Operation

Prior to the first occupation of the development hereby permitted, details of the hours of operation for the commercial units hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The commercial units shall thereafter be occupied solely in accordance with the approved details.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or users of the area generally.

### 32) Adaptable & Wheelchair Accessible Housing

At least ten per cent of the residential units hereby permitted shall be constructed to comply with Part M4(3) of the Building Regulations. Any communal areas and accesses serving the M4(3) compliant Wheelchair User Dwellings shall also comply with Part M4(3). All other residential units, communal areas and accesses hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints.

### 33) Potable Water

Prior to the commencement of the development hereby permitted (except demolition above ground floor level), a copy of the water efficiency calculator for new dwellings from Building Regulations Approved Document Part G shall be submitted to and approved in writing by the local planning authority for each dwelling type with a unique sanitary ware and water-consuming appliances specification. This shall demonstrate that each dwelling will achieve water use of not more than 110 litres per person per day (including a 5 litre per person per day allowance for external water use) in line with the optional requirements of Approved Document G.

The calculator tools shall be accompanied by specification documents demonstrating the water consuming fittings and fixtures which have been specified within the dwellings in order to achieve the calculated water use

Reason: To ensure a high standard of sustainability is achieved.

### 34) Parking Permit Free

No occupiers of the residential units hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such permit, and if such permit is issued it shall be surrendered to the Council within seven days of written demand.

Reason: To avoid obstruction of the surrounding streets.

### 35) Air Quality Neutral Assessment

Any proposed CHP equipment to be installed within the development hereby permitted shall ensure that NO<sub>x</sub> emissions of <95mgNm<sup>-3</sup> are achieved and maintained, in order to ensure that the building emissions is air quality neutral.

Reason: To ensure the development does not have an adverse impact upon local air quality.

### 36) Ventilation Strategy

Prior to the commencement of above ground construction works, a ventilation strategy for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall demonstrate adequate mitigation measures with respect to NO<sub>x</sub> filtration or ventilation. The development shall be thereafter carried out prior to first occupation in accordance with the approved details and the mitigation measure maintained as part of the development.

Reason: To ensure that residential units within the development are appropriately ventilated and achieve a suitable level of internal air quality.

37) Removal of Permitted Development Rights – Change of Use B1(a) (Offices) to C3 (residential)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 no change of use permitted by Schedule 2, Part 3, Class O of the Order shall be carried out or erected without the prior written permission of the Local Planning Authority.

Reason: To safeguard the provision of B1a office space within the development.

38) Grampian Condition – Cessation of existing uses on adjacent site

Prior to the first occupation of any residential unit within the development hereby permitted, the existing waste transfer and demolition contractor depot uses on the adjacent McGrath site shall have permanently ceased, and any waste material on the site shall have been cleared.

Reason: To protect the amenity of future occupants.

39) Details of commercial uses

Prior to the commencement of above ground works, details of the breakdown of the proposed commercial uses, to include no more than 630 sqm B1a (office) use, shall be submitted to and approved in writing by the Local Planning Authority. The commercial units shall not be occupied until they have been laid out as per the approved details, and they shall be retained as such thereafter.

Reason: To ensure the development does not result in any loss of industrial floorspace.

## 14 INFORMATIVES

- 1) Your attention is drawn to the following comments from Thames Water:

Waste Water Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.



Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

#### Water Comments

Thames Water recommend the following informative be attached to this planning permission. 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 2) Your attention is drawn to the following comments from the London Fire Brigade:

The development shall conform with Part B5 of Approved Document B of the Building Regulations.

- 3) In relation to Condition 13, it should be noted that the historical uses of the site are likely to have resulted in a significant level of contamination of soil and groundwater by volatile hydrocarbons which may result in significant requirements for remediation. LLDC PPDT will expect a robust process of investigation, assessment and remediation design and implementation to be followed and will closely review the details submitted in order to discharge the contamination related planning conditions. The applicant is advised to make appropriate time and cost allowances within project programmes and cost plans and to ensure that the development layout and design is compatible with any

remediation elements such as gas/vapour protection measures that may need to be incorporated in the design of built development elements on the site.

- 4) In relation to Condition 15, it should be noted that the use of full height glazing within the shopfronts to the commercial units is not supported as per the QRP comments made in September 2018. You are therefore advised that the shopfront details pursuant to Condition 15 are required to include provision of a stallriser to these windows which should be in keeping with the appearance of the building.

## **Appendices**

Appendix 1 CGI image as viewed from north (White Post Lane)

Appendix 2 CGI image as viewed from south (McGrath site)

Appendix 3 Proposed Ground Floor Plan

Appendix 4 Proposed First Floor Plan

Appendix 5 Proposed Second to Fifth Floor Plan

Appendix 6 North and South Elevations

Appendix 7 East and West Elevations

Appendix 8 Building D Elevations

Appendix 9 Heritage Assets

Appendix 10 Report of QRP

Appendix 1: CGI image as viewed from north (White Post Lane)



This page is intentionally left blank

Appendix 2: CGI image as viewed from south (McGrath site)



This page is intentionally left blank

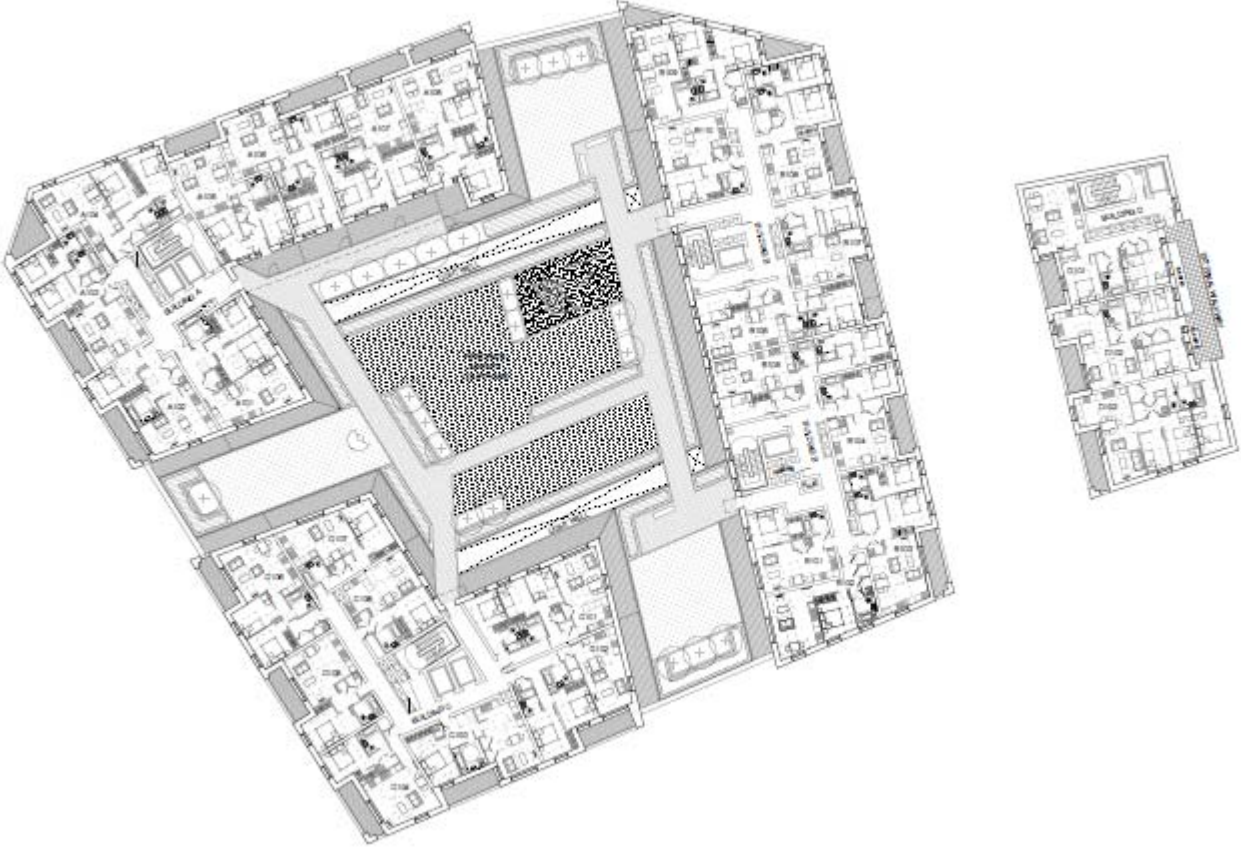
Appendix 3: Proposed Ground Floor Plan



This page is intentionally left blank

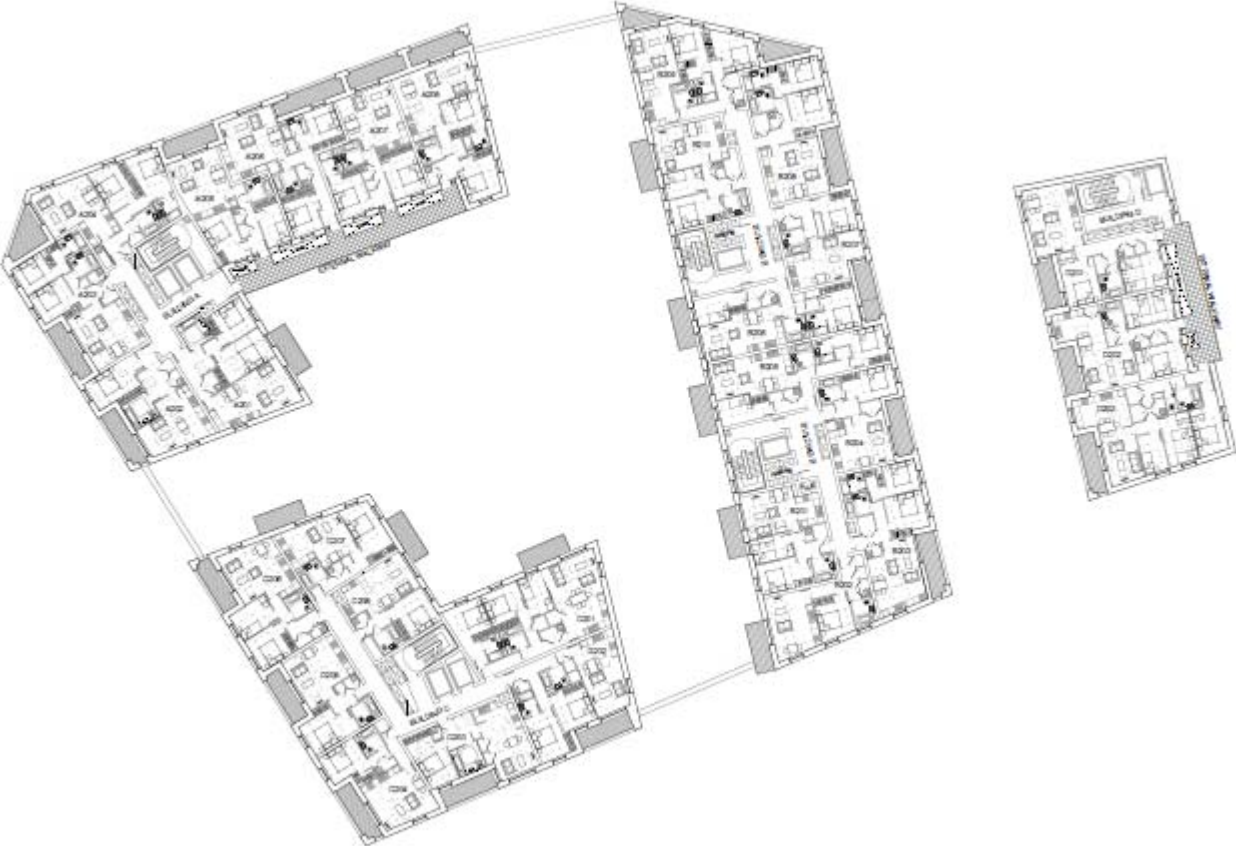


Appendix 4: Proposed First Floor Plan



This page is intentionally left blank

Appendix 5: Proposed Second to Fifth Floor Plan



This page is intentionally left blank

Appendix 6: North and South Elevations



North facing elevation (onto White Post Lane/Rothbury Road)



PROPOSED ELEVATION 01

South facing elevation (onto McGrath site)

This page is intentionally left blank

Appendix 7: East and West Elevations



West facing elevation (onto Hepscott Road)

Page 101

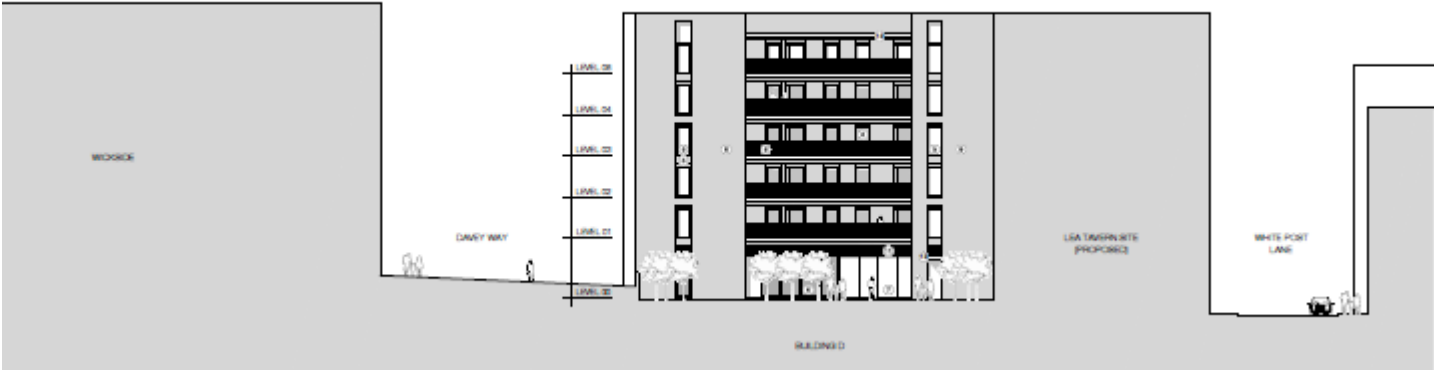


East facing elevation (onto Davey Way)

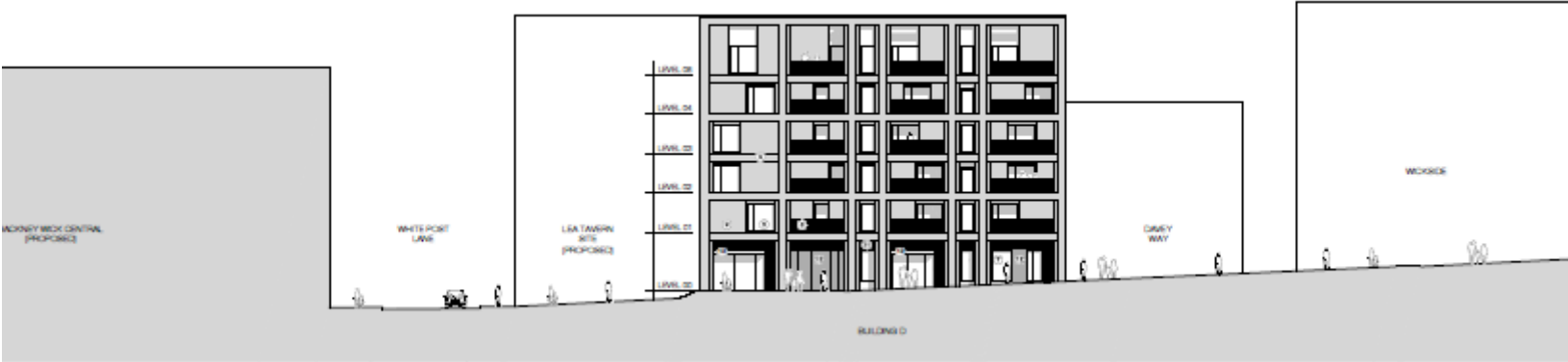
This page is intentionally left blank



Appendix 8: Building D Elevations



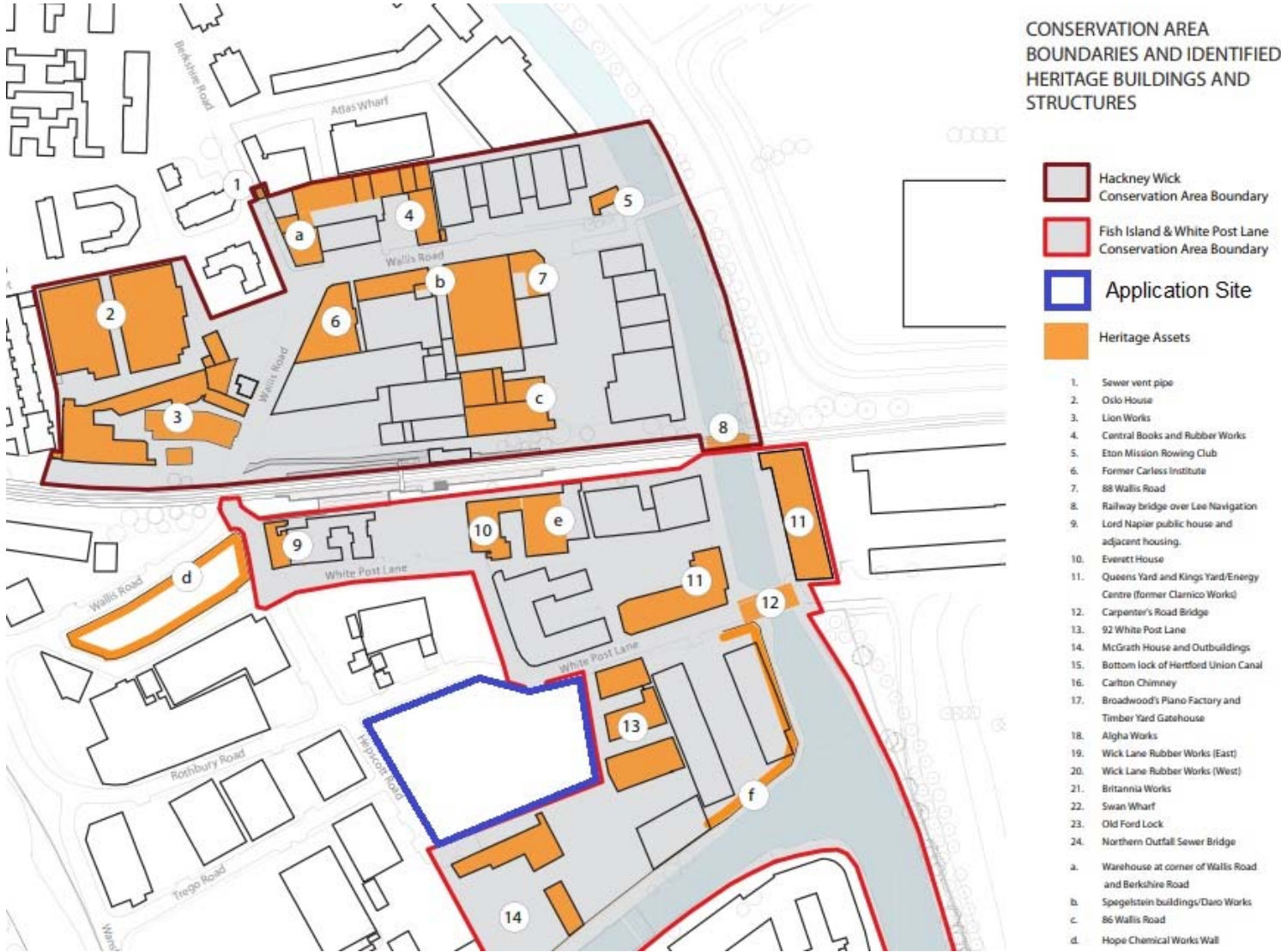
West facing elevation (onto Davey Way)



East facing elevation

This page is intentionally left blank

Appendix 9: Heritage Assets



This page is intentionally left blank



**London Legacy Development Corporation Quality Review Panel**

**Report of Planning Application Review: Telereal Trillium site**

Thursday 20 September 2018

Level 10, 1 Stratford Place, Montfichet Road, London E20 1EJ

**Panel**

Peter Studdert (chair)  
Catherine Burd  
Mike Martin

**Attendees**

Catherine Smyth	LLDC Planning Policy and Decisions Team
Richard McFerran	LLDC Planning Policy and Decisions Team
Steve Tomlinson	London Legacy Development Corporation
Akrem El-Athram	London Legacy Development Corporation
Tessa Kordeczka	Frame Projects

**Report copied to**

Anthony Hollingsworth	LLDC Planning Policy and Decisions Team
Jerry Bell	London Borough of Tower Hamlets
Jane Jin	London Borough of Tower Hamlets

**Note on process**

The Quality Review Panel comments below follow on from two pre-application reviews of the Telereal Trillium site. Panel members who attended the previous meetings were: Catherine Burd; Mike Martin; Graham King; John Lyall; Adam Khan; Lindsey Whitelaw; and David Bonnett.

## 1. Project name and site address

Telereal Trillium site, land bounded by Hepscott Road and Rothbury Road, London E9 5HA

Planning application reference: 17/00222/FUL

## 2. Presenting team

Steve Akeju	Telereal Trillium
Rob Foster	Carey Jones Chapman Tolcher
James Cogan	GL Hearn

## 3. Planning authority's views

The design team has worked constructively with the planning authority to resolve outstanding issues – including those raised by the Quality Review Panel at its previous meetings.

The planning authority would support approval of the planning application for the scheme for the Telereal Trillium site – but seeks the panel's advice on whether Building B, which slightly exceeds 20m in height, meets the criteria of Local Plan Policy BN.10 on tall buildings, including a requirement for 'outstanding architecture'.

## 4. Quality Review Panel's views

### *Summary*

The Quality Review Panel is pleased to support approval of the planning application for the scheme for the Telereal Trillium site. It considers that it makes a significant contribution to the regeneration of Hackney Wick and Fish Island, including delivery of the strategic new north / south route from Hackney Wick Station to the Hertford Union Canal and beyond. The panel supports the proposed scale, massing and architectural expression – but stresses the importance of ensuring high quality detailing, materials and construction. It therefore strongly recommends retention of the design team throughout. The scheme promises high quality residential accommodation. Davey Way – part of the new north / south route – will be an attractive, animated route. Taken as a whole – both buildings and public realm – the panel concludes that the scheme has the potential to meet the tests of Policy BN.10. These comments are expanded below, and those made at the previous reviews that remain relevant are repeated for clarity.

### *Scale and massing*

- The panel supports the proposed scale and massing, including the configuration of the four buildings across the site. It welcomes the omission of the set back seventh storey initially proposed for Building B.



### *Architectural expression*

- Revisions to the architectural expression of the four buildings improve on previous iterations. The proposed architecture results in well mannered buildings which, in the specific context of Fish Island, could be considered 'outstanding'.
- It is what the scheme as a whole – the buildings and, crucially, also the public realm – brings to Hackney Wick and Fish Island that should be considered when assessing it against the criteria of Policy BN.10.
- Compliance with Policy BN.10 will, however, depend heavily on the quality of detailing, materials and construction. The panel stresses the importance of retaining the design team through to detailed design and construction – and avoiding value engineering. It therefore welcomes the planning authority's assurance that this will be secured in a Section 106 agreement.
- As a detailed point, the panel underlines the importance of exceptionally high quality bricks.
- The panel suggests further thought to the full height glazing proposed for the ground floor commercial workspace. Further consideration of, for example, cill heights could avert the risk of subsequent ad hoc interventions by occupants that could detract from the quality of the building as perceived at street level.

### *Residential accommodation*

- The proposal promises high quality residential accommodation. The reduction of the number of single aspect units in Building B contributes significantly towards compliance with Policy BN.10. Sixty-nine per cent of units across the development are now dual aspect.

### *Public realm*

- The panel repeats its view that the design of Davey Way will strengthen permeability through Hackney Wick and Fish Island. This route promises to be a pleasant social space.
- An effective lighting strategy will be important to make the most of the potential of Davey Way.

### *Next steps*

- The Quality Review Panel considers that the proposal, as revised, for the Telereal Trillium has the potential to meet the criteria of Local Plan Policy BN.10 and is therefore pleased to support the planning application for this scheme.



- It looks forward to the scheme being built – but stresses the importance of retention of the design team through to detailed design and construction in order to ensure the design quality promised by the proposal is realised.







**Subject:** Iceland Wharf, Fish Island, London E9 5HJ - 18/00095/FUL

**Meeting date:** 23 October 2018

**Report to:** Planning Decisions Committee

**Report of:** Anne Ogundiya, Principal Planning Development Manager

FOR DECISION

---

**This report would be considered in public**

---

**1. EXECUTIVE SUMMARY**

- 1.1. This report considers an application for planning permission which seeks consent for demolition and the redevelopment of the site known as Iceland Wharf, which lies within Fish Island and covers an area of 0.51ha.
- 1.2. The redevelopment is for a mixed-use employment-led development resulting in 7 buildings of between 1 and 8 storeys (between 8m and 26.3m in height from ground level) to provide 3,871m<sup>2</sup> of employment floorspace (Use Classes B1-B2) (GIA), 120 residential units (Use Class C3) as well as associated car parking spaces for people with disabilities, hard and soft landscaping, public realm, and the creation of 3 new vehicular access points. The proposal includes 35% (by habitable room) affordable housing.
- 1.3. The site fronts Iceland Road, which is to its north, and Wick Lane to the west. The River Lea Navigation bounds the site to the east, and Autumn Yard (an industrial complex) to the south. The site is currently vacant, most recently occupied by a scrap-metal merchant.
- 1.4. There are a number of small scale brick workshop buildings and yards within the site. Within the mix of buildings is a two-storey dark brick building with a tiled pitched roof, which is the remains of the Old Ammonia Works factory. The building is identified within the Local Plan as a non-designated heritage asset. The building is proposed to be retained and incorporated as part of the proposals. Large scale contemporary residential blocks are situated to the north of the site, which front Wick Lane and Iceland Road.
- 1.5. The site is designated within the Local Plan as an 'Other Industrial Location' (OIL), and borders the designated 'Strategic Industrial Location' (SIL), which is located to the south of the application site. The OIL designation requires an employment-led mix of uses, including warehouse, storage, distribution, with potential for residential development.

- 1.6. The key issues in considering the submitted details are:
- Principle of the Development;
  - Commercial Workspace / Employment (including quality of employment floorspace);
  - Housing Mix including Affordable Housing (including accessibility and Inclusive Design);
  - Density; Scale and Massing;
  - Layout and Design;
  - Landscaping and Public Realm;
  - Amenity (Daylight and Sunlight, Privacy as well as Impact on Neighbouring Properties);
  - Transport;
  - Noise and Air Quality;
  - Energy and Sustainability;
  - Contaminated Land and Archaeological matters; and
  - Heads of Terms.
- 1.7. The site is located within an OIL, on the boundary between a residential environment and a SIL. The proposals seek to address both residential and industrial adjacencies whilst providing a policy compliant mix of residential office and industrial uses. The development has been subject to extensive pre-application and post-submission negotiations in relation to its design, massing and content, and has been steered to be employment led. The commercial use would be located within 6 of the 7 proposed buildings, with the residential contained within 5 of the 7 buildings.
- 1.8. Officers and the Quality Review Panel (QRP) welcome the innovative approach proposed and support the scheme, which principally includes a standalone five-storey B2 (general industrial) building, a deck access residential typology integrated with B1 (light industrial) ranging from ground to fourth floor levels within four buildings in the development. The mixed-use buildings have been designed such that they could accommodate small and medium enterprises, with scope to accommodate creative industries as well as the residential deck access typology.
- 1.9. Thirty-three representations have been received from 21 residents/businesses. Two of the representations fully support the scheme; five support the scheme in principle but express concern around delivery/servicing and construction impacts and 14 objection letters have been received relating to massing, noise, overlooking and daylight and sunlight impact. Following analysis of the scheme Officers are satisfied that the proposed development would not cause material harm to the amenities of nearby residents or businesses.
- 1.10. The scheme has been subject to review by the Quality Review Panel (QRP), which ‘...commends the depth of thought applied to creating a genuinely mixed-use development – a little community within a community – that is entirely appropriate to the character of Hackney Wick and Fish Island. The scheme demonstrates a real richness and quality...’

- 1.11. The redevelopment proposals are in general accordance with the requirements of Policy B.1 of the Local Plan and the London Plan and its draft in their location and maintenance of employment uses. The commercial floorspace would be of a high-quality design, and would have the potential to substantially increase employment density on the site from the current figure of zero jobs, to, based on proposed floorspace up to 169 jobs using the Homes and Communities Agency Employment Density Guide.
- 1.12. The applicant has successfully demonstrated that the quality of the proposals, both commercial and residential, would be high. Officers consider that they would optimise the capabilities of the site and would deliver employment and housing meeting local and strategic need.
- 1.13. The proposed affordable housing is compliant with the requirements of the threshold approach to viability as set out within the Mayor's Affordable Housing and Viability SPG. The scheme would maximise the use of previously developed land in accordance with London Plan policy 3.4, draft new London Plan policy GG2 and Local Plan Policies SP.1 and SP.2 and would make a contribution to both local housing needs and the local employment offer in accordance with the NPPF and London Plan Policies 3.5, 3.9 and 4.1, draft new London Plan Policies GG1, GG4, GG5 and Local Plan Policies B.1, BN.1 and BN.4. The proposal is considered to be policy compliant.
- 1.14. The applicant has agreed to enter into a s.106 legal agreement which would secure the provision of affordable housing and the early review mechanism, together with other financial contributions/improvements i.e. car club provision, including managed and affordable workspace, employment opportunities such as training/apprenticeships, and travel plan measures, public realm and enhancement measures to Iceland Road and the riverside; to ensure that the effects of the development are mitigated.

## **2. RECOMMENDATIONS**

### **2.1 The Committee is invited to:**

- a) **Approve the application for the reasons given in the report and grant planning permission subject to:**
  1. **the satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report; and**
  2. **the conditions set out in this report.**
- b) **AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to:**
  1. **Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;**

2. **Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and**
3. **Complete the section 106 legal agreement referred to above and issue the planning permission.**

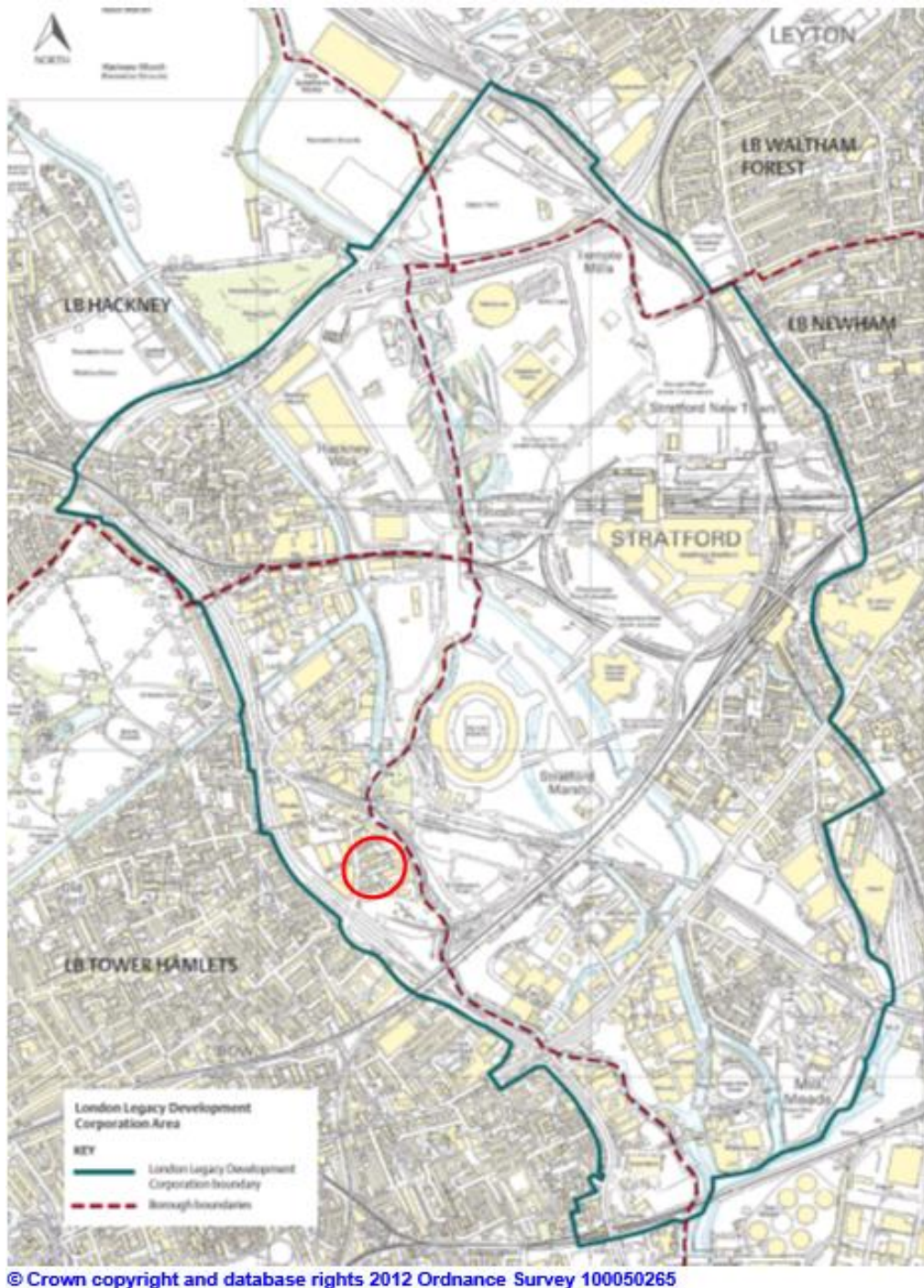
### **3. FINANCIAL IMPLICATIONS**

- 3.1. There are no financial implications

### **4. LEGAL IMPLICATIONS**

- 4.1. The recommendation is that planning permission is granted, subject to completion of a s106 legal agreement to ensure adequate mitigation of the impacts of the development. The contents of any required s106 agreement is described in section 11.116 (Draft Heads of Terms) below.

## SITE PLAN



**Location:** Iceland Wharf, Fish Island, London E9 5HJ

**London Borough:** Tower Hamlets

**Proposal:** Planning application for demolition of existing buildings, (with the exception of the former Ammonia Works Warehouse) and the erection of seven new buildings ranging from 1 to 8 storeys in height to provide 3,871sqm of commercial floorspace (Use Class B1 and B2) and 120 residential units (Use Class C3), together with the provision of

landscaped public open space, refuse stores, secure cycle stores and car parking for people with disabilities.

**Applicants:** City and Suburban Housing

**Agent:** CMA Planning

### Redline site boundary



## 5. SITE & SURROUNDINGS

- 5.1. The application site has an area of 0.51 ha and is irregular in shape. The A12 highway is to the west of the site (beyond Wick Lane), the River Lea to the east, and Wick Lane which runs along the western boundary. On the north-west corner of the site on Wick Lane is the two-storey 'Lighthouse' public house, which is defined in the Local Plan as a non-designated heritage asset. There is no public access along the river front to either side of the site.
- 5.2. To the north of the site is the neighbouring seven storey residential block at 419 Wick Lane terminating at the river edge. 417 Wick Lane is further north and is a part seven, part nine storey block.
- 5.3. To the south lie one and two storey brick finished commercial buildings that form part of the Autumn Yard and Autumn Wharf industrial estates, which house a number of small scale businesses as well as a music venue.
- 5.4. The site is designated within the Local Plan as an 'Other Industrial Location' (OIL), and is adjacent to the boundary of the Local Plan designated 'Strategic Industrial Location' (SIL). A number of derelict structures sit within the site boundary, the majority of the space is taken up by yard. These structures are of industrial character, brick built and low level with pitched roofs. A two-storey dark brick building with tiled pitched roof is the remains of the Old Ammonia Works Warehouse factory, and is identified within the Local Plan as a non-designated heritage asset.
- 5.5. The site is currently vacant most recently occupied by a scrap-metal merchant.

- 5.6. The local built character is predominantly industrial, however, in recent years, large scale residential developments have taken shape within the built landscape, with the LB Tower Hamlets approved 'Live – Work' schemes at 417 and 419 Wick Lane, and the approved mixed-use development at 415 Wick Lane (currently under construction - see planning history section 6).
- 5.7. Wick Lane is served by the 339-bus route (Leytonstone / Stratford / Shadwell). Two further bus routes, the 276 and 488 can be accessed at Tredegar Road, approximately 500m south of the site. The closest train station is Hackney Wick Overground Station, approximately 1.1km from the site.

## **6. RELEVANT PLANNING HISTORY**

### Iceland Wharf Enforcement History

- 6.1. ENF/16/00005 - In May 2016, complaints were received regarding activities at Iceland Wharf and an investigation was undertaken into the lawfulness of the activities occurring at the site. The investigation established that a scrap metal yard, haulage yard, car sales yard, auto-electrical repairs workshop, vehicle repairs workshop and a hand car wash were all operating from the site.
- 6.2. The enforcement investigation concluded that the scrap metal yard, haulage yard and hand car wash were lawful uses, either benefitting from planning permission or through having been operating from the site for a period of at least 10 years.
- 6.3. The planning history surrounding the vehicle repairs workshop, auto-electrical repairs workshop and car dealership yard was inconclusive and it could not be established whether those uses were lawful. However, given the nature of those uses and the future development plans for the site, it was considered to not be expedient to pursue any formal enforcement action. The enforcement case was closed on 22 June 2017.

### **Adjacent Sites**

#### 415 Wick Lane

- 6.4. 16/00685/FUL (planning permission September 2017- currently under construction) - Demolition of 1,187.5sqm GIA of existing buildings and yard space comprising 278.2sqm Class B1, 220.4sqm Class B2 and 688.9sqm Sui Generis. Redevelopment of a mixed-use scheme totalling 18,329sqm GIA floorspace comprising 175 residential units (14,848sqm) (Class C3), 2,503sqm employment space comprising 1,648sqm Class B1, 221sqm Class B2, and 345sqm commercial use (Class A1/A3) plus 289sqm of ancillary spaces, 660sqm on plot lower ground floor parking alongside 3,951sqm public realm, open space and associated vehicular access.

#### Autumn Yard

- 6.5. 14/00123/COU (change of use granted September 2015).
- 6.5.1. Change of use from a General Industrial Unit (Class B2) to 4 affordable workspace office units (B1) and a multifunctional floor space for the creative

industries (Sui generis). The multifunctional space consists of offices, studios, and events, exhibition and performance space and a licensed bar, and is used for a maximum of two nights a week for late night music events.

#### 417 Wick Lane

- 6.6. PA/02/01852/A1 417 Wick Lane (planning permission March 2004). This scheme granted planning permission for 75 live work units an 960m<sup>2</sup> of B1 accommodation in a development up to nine storeys approved by LB Tower Hamlets. The site is located to the north of Iceland Wharf

*6.6.1.LB Tower Hamlets have granted a number of Certificates of Lawfulness for a number of apartments to use them as single dwellings.*

*6.6.2.LLDC PPDT have granted retrospective planning permission for a number of change of use for a number of apartments from live work units (sui generis use) to use as a single residential flat.*

#### 419 Wick Lane

- 6.7. PA/03/01617 (outline planning permission October 2005) The site comprises of a seven storey (plus basement level) building comprising of 104 live-work units, 1,123m<sup>2</sup> of Class B1 floor space and 107m<sup>2</sup> of Class A1 (Shop) or Class A3 (Food Drink) floor space together with 111 parking spaces approved by LB Tower Hamlets.
- 6.8. Reserved matters applications were approved by Olympic Delivery Authority between February 2008 and early 2009 providing full details of archaeology, heritage building recording, retention of a war memorial, contamination and remediation, habitat plan, foundation design, external materials, noise assessment, internal layouts, external lighting and landscaping, along with a reduction of the total number of car parking spaces to 78.
- 6.9. 09/90318/FULODA - A subsequent permission (approved 1<sup>st</sup> February 2010) for the retrospective subdivision of existing live/work (sui generis) units to create 8 additional live/work (sui generis) units (resulting in 112 units in total), (4 x duplex units on lower/upper ground floor, 1 x duplex unit on floors 1 & 2, 1 x duplex unit on floors 3/4 and 2 x units on floor 6) was approved by the Olympic Delivery Authority (ODA).
- 6.10. 12/00165/FUM – 419 Wick Lane (planning permission granted 19<sup>th</sup> December 2012). This scheme granted planning permission for change of use of upper floors (1 – 6) from Live-Work (Sui Generis) to 112 self-contained residential units (Class C3) approved by ODA.
- 6.11. The proposal was presented to Members at pre-application stage on the 19<sup>th</sup> December 2017.



6.12. The following points were made in discussion:

- a) Members queried the demand for the B2 workspace
- b) Members wanted to be sure that there would be mitigation of the noise and fumes on the site.

## **7 DESCRIPTION OF DEVELOPMENT**

7.1 This report considers a planning application for demolition and the redevelopment of the site proposing 7,715m<sup>2</sup> (GIA) of residential floorspace and 3,871m<sup>2</sup> (GIA) of commercial space.

7.2 The redevelopment is for the mixed-use employment led development resulting in 7 buildings of between 1 and 8 storeys (between circa 8m and 26m from ground level in height) to provide employment floorspace (Use Classes B1-B2), 120 residential units (Use Class C3) as well as, car parking spaces for people with disabilities, hard and soft landscaping and public realm, and creation of new vehicular access points.

7.3 Save for a two storey non-designated heritage asset on the site (former Ammonia Works Warehouse) the existing buildings on the site are proposed to be demolished.

7.4 The application has been amended since being submitted. The changes have been principally to the massing of Block B and Block D and the scheme described is the amended scheme. The description of development should be read in conjunction with the proposed site plan (see appendix 3).

### **7.5 Summary of Development within the Proposed Blocks**

7.6 The commercial development would be located within 6 of the proposed 7 buildings (Blocks A, B, C, E, F and G) and the commercial quantum is as set out in Table 1 below.

7.7 The residential units are contained within 5 of the 7 proposed blocks (Blocks B, C, D, E and G).

7.8 The general housing mix is set out in Table 2 below.

**Table 1 - Commercial floorspace**

<b>Proposed use</b>	<b>Floorspace (GIA): as proposed</b>	<b>Floorspace (GIA): as Existing</b>
<b>Business use (Use Class B1 (a) workspace)</b>	1,463m <sup>2</sup>	Nil
<b>B1 (c) light Industrial</b>	1,466m <sup>2</sup>	Nil
<b>B2 (general Industrial)</b>	942m <sup>2</sup>	634m <sup>2</sup>
<b>B8 (storage and distribution)</b>	Nil	Nil
<b>Yard Space</b>	450m <sup>2</sup>	4,152m <sup>2</sup>
<b>Total non-residential floorspace</b>	<b>4,321m<sup>2</sup></b>	<b>4,786m<sup>2</sup></b>

7.9 Block A: Is proposed as a five storey (19.5m in height) standalone wholly commercial B2 (general industrial use) building, with a floorspace of 942m<sup>2</sup> GIA with ancillary yard (125m<sup>2</sup>) and terrace 94m<sup>2</sup>. The building would front Wick Lane.

- The building is composed of a series of single and double height stacked spaces overlooking the yard space for the nearby B1 commercial unit.
- The building is characterised by five floor plates of similar shape connected by a staircase and a heavy duty lift suitable for oversized goods and forklifts.
- The ground floor would host an internal loading bay for deliveries with the ability to enable forklifts manoeuvres.
- The loading bay and yard would connect the B2 building with other commercial units proposed within the development to the east of the site.
- The second floor would feature an outdoor terrace for breakout space.

7.10 The building material finish would be concrete with translucent panels, which includes an open concrete grid with infills of glazing and metal panels of varying permeability.

7.11 Block B: Proposed as a commercial and residential building.

- The building would be 4 storeys in height (17.1m from ground level) and adjoins Block C.
- The commercial aspect comprises part B1(a) and B1(c) class with a commercial floorspace of 350m<sup>2</sup> (GIA).
- The building would be accessed via Iceland Road
- Block B would incorporate the Old Ammonia Works Warehouse building non-designated heritage asset.
- The block contains 16 residential units

7.12 Block C: Proposed as a commercial and residential building.

- The building would be 7 storeys in height (20m from ground level) with a 5 storey (17.5m from ground level) attached shoulder block.
- The commercial aspect comprises B1(c) class with a commercial floorspace of 660m<sup>2</sup> (GIA).
- The building would be accessed via Iceland Road
- The block contains 26 residential units

7.13 Block D: Proposed wholly residential building

- The building would be 6 storeys (17m to 17.8m from ground level).
- The block contains 56 residential units

7.14 Block E: Proposed as a commercial and residential building adjacent to the Foundry building a two storey industrial block.

- The building would be 6 storeys (17m to 17.8m from ground level).
- The commercial aspect comprises B1(c) class with a commercial floorspace of 400m<sup>2</sup> (GIA).
- Vehicle access at ground floor level would be through Block B i.e. Iceland Road, and the commercial pedestrian entrance would be through the non-designated heritage building former Ammonia Works Warehouse.
- The block contains 8 residential units

7.15 Block F: Proposed as a standalone B1 commercial building.

- The building would be 6/7 storeys in height (20m).
- The commercial aspect comprises B1(c) class with a commercial floorspace of 240m<sup>2</sup> (GIA).
- The building would be accessed via Iceland Road.
- There is vehicular access via the lower ground to Blocks E, C, F and G.
- Residential access is via a recessed entrance towards the eastern end of Iceland Road.

7.16 Block G: Proposed as a commercial and residential building.

- The building would be 5 storeys (20m from ground level) in height.
- The commercial aspect comprises B1(a) class with a commercial floorspace of 1,290m<sup>2</sup> (GIA).
- Pedestrian access would be either through the vehicular gate or the main entrance of the non-designated heritage asset through a linked corridor.
- The block contains 26 residential units

7.17 Residential Massing: The massing of the residential blocks is arranged around open communal spaces. The communal spaces take the form of courtyards, roof gardens and a series of raised walkway decks.

7.18 The accommodation is accessed via two main stair cores off Iceland Road, which provide a secure entry zone for residents and lead onto communal walkway decks. The walkway decks are configured around light voids which would serve as defensible space, creating a buffer zone between the main circulation routes and the more private front door thresholds. Passing points are integrated into the walkway design, as well as pockets of seating and planting that encourage social exchange between residents. A third fire stair core to south east of the development provides an alternative emergency escape route.

7.19 Courtyards: The proposals would create three mixed courtyards at ground floor level. A working yard would be accessed from Wick Lane. A B1 breakout yard would be accessed from Iceland Wharf, and a residential courtyard also accessed from Iceland Road. The breakout yard is proposed in the form of a cloistered courtyard, bounded on all sides by double height commercial space

7.20 Landscaping and Open Space: The proposed Iceland Wharf development offers landscaped public realm space with a river front connection. The proposals include a residential courtyard at ground floor and rooftop terraces at fourth and fifth floor. These spaces are linked by a series of interwoven walkway decks providing access to the residential units.

7.21 Refuse: The commercial units would have two separate waste stores, accessed internally from the commercial area: one store for the B2 standalone building's waste would contain 3 x (1280 litre capacity) bins, and another 6 x (1280 litre capacity) bins for the B1 uses. For the domestic refuse collection, stores are located on the lower ground and ground floor level, accessible internally, from residential entrance cores, as well as directly from street level by refuse vehicles.

**Table 2 – Residential Mix, Size and Tenure**

<b>Tenure</b>	<b>1 bedroom</b>	<b>2 bedroom</b>	<b>3 bedroom</b>	<b>All Bedroom Types Total</b>
<b>Market</b>	41 units (52 % of total market)	29 units (37% of total market)	9 units (11% of total market)	79 units (66% of total housing)
<b>Shared Ownership</b>	5 units (33% of total shared ownership)	8 units (53% of total shared ownership)	2 units (14% of total shared ownership)	15 units (36% of affordable housing / 13% of total housing)
<b>London Living Rent</b>	7 units (54% of total London living rent)	5 units (38% of total London living rent)	1 units (8% of total London living rent)	13 units (32% of affordable housing / 11% of total housing)
<b>London Affordable Rent</b>	6 units (46% of total affordable rent)	4 units (31% of total affordable rent)	3 units (23% of total affordable rent)	13 units (32% of total affordable housing / 11% of total housing)
<b>All Tenures Total</b>	<b>59 units (49%)</b>	<b>46 units (38%)</b>	<b>15 units (13%)</b>	<b>120 units (100%)</b>

7.22 Cycle Parking: In total, 48 cycle spaces would be provided for the employment uses and 186 spaces would be provided for the residential units. The plans illustrate 4 vertical bike stands on the ground floor and a double decker stand for 36 spaces on the lower ground floor level, split into two locations

7.23 Vehicular Access: The development is largely proposed as car-free. 14 parking bays for people with disabilities are proposed on Iceland Road. The submitted drawings illustrate controlled permeability with vehicular access points for servicing and delivery via Wick Lane and along Iceland Road.

7.24 A vehicular access route is proposed linking the working yard with Wick Lane and Iceland Road, and allows for a 10m truck to enter and leave the site in forward gear,

accommodating delivery and servicing. An under-croft linking the yard with Iceland Road breaks through the commercial façade at ground level, allowing vehicular delivery and servicing access.

## **8. POLICIES & GUIDANCE**

### **8.1 National Planning Policy Framework (NPPF – July 2018)**

The policies in the NPPF are material considerations in the determination of applications.

The following NPPF policies are relevant to this submission:

#### **8.1. The following NPPF sections are relevant to this planning application:**

4. Decision making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
16. Conserving and enhancing the historic environment

8.2 For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the adopted 'Development Plan' for this site current is the London Legacy Development Corporation's Local Plan 2015-2031 (August 2015). The contents of the Government's National Planning Policy Framework are also relevant and have been taken into consideration.

#### **8.3 The most relevant policies are listed below:**

##### **The London Plan (March 2016)**

8.4 The following London Plan policies are relevant to this submission:

- Objective 1 – Increase the prosperity of east London through growth in business and quality jobs with an emphasis on cultural and creative sectors, promotion as a visitor and tourist destination and high quality lifelong learning opportunities
- Objective 2 - Providing Housing and Neighbourhoods
- 2.4 The 2012 Games and their legacy
- 2.9 Inner London
- 2.13 Opportunity areas
- 2.14 Areas for regeneration

- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of Affordable Housing
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed-Use Schemes
- 4.1 Developing London's Economy
- 4.12 Improving Opportunities for All
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.11 Green Roof and Development Site Environs
- 5.12: Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Communities and Neighbourhoods
- 7.2 An inclusive environment
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.9 Heritage-Led Regeneration
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.27 Blue Ribbon Network: Supporting Infrastructure and Recreational Use
- 8.2 Planning Obligations

**8.5 London Plan (August 2015) - Housing Standards, and Parking Standards (Draft)**

These two documents are in draft format to be considered by an inspector in a public examination commencing on 21 October 2018. Weight can still be attached to the documents particularly as they have been consulted on.

**8.6 LLDC Local Plan (July 2015) Policies which are relevant to the consideration of this submission are:**

Local Plan Proposal Map Land Use Designation Other Industrial Location (OIL)

- SP.1 – Building a strong and diverse economy
- Policy SD.1 – Sustainable development
- B.1 - Location and maintenance of employment uses
- B.2 – Thriving town, neighbourhood and local centres
- B.5 – Increasing local access to jobs, skills and employment training
- CI.1 - Providing new and retaining existing community infrastructure

- H.1 - Providing a mix of housing types
- H.2 - Delivering affordable housing
- SP.3 - Integrating the built and natural environment
- BN.1 - Responding to place
- BN.2 - Creating distinctive waterway environments
- BN.3 - Maximising biodiversity
- BN.4 - Designing residential schemes
- BN.5 – Requiring inclusive design
- BN.8 - Maximising opportunities for play
- BN.10 – Proposals for tall buildings
- BN.11 – Reducing noise and improving air quality
- BN.12 – Protecting archaeological interest
- BN.13 – Improving the quality of land
- BN.16 – Preserving or enhancing heritage assets
- T.4 – Managing development and its transport impacts to promote sustainable transport choices and prioritise pedestrians and cyclists
- T.5 - Street Network
- T.6 - Facilitating local connectivity
- T.7 – Transport assessments and travel plans
- T.8 – Parking and parking standards in new development
- T.9 - Providing for pedestrians and cyclists
- SP.5 – A sustainable and healthy place to live and work
- S.1 – Health and wellbeing
- S.2 – Energy in new development
- S.3 – Energy infrastructure and heat networks
- S.4 – Sustainable design and construction
- S.5 – Water supply and waste water disposal
- S.6 – Waste reduction
- S.7 – Overheating and urban greening
- S.8 – Flood risk
- 1.1 - Managing change in Hackney Wick and Fish Island
- 1.2 - Promoting Hackney Wick and Fish Island's unique identity and appearance
  - 1.3 - Connecting Hackney Wick and Fish Island
  - 1.4 - Preserving and enhancing heritage assets in Hackney Wick and Fish Island
  - 1.5 - Improving the public and private realm in Hackney Wick and Fish Island
  - 1.6 - Building to an appropriate height in Hackney Wick and Fish Island

## 8.7 Other Relevant Material Considerations

- Mayor's Air Quality Strategy (2010)
- Mayor of London - Providing for Children and Young People's Informal Recreation (2012)
- Mayor of London - Housing SPG (2011)
- LLDC Planning Obligations SPD (2015)
- LLDC Carbon Offset Local Plan SPD (2016)
- Mayor of London – Draft Transport Strategy (2017)
- Mayor of London - Affordable Housing and Viability SPG (2017)



## 8.8 The Draft new London Plan (December 2017 with minor suggested changes July 2018)

The Mayor of London published a draft new London Plan on 29th November 2017, which has been submitted for its Examination in Public along with minor suggested changes. The policies in the draft new London Plan currently have only very limited material weight when making planning decisions. This report may make reference to policies within the new London Plan where they are directly relevant to the assessment of the application proposal. However, the relevant development plan policies remain those within the current London Plan (March 2016) and the LLDC Local Plan (July 2015).

The following draft new London Plan policies are relevant to this submission:

GG1 - Building strong and inclusive communities

GG2 - Making the best use of land

GG3 – Creating a healthy city

GG4 - Delivering the homes London needs

GG5 - Growing a good economy

GG6 - Increasing efficiency and resilience

H5 – Delivering affordable housing

H6 – Threshold approach to applications

H7 - Affordable housing tenure

D4 - Housing quality and standards

D5 - Accessible housing

D6 - Optimising density

D10 Safety, security and resilience to emergency

D11 Fire safety

E4 Land for industry, logistics and services to support London's economic function

E7 - Industrial Intensification, co-location and substitution

SI1 Improving air quality

SI2 Minimising greenhouse gas emissions

T4 Assessing and mitigating transport impacts

T6.1 - Residential parking

HC5 Supporting London's culture and creative industries

S11 Improving air quality

T7 Freight and servicing.

## 9. CONSULTATION

- 9.1. This application has had two rounds of consultations:
- 1st Round –12<sup>th</sup> March 2018 (consultation letters) Expiry 2<sup>nd</sup> April 2018 and 19<sup>th</sup> March 2018 (neighbour letters) Expiry 9<sup>th</sup> April 2018
  - 2nd Round (consultation / neighbour letters) - 17th August 2018, expiry 31<sup>st</sup> August 2018 and 21st August 2018
- 9.2. The application was advertised in the press published in East London Advertiser on 15th March 2018. Expiry 4<sup>th</sup> April 2018.
- 9.3. In addition, a total of 4 Site Notices were displayed in and around the site.
- 9.4. 228 neighbouring properties were consulted by post.
- 9.5. Details of the responses received are set out in the paragraphs below.
- 9.6. Responses have been received from the following statutory and non-statutory consultees as set out below.

### Round 1 and Round 2 Neighbour Properties Representation

- 9.7. In response to consultation on the submitted scheme a total of 33 letters have been received. Those 33 letters were received from 21 local residents/businesses.
- 2 fully support the scheme
  - 5 support the scheme in principle but express concern around construction impacts and delivery and servicing.
  - 14 objections were on behalf of residents of the Ironworks development (419 Wick Lane) and two from adjacent commercial premises Autumn Yard Studios.

### Summary of Neighbouring Properties Objections / Concerns

Objections / Concerns	Issue Raised	Response
Consultation Period	Three-week deadline is not sufficient for residents to consider the application and respond	Officer response - the consultation has been carried out in accordance with statutory requirements. In any event comments received after the consultation expiry date are also taken into account beyond the statutory deadline.
Bulk and Massing	The development would be built right up to the River Lea, whereas other	Officer response - The proposed development would be set-back from the river and includes a

	<p>developments are set back (including 419 Wick Lane)</p> <p>Disappointed to see another floor added to the planning proposals without proper consultation and the light studies being done</p> <p>All floor levels should be reduced by one storey.</p> <p>The vast majority of the affordable housing would be 1 bed units and the proportion of family homes is significantly smaller.</p> <p>Lack of parking makes properties unwelcoming for families</p>	<p>planted 'green buffer', which is an improvement over the existing situation (see landscaping section of report assessment)</p> <p>Officer response - Further consultation was carried out at the time the plans were revised - An updated Daylight and Sunlight report has been submitted, which takes account of the additional storey to Bock D</p> <p>The appropriateness of the scale and height of the development is discussed within the assessment section of the report</p> <p>Officer response - The proposed development would provide 35% affordable housing and the mix of unit sizes accord with LLDC policy requirements (50%+ 2 beds).</p> <p>Officer Response: The London Plan and LLDC Local Plan policy seek to reduce reliance on car borne travel and promote car free developments in accessible locations.</p>
Daylight Sunlight	Object on the ground that the proposals would adversely impact on the daylight and sunlight levels to neighbouring properties at 419 Wick Lane, with reductions above the BRE guideline levels.	Officer response: At the behest of officers the Daylight and Sunlight Report by the applicant's environmental consultant (XCO2) was updated in April 2018 to include assessment of the river-facing windows and rooms

	<p>The revised proposals include an additional storey but the developer has not updated their daylight and sunlight report – the concerns from the original report have still not been rectified.</p> <p>No sunlight assessment has been carried out on the river-facing flats at 419 Wick Lane</p> <p>The daylight sunlight report does not assess The Lighthouse pub, as it says there are no residences in this building. This is incorrect, there are several flats above Iceland Wharf which are currently rented out.</p> <p>The riverside flats would have reduced sunlight, which has now been made worse by the additional storey on the riverside. This would result in the garden by the riverside never receiving any sun, also impacting the nature reserve area on the river which has many swans nesting.</p> <p>The overshadowing report has not been revised for the Riverside flats.</p>	<p>within 419 Wick Lane – this assessment shows that any effect on the light levels of these windows and rooms would be negligible and entirely within the BRE guideline levels.</p> <p>Applicant Response - An updated report has been submitted and published on the LLDC website, which takes account of the additional storey to Bock D (Iceland Wharf Daylight Sunlight Report (Neighbouring) 29.08.18 addendum 26th September 2018 (Robinsons 2018)).</p> <p>Officer response - The assessment provided by the applicant provides an analysis of reduction for sunlight and daylight where appropriate. Approximately 75% of receptors tested are within the recommendations of BRE guidelines for daylight.</p> <p>Officer response - Supplementary analysis provided by the applicant has demonstrated that there is a reduction of daylight on the Lighthouse Public House which would be noticeable. However, the daylight performance is typical of an urban area as Vertical Sky Component (VSC) is approximately 20%.</p>
--	--	--

	<p>Loss of daylight and outlook to the commercial units at Autumn Yard, which are occupied by a range of creative tenants.</p> <p>Impact on a ground floor commercial unit of 419 Wick Lane (Ink Court). No ground floor or lower ground floor properties have been included in the assessment.</p>	<p>Sunlight meets BRE guidance with the proposed development in place.</p> <p>Officer response - Response on impacts on Autumn Yard set out in assessment section.</p> <p>Officer response - Impact on ground floor or lower ground floor properties have been assessed by PPDT's environmental consultants and are discussed in the assessment.</p>
<p>Transport</p>	<p>The proposals include large vehicle/lorry entrances on Iceland Road to access a commercial loading bay, which is a concern given Iceland Road is narrow.</p> <p>Vehicle entrances should be removed and vehicle numbers and sizes restricted.</p> <p>Object to the conversion of the existing public permit parking spaces on Iceland Road into parking spaces for the proposed development.</p>	<p>Officer response – The accompanying Transport Statement includes a detailed assessment of the proposed multi-modal trip generation figures and concludes that the proposed AM and PM peak trips generated by the development would have a negligible impact on the surrounding public transport infrastructure and services and the road network.</p> <p>Officer response - Officers accept TfL's response, dated 04/04/18, recommends that a Car Park Design and Management Plan should be secured by condition to clarify how demand for the disabled spaces would be met. The applicant has advised that it is envisaged that not all</p>

	<p>Too much disabled parking on Iceland Road</p> <p>Proposed disabled parking would block goods entrance to neighbouring property</p>	<p>spaces would be provided from the outset; rather, spaces would be provided as and when they are required and parking would be managed/enforced by the on-site management team.</p> <p>See Heads of Terms.</p> <p>See Heads of Terms</p>
<p>Noise and Disturbance</p>	<p>Detrimental Construction Impacts</p> <p>Impact from deliveries and servicing</p> <p>Future residents could object to noise from the Bloc nightclub</p>	<p>Officer response - Noise impacts are assessed within the Noise and Air Quality section of the report</p> <p>Officer response - Conditions such as construction management plan (CMP) and Delivery and Servicing Management Plan (D&amp;S) are recommended to ensure that the impacts of the works are mitigated and/or minimised as far as reasonably practicable. The D&amp;S and CMP would be enforceable.</p> <p>Officer response - see noise section of assessment</p>

9.8. **LB Tower Hamlets (Planning) 15<sup>th</sup> May 2018 – Round 1 Comments**

- Housing: It is unclear if an independent viability appraisal has been undertaken to ensure that the scheme has maximised the affordable housing contribution within the scheme.
  - The applicant would need to ensure if the larger family units within this tenure meet with the GLA affordability criteria income threshold. It is unclear if these units are going to be shared ownership or intermediate rent?
  - LBTH would expect the affordable rented units to be delivered through a 50%-50% of Tower Hamlets Living Rent and London Affordable rent.
- Amenity: The proposal, by way of its increased height in relation to the existing urban grain, is likely to block daylight and overshadow some of the flats to No 417 Wick Lane, in particular the ground floor flats would experience a sharp decrease in daylight (VSC).

9.9. **LB Tower Hamlets (Planning) 13<sup>th</sup> September 2018 – Round 2 Comments**

- Housing: The updated housing mix is closer to LBTH policy within the affordable tenure and as such officers have no objections. However, there remains an under-provision of family units within the intermediate tenure.
- Design: Further details of the deck access and how the openings/light wells would be treated should still be provided, ideally through 3D visualisations.
- The residential part of the development still has two main separated stairwell/lift cores accessed from Iceland Wharf. The distance between these cores raises concern, in particular the impact for wheelchair and other lift users should one lift be out of order. The cores should provide two lifts next to each other to avoid lift users having to follow a convoluted route to access their front door, should one lift not be working.
- Officer Response: Updated plans show an additional lift at the corner of Block C – both this lift and the existing lift immediately to the south are centrally located within the development and if either lift went out of action the other would provide resilience in terms of maintaining well located step free access for the wheelchair units.

9.10. **LB Tower Hamlets (Environmental Health and Trading Standards – Pollution Team) - 22<sup>nd</sup> March 2018 Round 1 Comments:**

- Recommend inclusion of conditions requiring approval of Contamination and Remediation Strategy.
- **Officer Response:** Conditions relating to contamination and remediation are included.

9.11. **LB Tower Hamlets (Environmental Health and Trading Standards - Health & Safety Team) - 22<sup>nd</sup> August 2018 Round 2 Comments:**

- Recommend inclusion of conditions and informatives around construction methods and management.
- **Officer Response:** A construction management condition is included.

- 9.12. **LB Tower Hamlets (Environmental Health and Trading Standards Health – Air Quality) 22<sup>nd</sup> March 2018 Round 1 Comments:**
- Recommend inclusion of condition with respect to control of dust and emissions during construction.
  - Whilst not being sufficiently bad to recommend refusal the introduction of further residential land use in an industrial area is likely to lead to complaints from the new residents concerning environmental pollution from the existing consented industrial land uses.
  - Recommend requiring the developer to make it clear in writing to proposed residential purchasers that they are moving into an industrial area and noise and air pollution from pre-existing land uses is likely.
- 9.13. **LB Hackney (Planning) 20<sup>th</sup> March 2018 – Round 1 Comments**
- No objections are raised.
- 9.14. **LB Hackney (Planning) 23<sup>rd</sup> August 2018 – Round 2 Comments:**
- No objections
- 9.15. **Canal & River Trust 28<sup>th</sup> March 2018 – Round 1 comments**
- The Canal & River Trust has no objection to the proposal
  - On the basis of the information available CRT advice is that a suitably worded S106 and conditions (provided) are necessary to address matters including structural integrity of River Lee, contamination, appearance and biodiversity of waterway.
- 9.16. **Canal & River Trust 4<sup>th</sup> September 2018 – Round 2 comments**
- No further comment to make
- 9.17. **Environment Agency (EA) 29<sup>th</sup> March 2018 – Round 1 comments**
- Environment Agency object to the proposed development because there is no buffer zone to the River Lee, or consideration of the impact of the development on the watercourse in terms of over-shading or lighting.
  - Officer Response to EA: Proposals have been amended to include a green buffer improving the existing limited vegetation.
- 9.18. **Environment Agency 29<sup>th</sup> May 2018 – Round 2 comments**
- EA are satisfied with the further information received. The EA ‘...can now remove our previous objection...’ The Environment Agency now say that they ‘...believe planning permission could be granted subject to conditions...’
- 9.19. **Transport for London (TfL) 4<sup>th</sup> April 2018 – Round 1 Comments:**
- TfL welcomes that the design would allow for vehicles to access and leave the site in forward gear, which would reduce any impact on the bus network.
  - The TA includes a Delivery and Servicing Plan and Waste Management Strategy which are welcomed, and final updates to the Plans should be secured by condition and submitted to the LLDC for approval prior to the site’s first occupation.



- Car and Cycle Parking: The residential cycle parking spaces are in line with London Plan standards, but below the new draft London Plan standards, where 1.5 spaces per 1 bed are required, which leads to a total residential long stay requirement increase by 30 spaces to 210 spaces.
  - There may be the potential to provide additional cycle parking required to meet draft London Plan standards to be temporarily provided where some parking bays are proposed.
- A Car Park Design and Management Plan should be secured by condition to clarify how demand from any users of the accessible units and through the Permit Transfer Scheme would be managed.
- Officer response: Requirement for s106 obligation for submission of a Car Parking Design and Management Strategy:
  - To include layout and location of disabled parking provision in association with LB Tower Hamlets Highway Authority and PPDT
  - To ensure that additional disabled provision can be provided should there prove to be demand for extra spaces either on-street or on-site.
  - Provision and location of electric vehicle charging bays
  - Provision and location of car club bay
- Electric vehicle charging points. The draft London Plan requires that 20% of spaces are provided with active provision and all the remaining spaces with passive provision, which should be secured by condition.
- Officer response: Requirement for electric car charging points would be secured by s106 legal agreement.
- Residents of the site should be restricting from applying for on-street parking permits in principle, and be secured through an appropriate legal mechanism.
- Travel Plan: The final plan should be updated and developed with input from LLDC and Tower Hamlets Council and secured through the S106 agreement.
- Officer response: A travel plan for both residential and commercial occupiers would be secured by planning condition.
- Construction: A full Construction Logistics Plan (CLP) should be secured via a condition and submitted to the LLDC for approval prior to the commencement of construction upon the site.
- Officers response: A condition requiring the submission of construction management details is included.

9.20. **Historic England (HE) 22<sup>nd</sup> August 2018 – Round 1 / 2 Comments**

- ‘...HE does not wish to offer any comments...’

9.21. **Historic England Greater London Archaeological Advisory Service (GLAAS) 29<sup>th</sup> March 2018 - Round 1 comments**

- There is identified potential for Roman, palaeolithic and industrial archaeology on the site with a high chance of the first including undesignated archaeological heritage assets of national importance.

- GLAAS recommend that further studies should be undertaken to inform the proposals.
- 9.22. **Historic England Greater London Archaeological Advisory Service (GLAAS) 21<sup>st</sup> August 2018 – Round 2 comments**
- GLAAS do not advise determination of the application at this stage as it would be likely to cause substantial harm to undesignated heritage assets of potential national significance ‘...comprising Roman buildings and the Roman road to Colchester....’
- 9.23. **Historic England Greater London Archaeological Advisory Service (GLAAS) 21<sup>st</sup> September 2018** – (Further comments following meeting with officers and applicant on the 11<sup>th</sup> September 2018).
- Concerns removed subject to 5 archaeological conditions, and close integration of archaeology into a contamination strategy (see condition 16).
- 9.24. **Metropolitan Police - 28<sup>th</sup> March 2018 – Round 1 Comments:**
- Recommend condition Community Safety – Secured by Design (SbD) condition and Informative.
- 9.25. **Metropolitan Police - 29<sup>th</sup> August 2018 – Round 2 Comments:**
- As reported in 1<sup>st</sup> round comments
- 9.26. **London City Airport - 20<sup>th</sup> March 2018 - Round 1 Comments:**
- No safeguarding objection to the completed structure.
- 9.27. **DLR – 13<sup>th</sup> March 2018 – Round 1 Comments:**
- No comments to make.
- 9.28. **Thames Water (Waste Comments) 5<sup>th</sup> April 2018 – Round 1 Comments:**
- No objections
- 9.29. **Quality Review Panel (QRP) Post Submission Review 14<sup>th</sup> June 2018**
- ‘...The Quality Review Panel **supports approval** of the planning application for development at Iceland Wharf. This is an ambitious and complex scheme which combines both commercial and residential uses, in keeping with the character of Hackney Wick and Fish Island. Some reservations remain about residential units overlooking commercial working yards.*
- The panel suggests that the streetscape along Iceland Road might be improved by a small reduction in the height of the block between the Lighthouse public house and the retained two storey building – possibly to be compensated by an increase in the height of the riverside residential block.*
- The panel thinks that the architecture shows exceptional quality, promising high-quality spaces for both living and working. The landscape design is integral to the quality of the scheme and careful thought should be given to ensuring that the proposed planting thrives....’*
- 9.30. No representations received at time of report going to print from the following:
- Crossrail, DCLG; EDF Energy; Cofely East London Energy; CGMS Consulting; GLA; London Wildlife Trust; National Grid; LFEPA; London Cycling Campaign; London

Ambulance Service; UK and London Power Networks; Lea Rivers Trust; Heritage of London Trust; Health Protection Agency; Save Britain Heritage; Sustrans; Network Rail; Natural England; East London Waste Authority; and BT UK.

## **10. ASSESSMENT OF PLANNING ISSUES**

- 10.1. The main issues in respect of this application for a mixed-use development are considered to be the principle of the development, commercial/employment floorspace including quality of the floorspace, housing mix and tenure (including accessibility and inclusive design), density, layout and design, scale and massing, landscaping and public realm, amenity including daylight and sunlight, privacy and noise and air quality), transport, contaminated land, archaeology and sustainability.

### **Principle of Development**

- 10.2. The proposal is for a mixed-use development. The Local Plan designates the site as being within Sub Area 1 (Hackney Wick and Fish Island). One of the objectives for this sub area is to accommodate a range of employment uses and a significant increase in residential floorspace and community facilities.

### Employment Land Use:

- 10.3. Policy 1.1 of the Local Plan seeks to maintain the overall amount of existing employment floorspace (B Use Class), including that used by creative and cultural industries and operating as low-cost and managed workspace (having regard to Local Plan Policies B.1 and B.4. It also seeks to ensure that developments within the sub area and in this area of Fish Island deliver employment floorspace falling within and B1 (b), B1 (c), B2 and B8 Use Classes. The policy also seeks to restore and reuse heritage assets for employment or other uses.
- 10.4. The site is also designated within the Local Plan as an 'Other Industrial Location' (OIL), and is currently vacant. The OIL designation requires an employment led mix of uses, including warehouse, storage, distribution, with potential for residential development and live-work in appropriate locations. The OIL designation allows the introduction of residential into schemes in the OIL areas provided that they comply with the requirements for maintaining or re-providing floorspace within an OIL as set out in Policy B.1.
- 10.5. To the south and west of the site boundary lies the Strategic Industrial Location (SIL) which is identified in the London Plan along with policies and paragraphs relating to the protection and management of these sites across London, and to the north residential development (see Appendix 2). The other key element of Local Plan Policy B.1 is ensuring that there is a land-use buffer in schemes between any OIL site and SIL designated land with an appropriate and gradual transition between nearby uses of residential and industrial.

### Housing Land Use:

- 10.6. Local Plan policy SP2 (Maximising Housing) sets out LLDC's strategic vision with respect to housing, which is to provide in excess of the increased draft new London Plan target (Table 4.1) of 2,117 per annum (1,471 in current adopted London Plan). The proposed 120 residential units would contribute towards meeting LLDC's housing requirements identified in both the London Plan (policy 3.3) and draft new London Plan

(policy H1) and policy SP.2 of the Local Plan. The Mayor has charged Local Planning Authorities with ‘...seeking to enable additional development capacity to be brought forward’ to supplement these targets and in particular the potential to realise brownfield housing capacity.

- 10.7. The principle of providing a mixed-use employment led development is consistent with regional and local development plan policies. Officers are satisfied, as demonstrated further in the following paragraphs, that the proposals comply with the requirement of the OIL designation.
- 10.8. Whilst it is noted that objections have been received from neighbouring residents and businesses, these relate to impact of the amount, height, scale and form of the development rather than the principle. These issues are considered below.

### **Commercial/Employment Floorspace (including quality of the floorspace)**

- 10.9. The policy aspiration for this OIL is described under B.1b (5) of the Local Plan and the proposals are assessed against it below:

#### Policy B.1 (5.a / b) - Maintain existing floorspace / job density):

- 10.10. Local Plan Policy B.1 part 5 sets out the criteria for bringing forward proposals on employment land where new uses are proposed and states amongst other things (criteria a and b refers) that proposals shall maintain or re-provide equivalent floor space within B2/B8 uses or maintain or re-provide equivalent employment floorspace within B1 use classes.
- 10.11. The applicant proposes the demolition of a total of 4,786m<sup>2</sup> combined B2 (634m<sup>2</sup>) (general industrial) and yard floorspace (4,152m<sup>2</sup>), and the construction of a total of 4,270m<sup>2</sup> of new non-residential floor space, broken down as follows (see table 1 paragraph 7.6): 2,929m<sup>2</sup> of predominantly B1(a-c); 942m<sup>2</sup> (B2 general industrial floorspace); and 450m<sup>2</sup> of yard space. The application proposes 3,871m<sup>2</sup> of industrial floorspace. Draft new London Plan policy E4 requires the retention of industrial floorspace capacity. In this instance, based on the definition of capacity in the Draft New London Plan this would result in the need to retain 3,323m<sup>2</sup> of industrial floorspace capacity. The proposal therefore re-provides a greater amount of capacity than would be lost.
- 10.12. However, the proposed employment provision which is predominantly B1 represents a c.600% increase over the existing B2 floorspace; Officers are satisfied that the proposal provides a quantum of B1 employment floorspace that is superior to that which currently exists on the site. In addition, based on the Homes and Communities Agency Employment Densities Guide (2010) (HCA), which applies the average job/floorspace ratio to the amount of floorspace proposed, the proposals would generate an estimated 169 (113 jobs at 12m<sup>2</sup> NIA per employee for the B1a workspace element; 30 jobs at 47m<sup>2</sup> NIA per employee for the B1c light-industrial element, and; 26 jobs 36m<sup>2</sup> GIA for the B2 industrial element.).
- 10.13. The site is currently vacant and has been so for at least one year. The number of people previously employed on the site is unclear, however estimates put the most recent employment figures at no more than 10 persons. Using the HCA guide the site in its current B2 state could support 18 jobs (at a density of 36m<sup>2</sup> GIA per employee). The estimated 169 jobs arising from the proposed development equates to a 961%

employment uplift compared against the 18 jobs the site in its current state could support. It is also recognised that short-term construction jobs would generate further employment.

- 10.14. Officers are satisfied that there is a significant increase in employment density on the site in accordance with policy requirements. The applicant is providing significantly more B1 employment space (3,871m<sup>2</sup>) than is currently available (634m<sup>2</sup>). It is acknowledged that yard space would be lost; however, that is justifiable in terms of the approach to relocate the existing uses in accordance with Policy B.1 (5.c) (discussed below). The proposals would generate employment activities consistent with London Plan Policies 4.1 and 4.12 and draft new London plan Policies GG1 and GG5.

Single Use Occupation / Multi-Use Occupation:

- 10.15. The applicant has been engaged with local businesses and is working closely with LLDC/Tower Hamlets/Hackney officers to ensure suitable end-users are secured for the commercial space.
- 10.16. To that end, the applicant has designed the commercial spaces around both a single or a multi-tenancy occupier. The single occupier could be RiDa UK (commercial photography studios). They are currently located in Shoreditch and seeking new premises arising from redevelopment proposals at their current location. It is understood that their business has a strong affiliation with Hackney Wick / Fish Island, with a large proportion of their staff and client companies and various supply businesses living in or within close proximity of the Hackney Wick / Fish Island area. The applicant's discussions with RiDa UK are centred around matching their operational needs, which is as follows: the B2 industrial unit earmarked for business engaging in prop making, equipment rental and logistical services; the B1(c) would hold the majority of the photographic studio spaces with ancillary units that need to be in the vicinity of the shoot location (e.g. make-up rooms); and the B1(a) unit would be used for production offices, ancillary catering, breakout space and ancillary supply-chain businesses.
- 10.17. In parallel to the single tenancy occupier, the applicant has modelled the commercial offer around three distinct groups of small businesses co-locating in the commercial units. For the B2 building the applicant has advised that a wood or metal operator is sought. The B1 (c) building would be marketed to a workspace provider, a single operator or multiple direct tenants engaging in both light industrial and desk-based processes. The B1 (a) building would be marketed to either single or multiple tenants seeking flexible desk space.
- 10.18. As assessed the existing B2 commercial space and yard on site does not currently support a range of sizes and forms of commercial floorspace as proposed by the application scheme. At their briefing Members queried the demand for the B2 workspace. Officers consider the proposals to be a qualitative enhancement in commercial floorspace on site, that would foster and encourage flourishing business sectors and new businesses, particularly smaller and medium businesses. Officers consider the applicant's commercial marketing strategy in terms of pursuing users of all of the commercial spaces as well as managing and operating them to be encouraging.

Affordable Workspace:

- 10.19. In accordance with Local Plan Policies B.1 and B.4 the applicant has been encouraged to provide accommodation for a range of employment activities incorporating both fully commercial and affordable provision. The applicant is in discussions with officers around the appropriate affordable quantum to be provided as well as the rental level. To be clear Local Plan Policy B.4 does not specifically require low cost workspace to be provided. Instead in combination with Policy B.1, officers generally expect the proposed form of commercial accommodation to be provided, where existing provision is deemed affordable as part of the package of re-provision. However, considering this is an employment led development within an OIL it is wholly appropriate to seek affordable workspace in addition to the proposed affordable housing.
- 10.20. In terms of the rental levels in line with the principles set out within the Hackney Wick Masterplan and other similar schemes, officers would seek to apply a rate of circa £14 per ft<sup>2</sup> for the tenant of any low-cost workspace, and that the developer would not require a workspace provider for the low-cost space to pay more than £8 per ft<sup>2</sup>.
- 10.21. Officers are also of the view that should the commercial floorspace be occupied by a single user then it is unlikely that the quantum of affordable floorspace would be required in the Heads of Terms. Officers would update Members on this issue by way of an update report.
- 10.22. The recommended Heads of Terms for the s.106 legal agreement would require the appointment of a managed workspace provider and further details of a workspace strategy to ensure that should the floorspace be in multi-occupation it is designed and managed to meet the needs of small local companies and businesses and for the strategy to be reviewed and the outcomes reported on to the LPA at specified times in the future. This approach is consistent with other similar mixed-use schemes.

Policy B.1 (5.c) - Proximity of incompatible uses to the existing and proposed use:

Policy SP.1 supports the provision of B1(a - c) commercial floorspace as proposed.

- 10.23. The proposed development has been designed to protect residential amenity (both within the development and within 419 Wick Lane to the north) by locating the B2 industrial floorspace within a stand-alone building at the western edge of the site, facing towards the SIL, and by creating a commercial 'buffer' along the southern edge of the site where it adjoins the SIL. The B2 industrial use would be serviced by way of a fully enclosed loading bay at ground floor level in order to mitigate noise breakout and protect surrounding amenity (noise and air quality issues are discussed further in the assessment). Officers are satisfied that the proposed employment uses within the site have been designed and located to ensure their compatibility with surrounding land uses, including residential use. Officers recommend the imposition of a condition requiring the submission of a strategy detailing the method of operation, including the hours and days of operation, of the end user of the B2 including the ancillary commercial yard to ensure that the occupiers and users of the development do not suffer adverse harm from an amenity perspective. It is also recommended that a management strategy is secured via a s106 legal agreement to ensure that the inter relationship between the commercial and residential uses is managed in a satisfactory manner.

10.24. Officers consider that the proposed B2 (general industrial) use in the standalone building would successfully integrate into this well-designed mixed-use scheme. The proposed B1 and B2 uses proposed are appropriate and considered to be compatible with surrounding uses, both proposed and existing, subject to appropriate conditions where necessary.

Policy B.1 (5.d) - Potential reuse and surrounding area / proposals):

10.25. The site does not contain any nationally designated (protected) heritage assets. However, the site contains a non-designated (locally listed) heritage asset, the former 'Ammonia Works' warehouse. The 'Lighthouse Bar and Restaurant' bounds the site to the northwest and is also identified in the Local Plan as a non-designated heritage asset. The site lies 110m to the south of the Fish Island & White Post Lane Conservation Area separated by the residential developments of 417 and 419 Wick Lane.

10.26. With the exception of the former Ammonia Works warehouse (non-designated heritage asset), which is proposed to be retained and refurbished, the applicant has assessed the other existing buildings as being at the end of their economic life. The other existing industrial buildings on the site have no heritage or townscape merit, and are not considered to be fit for purpose in that they are of low grade quality and of a size, bulk and layout that is not advantageous in terms of the requirements of the proposed B uses which is for a range for small and medium size enterprises. The remaining buildings would therefore be demolished to make way for the proposals. Historic England makes no comment about the existing buildings in their consultation response. However Historic England (GLASS - archaeology) recommends conditions are imposed requiring archaeological investigations to be carried out on the site; such a condition is proposed to be imposed.

10.27. For the reasons set out above officers consider that the demolition and removal of the existing buildings on the site is supported by the Local Plan in so far as encouraging diversity in the economic offer and the range of employment sectors across the LLDC area. The principle of demolition is supported by local and regional development plan policy.

Policy B.1 (5.e) - Relocation strategies / Policy B.1 (5.f) Viability appraisal demonstrating suitability of maintaining or re-providing industrial or employment within the location:

10.28. The site is vacant and to that end there are no businesses to relocate. As set out in the preceding paragraphs the proposed development re-provides industrial and employment floorspace as part of the proposal.

Policy B.1 (5.g) - Marketing Strategy:

10.29. Policy B.1 5.g requires the applicant to demonstrate that attempts to market the property have been undertaken for two years. The applicant has advised that despite ongoing marketing there has been limited interest from new occupiers for the total quantum of existing commercial floorspace on the site. The enforcement history on the site has been challenging and is extensive.

Policy B.1 (5.h) – Other Overriding Factors Inhibiting the Continuation of Employment Use:

- 10.30. In the context of the OIL designation which supports employment-led mixed-use development, officers consider that the proposals for redevelopment would allow the site to continue to incorporate a significant quantum of commercial floorspace and also supports the Corporation's strategic housing policy aims.
- 10.31. The conclusion is that having assessed the proposals against policy B1 (5) in so far as re-providing commercial floorspace and ensuring that there is an adequate land-use buffer between the OIL site and the adjacent SIL, as well as having regard to the proposals the loss of the existing employment floorspace is acceptable.
- 10.32. Officers are of the view that the proposals reflect LLDC's objectives in terms of delivering a comprehensive scheme that is capable of achieving the ambitions of the site allocation and delivering identified infrastructure needed for the site as well as open space and play space. The proposals accord with the Local Plan strategic policy SP.1 building a strong and diverse economy and its aspiration for Hackney Wick Fish Island in so far as managing change as well as policy B.1. The draft Heads of Terms of the s.106 cover a local employment agreement to ensure provision is made for employment opportunities for residents in the Growth Boroughs both during the construction and end phase.

**Housing Mix and Tenure**

- 10.33. The proposal seeks to deliver 120 new residential units. London Plan policy 3.3 seeks to increase the housing capacity in London and sets out targets for planning authorities (paragraph 10.6). The draft new London Plan policy H1 states that to meet the growing housing need, London must seek to deliver new homes through a wide range of development options.
- 10.34. Local Plan Policy H.1 requires that residential proposals should meet identified local and strategic requirements, containing a mix of one, two and three-bedroom units, with at least 50% of units being two bedrooms or larger. The Housing Requirements Study undertaken as part of the Local Plan review has identified that within the LLDC area there is greatest need for 2-bedroom market homes, followed by 2 and 3-bed intermediate and then 2 and 3-bedroom low cost rent. However, strategically there is demand for all sizes and tenures but those in particular demand are 1 bedroom low cost rent units, 2-bedroom market homes and then intermediate tenures across all bedroom sizes.
- 10.35. The scheme proposes the following overall mix: 59 x 1-bed units; 46 x 2-bed units and 15 x 3-bed units (see table 2). This would result in 61 x units (51%) which comprise 2-bed or larger units in compliance with the requirements of Local Plan Policy H.1. LB Tower Hamlets raises no objections to the proposed housing mix within the affordable tenure. However, they comment that there '...remains an under-provision of family units within the intermediate tenure...' It is noted that within the proposed intermediate tenure 57% of the 28 intermediate units proposed 16 are either 2 or 3-bedroom units, which is compliant with policy.



- 10.36. Officers have assessed the site circumstances, including location and viability and are satisfied that in line with policy objectives set out in H1 the proposals maximise family housing and provide an appropriate balance and mix of units.

Accessible Housing:

- 10.37. London Plan policy 3.8 and draft new London Plan policy D5 requires at least 10% of the development to include accessible wheelchair accommodation or easily adaptable accommodation. Local Plan Policy BN.5 requires that 10% of dwellings be in accordance with the requirements of M4(3) Category 3 of Part M of the Building Regulations. To that end, 12 units (10% of the total) are proposed to be wheelchair adaptable and 108 units (90% being accessible and adaptable (Part M4(2) of the Building Regulations), in accordance with London Plan policy requirements.

Affordable Housing:

- 10.38. London Plan policy 3.9 seeks to promote a genuine mix of tenures and household incomes in support of policy aims seeking mixed and balanced communities, within both small and large-scale developments. The draft new London Plan policy H5 requires major developments which trigger affordable housing requirements to provide affordable housing through the 'threshold approach' as set out within the Mayor's Affordable Housing and Viability SPG.
- 10.39. The development has been submitted on that basis and equates to a 35% affordable housing offer per habitable room, which amounts to 41 units of the 120 proposed.
- 10.40. However, Draft new London Plan policy H6 (in conjunction with draft new London Plan policies E4 and E7) require 50% affordable housing to be provided to follow the threshold approach where the development is on industrial land appropriate for residential use and would result in a net loss of industrial capacity. As set out in paragraph 10.11 there is no net loss in industrial capacity, indeed the proposals re-provide a greater amount of capacity than would be lost.
- 10.41. Policy E7 states that development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land through: introduction of small units; development of multi-storey schemes; addition of basement; more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary.
- 10.42. Officers consider the proposed 35% offer, via the threshold approach, to be acceptable for the following reasons: as required by the policy, the proposals include the provision of small units and standalone multi-storey commercial buildings (B1 (c) and B2 uses within Blocks A, F and G (paragraphs 7.4, 7.10 and 7.11 refers)). The proposed B1(a) workspace use, would take the form of small units of which an element would be affordable, which supports the Mayor's ambition to protect and expand London's office floorspace and his aspiration and support for affordable workspaces.
- 10.43. Officers and the applicant have been working together to bring forward a workable scheme on the site, which was finalised and submitted having regard to the Mayor's Affordable Housing and Viability SPG, which draft new London Plan policy H6 is effectively expanding and translating into policy, and was done in advance of the expansion of draft new London Plan policy H6, which now includes the 50% affordable housing requirement. It is acknowledged that the applicant has had to fix the scheme

in order to proceed to application submission, which occurred in advance of the proposed policy expansion.

- 10.44. Nevertheless, officers, as discussed above, consider that the industrial elements of the scheme complement the aims of draft new London Plan policies E4 and E7 in that they promote the consolidation, intensification and co-location of the commercial uses in order to increase overall floorspace and free-up land for other uses i.e. residential.
- 10.45. Local Plan policy H2 requires affordable housing to be maximised, and with a tenure split broken down as 60% affordable rent / social rent: 40% intermediate.
- 10.46. The proposed housing tenure is as follows:
- Affordable / Social Rent (32%)
- London Affordable Rent (32%)
- Intermediate (68%)
- London Living Rent (32%); and
  - Shared Ownership (36%).
- 10.47. The applicant is currently undertaking a viability review, to test the outcome of a 60:40 mix, which would be presented at the PDC.
- 10.48. Whilst the proposed tenure mix does not comply with the Local Plan Policy H2, the mix is compliant with the approach to tenure mix within the Mayor's Affordable Housing and Viability SPG and policy H7 of the draft new London Plan, which requires a flexible approach to be taken in order to meet local need and ensure the delivery of the Mayor's preferred affordable products. The Mayor's Affordable Housing and Viability SPG provides further guidance on tenure. In relation to Policy 3.11 of The London Plan, the SPG notes that the Mayor is keen to maintain the flexibility to meet local needs while ensuring the delivery of his preferred affordable housing products. The preferred tenure split is for schemes to deliver:
- at least 30% low cost rent (social rent or affordable rent), with rent levels set at levels that the LPA considers 'genuinely affordable';
  - at least 30% as intermediate products, with London Living Rent and/or shared ownership being the default tenures assumed.
  - The remaining 40% to be determined by the LPA taking account of the relevant Local Plan policy.
- 10.49. A viability review mechanism would be secured through the s106 agreement should the scheme not be substantially implemented within two years of planning permission being granted.
- 10.50. LB Tower Hamlets have commented that they would expect the affordable rented units to be delivered through a 50%-50% of Tower Hamlets Living Rent and London Affordable rent. The proposed affordable housing would be delivered in accordance with the Mayor's SPG, which aligns with Tower Hamlets.
- 10.51. The London Affordable Rent is the rent for households on low incomes where the rent levels are based on the formulas in the Social Housing Regulator's Rent Standard Guidance.

- 10.52. The GLA publishes maximum rents by number of bedrooms for new LLR homes (inclusive of service charges) in every ward in London, and updates these figures each September. The latest update was in September 2017, for homes let in the financial year 2018/19. Updated benchmarks would be published by the GLA on an annual basis.

**Table 3 - London Affordable Rent benchmarks for 2017-18**

<b>Bedroom size</b>	<b>2017-18 Benchmark</b> (weekly rents, exclusive of service charge)
Bedsit and one bedroom	£144.26
Two bedrooms	£152.73
Three bedrooms	£161.22
Four bedrooms	£169.70
Five bedrooms	£178.18
Six or more bedrooms	£186.66

- 10.53. The London Living Rent (LLR) seeks to offer those on average incomes a lower rent, enabling them to save for a deposit for home ownership. The Mayor is introducing LLR as an intermediate affordable housing product with low rents that vary by ward across London. Where funded by the GLA, LLR would be a 'Rent to Buy' product, with sub-market rents on time-limited tenancies, which would help households on average income levels to save for a deposit. The draft new London Plan states that '...As LLR could be a step to homeownership, it could be considered as an affordable homeownership product...'
- 10.54. Officers consider that the proposed affordable housing offer maximises the proportion of affordable housing achievable on the site. The affordable housing offer takes into account costs to the development arising from scheme design (including the provision of affordable workspace); the likely land remediation costs resulting from its industrial history; archaeological works arising from potential Roman remains; and the provision of a significant quantum of commercial floorspace that aligns with the Mayor's convergence commitment in so far as creating long term jobs which would contribute to not just the local economy and regeneration of Fish Island, but to the wider area including the neighbouring Growth Boroughs.
- 10.55. Another of the benefits of the scheme is that the affordable housing would be distributed within 4 of the 6 buildings containing residential accommodation.

### **Density**

- 10.56. The density of the proposed development is considered in light of London Plan policy 3.4, the draft new London Plan policy D6 and the Mayor's Housing SPG.
- 10.57. The site is located within an area identified as having a relatively low public transport accessibility rating (PTAL) straddling both 1b and 2 with a 2021 forecast of 2.

However, the site is within a 1,200m walking distance of Hackney Wick Overground Station (approximately 12/15-minute walk). The nearest bus stops to and from the proposed development are located on Wick Lane (southbound services approximately 100m south of the development site and northbound services approximately 150m south of the site). The bus services provide access to local amenities in the vicinity of the site as well as key transport interchanges such as Hackney Wick station, Stratford International and Mile End station. In addition, 2 further bus routes are approximately 500m south of the site., which are accessed via Wick Lane across the A12 bridge.

10.58. There are also both existing and emerging planned connections which would improve accessibility to the site and would reduce walking times to the station, these includes the following:

- The approved bridge over the Lea Navigation to be constructed as part of the Sweetwater development ((construction currently on site (H14 and H16) expected delivery circa end of 2019));
- The approved replacement Roach Point Bridge (17/00307/FUL) would provide a walking and cycling route across the Hertford Union canal and would also improve connectivity and help facilitate the new north/south route linking Hackney Wick Overground Station to Fish Island; and
- The existing connections to the north via the Lock and the bridges over the Hertford Union at Omega Works.

10.59. Within PTAL 1b/2 areas The London Plan density matrix expects density range to be between 150 and 250 habitable rooms per hectare (hr/ha) or 50 to 95 units per hectare(u/ha). The proposed 120 dwellings / 314 habitable rooms mixed-use development, would have a gross residential density of 620hr/ha and 235u/ha. When factoring both the residential and commercial floorspace within the scheme and adjusting the site area accordingly, the net residential density of the proposals would equate to 874hr/ha and 332/ha which exceeds the specified density ranges for a site within this PTAL location.

10.60. Nevertheless, whilst exceeding the specified density ranges, The London Plan 3.4 policy and its draft policy D6 and the accompanying Housing SPG are clear that density ranges should be rigorously tested; enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale and shape and liveability. Therefore, taking into account the site context, including the surrounding built form, uses and character as well as the site's connectivity and accessibility by walking, cycling and existing and planned public transport, which are discussed in detail throughout the assessment officers are satisfied that the applicant has successfully demonstrated that the quality of accommodation would be high, and the local context enhanced, despite the proposal exceeding the density thresholds recommended in The London Plan; the proposed development makes the most efficient use of the site, and has been designed at the optimum density. Taking account of the proposed density, officers would seek to secure via a s106 legal agreement a financial contribution towards improved walking and cycling works. The applicant has agreed to this.

10.61. The proposals have been subject to rigorous testing by the QRP (appendix 7) and the proposed massing and heights of the blocks are considered to be acceptable and

suitably respond to the constraints of the site. As discussed in detail in later paragraphs the quality of both the residential and commercial blocks is considered to be high, with the QRP supporting the ‘...approval of the planning application for development at Iceland Wharf, which it thinks has the potential to be a highly successful addition to Hackney Wick and Fish Island...’

### **Layout and Urban Design**

- 10.62. The proposals are assessed against the Mayor’s Housing SPG, and Local Plan Policies BN.1 and BN.4.
- 10.63. The principles of the site layout are supported with the site structure, so that Iceland Road terminates at the River Lea. There is gradation from employment use to residential as the development moves east towards the river and also as the site transitions from the residential environment to the SIL to the south.

#### Commercial Layout:

- 10.64. The B2 standalone building on Wick Lane and the transition through to the B1 (c) and then to B1(a) then residential use is supported. This would create three appropriately mixed courtyards at ground floor level. It is important that this is carefully managed in different parts of the day so as not to create too noisy an environment for residential uses. A management plan secured by s106 legal agreement is recommended. A condition is recommended to ensure that a lift of a size appropriate for B1c use with access from both commercial courtyards is provided. It is noted that some of the B1c at lower ground and ground floor space falls below the heights recommended within the LLDC Employment Space Study recommendations, however a condition is recommended requiring the detailing of the floor slab to maximise internal floor heights.

#### Residential Layout:

- 10.65. The residential amenity spaces would look towards the SIL. Whilst this is a challenge from a noise, odour and visual amenity perspective, the proposals address this through its layout by providing B1a office space between the residential courtyard space and the SIL. Block G is of a sufficient height to mitigate some views down into Autumn Yard, but residential overlooking SIL is unavoidable given the desire to enable light from a southern aspect into the residential accommodation and views of the River Lea. The existing residential complex of 419 Wick Lane has views into the SIL to the south, whilst the layout of the Iceland Wharf proposals provides a better arrangement through providing a buffer to the south. The details of fenestration would be conditioned to be noise reducing.

#### Aspect:

- 10.66. The residential aspect of the scheme is based on a deck access typology. The residential typology proposed is a successful way of making the most of the proportions of the constrained site. Officers and QRP consider the detail of deck access to be fundamental to the success of the scheme. The layout and quality of the residential units and the way the applicants have dealt with complex adjacencies to each other as well as to the proposed employment offer has been the subject of detailed scrutiny, which officers consider has been resolved successfully. During the pre-and post-application and QRP review process, how to orientate the residential units has been discussed at length.

- 10.67. Officers are satisfied that the proposed scheme successfully resolves those challenges. The proposition to have a mix of living spaces and bedrooms fronting the deck access is supported and addresses comments made by officers and QRP. Having south facing living rooms overlooking the decking in Blocks C and B is appropriate as these would not benefit from such good north facing views of the River Lea, the southern access would receive more daylight. In this location, there could be benefits to overlooking the central courtyard because it would be busier. Furthermore, it would provide some surveillance to this section of the walkway, and the offset distance is sufficient to mitigate, to some degree, views into the living spaces. The units within Block D on the lower floors would benefit from enhanced planting on the walkway.
- 10.68. The proposed north facing living rooms on Block D are supported, as they would provide an excellent aspect for these spaces with views over the River Lea and towards the QEOP.
- 10.69. Of the 120 proposed residential units 110 flats are designed to be dual aspect, which gives an alternative aspect if needed, the remaining 10 are duplex units, with 4 of those duplexes being single aspect facing onto the south oriented towards the residential courtyard. The majority of units have been configured with living/ kitchen/ dining and adjoining private amenity space facing south, to take advantage of daylight and sunlight, and to connect with the shared space that forms the communal deck access which forms the spine of the development.
- 10.70. The residential elements of the proposal have been assessed as meeting the 'liveability' standards under the Mayor's Housing SPG. All of the units meet or exceed the national prescribed space standards (DCLG Technical Housing Standards) as referred to in the Mayor's Housing Supplementary Planning Guidance (SPG) of March 2016. Officers consider that the standard and quality of accommodation including access to outdoor space is good. Officers commend the applicants' attention to detail i.e. the entry sequence through the lobbies, stairs/lift, along the deck from street to the front doors is legible and clear.
- 10.71. Officers have been provided with a fire report which demonstrates that the deck access would meet fire regulations. The report confirms that it would not have to have a solid parapet which would impact on light permeability.
- 10.72. The new development is contemporary in appearance yet picks up on the design cues and material palettes of the surrounding area, such as the use of brick and concrete, reflecting the area's industrial heritage; with recessed balconies and commercial plinths. All of these elements are considered to be a successful response to the site's local context.
- 10.73. Officer analysis concludes that the layout and urban design of the development is high and accords with the Mayor's Housing SPG and with Local Plan Policies BN.1 and BN.4.

### **Scale and Massing**

- 10.74. By way of its height, scale and overall form, the proposed development is generally comparable to the surrounding contemporary development, including that directly across the road (419 Wick Road).

- 10.75. In relation to BN.10 the Local Plan states that development in Hackney Wick Fish Island (sub area 1) is generally expected to have a maximum height of 20m which in a residential building would normally equate to 6 / 7 storeys. Buildings above this height may be acceptable if they test well against the criteria set out in policy BN.10. The proposals include the development of 8 buildings including the former Ammonia Works Warehouse. The proposed maximum height of the proposed development ranges between 1 to 8 storeys. Block D (residential block) located along the River Lea edge of the site comprises a part 6, part 8 storey building of between 21m and 26.3m in height and is therefore subject to the BN.10 assessment, which is set out below.
- 10.76. *Tall buildings will be considered acceptable where they:*  
*Criterion 1 - Exhibit outstanding architecture and high-quality materials, finishes and details:*
- 10.77. Adjustments have been made to the heights and massing of the development during the pre-application stage and since the application's submission, with the resultant scheme endorsed by both the QRP and officers. Block D adjacent to the riverside (see appendix 3), with the endorsement of QRP, has increased in height from 21m to 26.3m at its highest point. Indeed, it was at the suggestion of QRP that the height of Block D was increased. QRP was already convinced that the originally proposed 21m high Block D met the tall buildings outstanding criterion. The QRP considered '...that a reduction in height of Block B adjacent to Iceland Road and 419 Wick Lane could be compensated by an increase in height of residential Block D on the riverside. This could result in a subtle gradation of heights along Iceland Road. ...' The QRP went on to state '...The panel has no hesitation in concluding that Block D would meet the requirements of Policy BN.10: it considers that Iceland Wharf as whole demonstrates 'outstanding' architectural quality...' The overall height and massing is supported by officers.
- 10.78. The reduction in height of Block B and subsequent height increase to Block D was also borne out of the QRP's '...uneasiness about the relationship between the two-storey retained building (former Ammonia Works Warehouse, a non-designated heritage asset) and the new buildings along Iceland Road (blocks B, C and D) ...' It would be interesting to see how the streetscape along Iceland Road might reveal itself at street level...' QRP, supported by officers, considered that the streetscape might be improved by a reduction in height of one storey for block B between the Lighthouse public house (a non-designated heritage asset) and the retained Ammonia Works Warehouse, which is adjacent to the residential development of 419 Wick Lane. It was agreed that such a reduction would lessen the dominance of the blank flank wall of Block B, and would '...also moderate, to a certain extent, reservations around residential accommodation overlooking a commercial working yard, and also any issues around overlooking of development at 419 Wick Lane.
- 10.79. In terms of height and massing the context is that the neighbouring residential properties to the north 419 Wick Lane, which is a 7 storey block and 417 Wick Lane, which is a part 7, and part 9 storey block.
- 10.80. Noting the objections received, whilst it is acknowledged that the scheme has been amended with respect to Blocks B (adjacent to Iceland Road (reduction from 5 storeys to 4)), and D (the river fronted block (increase from 7 storeys to 8)), aside from Block D the development generally accords with the 20m heights in the sub area policy for Hackney Wick and Fish Island and respects the prevailing heights in this

area. Indeed 417 Wick Lane at 7 / 9 storeys is of greater height and mass than the revised Block D. As stated the increase in the height to Block D was made at the suggestion of the QRP and is considered to be acceptable and can be accommodated in the particular context of this site.

- 10.81. Officers consider the general heights and massing of the development has resulted in improved architectural quality. Given the current site condition, i.e. the limited number of fairly low-profile buildings, there would inevitably be a noticeable effect from the development of the site. Nevertheless, officers are satisfied that the proposals are not harmful to commercial, residential or visual amenity and have been carefully balanced against the aspiration to create animated street frontages and, in the case of the element of the development fronting the river, enabling enjoyment and overlooking of the open space while preserving natural habitat. Consideration has been given as to the appearance and layout of the proposed scheme in terms of the immediate streetscape. As revised, Officers consider the architecture to be of high quality and that it responds well to the wider context.
- 10.82. The scale, arrangement and proportion of Building D, indeed of all of the proposed buildings, and the detailed proposal for the materials, are all considered to contribute to and respond to the wider industrial heritage and align well with the non-designated heritage assets context (discussed further below).
- 10.83. The material palette set out in the submitted Design and Access Statement is considered to be very good and of high quality. It is responsive to its surrounding as well as the context of the site in terms of the progression of the proposed uses across the site, i.e. from Wick Lane to the river front, while responding to the primary function associated with each block, for example, the use of proportioned concrete and translucent panels for the standalone B2 industrial building fronting to Wick Lane resulting in a robust finish complimenting its proposed use. The concrete materiality is maintained across the scheme linking the commercial elements. However, as the development approaches the river the concrete element becomes a plinth for the brick residential blocks. The volumetric banding of brick in 3 shades set compositional datums through the building façade, with a progression of low level dark brick to light brick at upper levels. Timber reveals to the flank walls of private amenity spaces result in a tactile domestic materiality to contrast internal and transition spaces with the hard masonry.
- 10.84. The materials, finishes and details of all the buildings are considered to be of high quality, and final details and large-scale plan details being required by condition. To ensure the highest possible design standards and high-quality detailing it is recommended that conditions securing further façade details, deck access, courtyards, balconies, including window, door, entrances and other openings together with submission of materials and samples are recommended.
- 10.85. The QRP review states as follows '*...The panel has no hesitation in concluding that Block D will meet the requirements of Policy BN.10: it considers that Iceland Wharf as a whole demonstrates 'outstanding' architectural quality...*'
- 10.86. Officers also recommend that the Heads of Terms includes a requirement to retain the scheme architects or a requirement for a design monitoring contribution in the event that the original architect is not retained to oversee the design quality of the development. A financial contribution would become payable to the LPA as a



contribution towards the LPA's costs in supervising the design quality of the development.

*Criterion 2 - Respect the scale and grain of their context:*

- 10.87. The context is defined by 419 Wick Lane to the north and the industrial sites to the south and the non-designated heritage assets. The scheme is graded in two directions; the first of these gradations respects the non-designated heritage assets in the north-western corner of the site as it grades from lower height industrial buildings on Wick Lane towards higher residential accommodation on the riverfront. The second gradation is as it grades down from Iceland Road towards Autumn Yard. During the pre-application and application process there has been a reduction to the height of the buildings adjacent to the non-designated heritage assets. Therefore, all the buildings are considered to respect the scale and grain of their context

*Criterion 3 - Relate well to street widths and make a positive contribution to the streetscape:*

- 10.88. To some extent this is covered in criterion 1. Officers consider the proposed landscape treatment to be sound and of high quality. The most generous residential entrance would be towards the east end of Iceland Road, which indicates that there is likely to be more activity at the whole length of the street, and reduced hidden spaces to make this a safer and pleasant environment. The set back of the new building from the Ammonia Works building would introduce greater articulation. Officers are satisfied that Block D and indeed the entire development would make a positive contribution to the streetscape. The development proposals enable the street to run to the River Lea and is not terminated with built form, which was a specific request of officers during the pre-application process as it provides views to the river and beyond, and provides amenity space for the public and existing residents.
- 10.89. The proposals would reinstate the Wick Lane and Iceland Road streetscapes by inserting new buildings that have been appropriately scaled to provide a suitable degree of enclosure, whilst not being so tall as to appear overbearing at street level and would be seen in the context of the neighbouring residential developments of 417 and 419 Wick lane, which are of similar bulk, mass and height.

*Criterion 4 - Generate and active street frontage:*

- 10.90. The scheme would result in a simplified elegant façade announcing the commercial element of Block D, and active street frontage would be provided by entrances to the commercial units. The provision of B1 and B2 employment spaces at ground floor level would also provide active street frontages onto both Wick Lane and Iceland Road.

*Criterion 5 - Provide accessible public space:*

- 10.91. The scheme as a whole provides good quality publicly accessible open space. The proposals would open up the eastern end of Iceland Road to the public and include the creation of a new area of landscaped public open space adjacent to the river, creating access to it from Iceland Road where none currently exists.

*Criterion 6 - Incorporate sufficient communal space:*

- 10.92. In addition to the open yard space provided for Block D, shared facilities would be provided internally for all of the commercial occupiers as well as providing amenity area for residents which exceeds policy requirements.

*Criterion 7 - Contribute to defining public routes and spaces:*

- 10.93. Block D and the buildings as a whole clearly define public routes and spaces as part of the scheme as a whole as well as routes internal to the scheme. Officers are satisfied that the nature of the spaces and routes created by the proposed development in relationship with the site and surrounding area context is appropriate and would result in an urban form which respects the scale and grain of the area.

*Criterion 8 - Promote legibility:*

- 10.94. This would be achieved by providing clear definition to Iceland Road and framing views to the Greenway and the River Lea to allow greater orientation with the area.
- 10.95. The vehicular access points at Wick Lane and along Iceland Road would bring vehicles into the heart of the scheme to provide delivery and servicing. Their design and proportion creates a visual link from public to semi private courtyard space, while maintaining a level of security commensurate with commercial activity. These courtyards serve to connect the commercial elements. A central circulation route provides a similar role internally, connecting attractive and highly adaptable working space for us by single or multiple tenants.
- 10.96. Officers are satisfied that the proposals would improve connectivity and permeability, providing a development that responds to and enhances the surrounding built context and landscape.

*Criterion 9 - Create new or enhance existing views and sightlines:*

- 10.97. The existing architecture is a straight transition from open storage to a 7/8 storey building. The proposals would enhance views from the River Lea, the Navigation, the canal, and towpath. The massing of Block D is sensitively articulated by varying the height transitioning between 6 and 8 storeys enabling views into the residential courtyard as well as the River Lea.
- 10.98. QRP suggested an increase in the height of this block as they considered that this would result in a subtle gradation of heights on Iceland Road. It would also create a subtle gradation of heights along the River Lea.

*Criterion 10 Preserve or enhance heritage assets and the views to/from these, and contribute positively to the setting of heritage assets, including conservation areas:*

- 10.99. The site lies approximately 110m to the south of the Fish Island & White Post Lane Conservation Area separated by the residential developments of 417 and 419 Wick Lane. These existing developments already form part of the visual setting of the identified non-designated assets within and adjacent to the site; the former two storey Ammonia Works Warehouse, that is incorporated within the proposals and the two-storey Lighthouse public house on the north-west corner of the site. The proposed B1 (c) block incorporates the Old Ammonia Works Warehouse building thereby preserving the site's industrial past and re-energising an ageing structure with a relevant use.
- 10.100. However, the difference in scale of the proposed new development would be significantly higher than that of the non-designated heritage asset within the site i.e. the single storey former Ammonia Works Warehouse and the two-storey non-designated heritage asset adjacent to the site i.e. the Lighthouse public house, which would result in a degree of cumulative impact. It is acknowledged that the proposed development would result in the loss of views to the gable end of the former Ammonia

Works Warehouse; which contributes to its aesthetic value and historic interest. Although a terrace development originally adjoined these ends, the gable was still visible. Nonetheless, it is noted that the side walls of the former Ammonia Works Warehouse are blank and void of any details. PPDT's heritage consultant has reviewed the proposals and concluded that '*...The proposal is considered to have a minor adverse impact which will lead to 'less than substantial' harm on the setting and significance of the locally listed items, which should be weighed against any public benefits...*'

- 10.101. The resulting heritage impact of the proposed development may result in a degree of cumulative impact, due to the proposed height and scale of the new development directly adjacent to and in the backdrop of the non-designated heritage assets. Officers and their heritage advisors are satisfied that there is unlikely to be any physical impacts upon the non-designated assets. There are no works proposed internally to the Lighthouse public house and the proposed new development would adjoin the rear walls of this building only.
- 10.102. It is proposed to incorporate the interior of the former Ammonia Works warehouse into the new redevelopment, which is applauded. Further information would be required by condition regarding any existing fabric to be removed within the warehouse. The adaptive reuse of the site and retention and adaptive re-use of the identified non-designated (locally) listed heritage assets would be a positive heritage outcome.
- 10.103. Since the QRP review, Block B has been reduced by one storey. The uneasiness expressed by QRP around the relationship between the two-storey retained former Ammonia Works warehouse, and Blocks B, C and D. As stated above PPDT's heritage advisors consider the relationship to be acceptable. Officers are of the view that while the scheme has increased in height near the river, all the new blocks adjacent to the non-designated heritage buildings are of a scale which is respectful so as to enhance these retained assets. The overall height and massing is therefore supported.
- 10.104. Historic England GLAAS considers that there is potential for evidence of archaeological significance on the site noting that this part of the River Lea has attracted human activity from prehistoric times onwards. A condition is therefore attached to safeguard any potential archaeological remains within the site.
- 10.105. In addition, criteria 11, 12 and 13 of Policy BN.10 state that buildings should not have an adverse effect on microclimate, sunlight and daylight and existing townscape views. These are topics covered elsewhere in the assessment section. Officers are satisfied that there would be no detrimental impacts to these issues arising from the height of the proposed buildings and in particular Block D in so far as it relates to the tall building criteria.
- 10.106. Conclusion: The scheme is considered to be robust and imaginative. The architect/applicant has responded positively to QRP and Officer comments, which has led to successful design development. It is considered that the design approach to the scheme is capable of providing an opportunity for an interesting piece of modern architecture.
- 10.107. It is considered that the design of the proposed development respects the context within which it is located and would result in a development that makes a positive

contribution to Fish Island, and is thus in accordance with Policies 7.1, 7.4, 7.6 and 7.7 of The London Plan, and draft new London Plan Policies D2 and D4 and Local Plan Policies 1.1, 1.2, 1.4, 1.5, 1.6 and BN1, BN.4 and BN.10.

### **Daylight, Sunlight and Overshadowing as well as Impact on Neighbouring Properties' lighting conditions**

- 10.108. As required by policy the assessment has also considered the impact of the development in terms of daylight and sunlight and overshadowing on the existing residential properties located within close proximity of the site. The impacts of the proposal on the daylighting and sun lighting of neighbouring properties have been assessed and documented in reports, which have been updated during the course of the submission, prepared by the applicant. These reports have been reviewed by PPDT's environmental consultants who have commented that the methodology is robust and comprehensive. The analysis seeks to address objections/concerns raised by neighbouring properties.
- 10.109. The BRE daylight and sunlight guidance consist of different elements: Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) which assess facing windows by measuring the amount of sky visible from the centre point of a window on its outside face; Average Daylight Factor (ADF) taken from within the room and Daylight Distribution (DD) which assesses daylight uniformity.
- 10.110. In terms of the VSC if this achieves 27% or more, the BRE advise that the window would have the potential to provide good levels of daylight. The guidance also suggests that reductions from existing values of more than 20% should be avoided, as occupiers are likely to notice the change. The BRE guidance states that if any window receives more than 25% of the APSH (APSH is 1468 hours in London) including at least 5% during winters months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the occupants of neighbouring properties are likely to notice the loss of sunlight. The BRE Guidance also suggests that at least half of the amenity area in a development should receive at least 2 hours of sunlight on the 21 March.
- 10.111. BRE guidelines set the following recommended ADF levels for habitable room uses: 1% bedrooms; 1.5% living rooms and 2% kitchens.
- 10.112. PPDT environmental consultants have confirmed that the proposed development achieves the BRE ADF target for approximately 70% of the rooms within the proposed development. In addition, approximately 55% of the south facing living rooms and KLD rooms within the proposed development achieve BRE targets for summer and winter sunlight.
- 10.113. Officers have been advised that daylight and sunlight results are considered to be acceptable for this type of urban development.

#### 419 Wick Lane:

- 10.114. With respect to 419 Wick Lane the assessment provided by the applicant provides an analysis of reduction for sunlight and daylight where appropriate. Approximately 75% of receptors tested are within the recommendations of BRE for daylight. The

receptors that are below the recommendations are generally clustered around balconies and in the middle of Wick Lane where the proposed development has attempted to mitigate the effects by introducing a gap between the building masses. It is noted from the submitted updated Iceland Wharf Daylight Sunlight Report that if the mirror massing method was used to calculate daylight effects, the results would be worse than those associated with the proposed development.

- 10.115. With respect to comments received around removing balconies in the daylight and sunlight assessment this is a commonly used test for sunlight and daylight assessments, as specified by the BRE. This test is not intended to simulate the actual building performance (as the balconies are indeed there) but rather to demonstrate whether these are the primary reason for reductions of sunlight and daylight availability or not. A balcony is an obstruction which has the potential to block completely the high angle sunlight and daylight, thus allowing only low angle daylight and sunlight to reach a window. In such cases even a small obstruction from a proposed new building could reduce daylight and sunlight to extremely low values. It is recognised that balconies are an amenity value for users.

North Facing Units:

- 10.116. The BRE methodology states that no sunlight assessment of north facing windows is required as the target indicated within the guidance refers to windows facing within 90 degrees due south, which are more exposed to direct sunlight. As the properties facing the river at 419 Wick Lane are north-facing, these are appropriately excluded from the sunlight assessment. Of the remaining receptors, more than 90% meets BRE guidance targets.

Artist Studio, at 419 Wick Lane:

- 10.117. PPDT's environmental consultants have assessed the impacts on the studio. Whilst the applicant has not appeared to have modelled sunlight at ground floor levels at 419 Wick Lane (Ink Court), an approximation of sunlight loss can be made from first floor values. With the proposed development, these values exceed the BRE guidance by a factor of two to three. Therefore, PPDT's environmental consultant comment that it is reasonable to deduce that the sunlight performance at the Artist Studio at 419 Wick Lane is likely to meet BRE guidance.

Lighthouse Public House:

- 10.118. With respect to the Lighthouse public house, the analysis demonstrates that there would be a noticeable reduction of daylight. However, the daylight performance is typical of an urban area as the Vertical Sky Component (VSC) is approximately 20%. Analysis showed that sunlight meets BRE guidelines with the proposed development in place. It is noted that the residential accommodation above the public house is allocated for staff of the hostelry.

Autumn Yard:

- 10.119. The effects of the proposed massing on 1 Autumn Yard are comparable with the effects that result from the mirror image modelling (a proposed configuration of the same size as existing receptors), with the exception of the skylight (receptors) of Unit 1, which records a slight reduction of VSC below BRE guidelines of 0.8 baseline. Nevertheless, overall PPDT's environmental consultants and officers are

satisfied that the effects of the proposed massing on Autumn Yard are acceptable given that they are located to the south and therefore with no loss of sunlight.

Conclusion of Impacts on the amenity of neighbouring properties:

- 10.120. The analysis finds that levels of daylight would meet BRE guidelines for the majority of receptors within neighbouring proposed developments. Approximately 90% of the receptors included in the assessment in neighbouring developments would continue to receive good levels of sunlight in general conformity with BRE guidelines, with the proposed scheme in place. Therefore, the impacts from the development are minor and considered to comply with Planning Policy BN4 (6).
- 10.121. Officer analysis concludes that in terms of the daylight sunlight assessment the proposals are in accordance with the BRE guidance and would provide satisfactory living conditions for future occupiers of the new development and would not result in detrimental harm on adjoining developments with respect to BRE guidelines in terms of achieving minimum levels of sunlight to adjoining development. The proposals are thus in accordance with Local Plan Policies BN.1, BN.4 and SP.1.

Overshadowing:

- 10.122. PPDT's environmental consultants are satisfied that the overshadowing analysis of the surrounding amenity areas shows there would be little or no effect on the existing values. To that end no objections are raised. The assessment shows that the internal daylight and sunlight conditions within the development would vary, but overall effects would be characteristic of a dense urban environment and therefore would be acceptable.

**Overlooking and Loss of Privacy**

- 10.123. As set out in section 7 of this report objections have been received around the issue of overlooking and loss of privacy. Overlooking and privacy have been an important consideration in the design of the development noting the form of the development and the requirements of BN.4 of the Local Plan, which states that proposals for residential development should '...minimise impact upon existing surrounding development and not result in unacceptable loss of privacy or an unreasonable degree of overlooking towards habitable rooms and private amenity spaces within or around existing development...'. The Mayor's Housing SPG sets out a flexible/design-led response to safeguarding privacy, rather than prescribing particular standards (for example, the careful placement of windows serving habitable rooms can allow for separation distances to be reduced.)
- 10.124. The Mayor's Housing SPG notes that in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city. The separation distances between the Iceland Road elevation and neighbouring 419 Wick Road in so far as habitable room to habitable room is between 11.3m (Block B) at its closest and 31.2m (Block C) at its farthest. However, officers are satisfied that in the case of the 11.3m separation distance, the overlooking / inter-visibility issues have been successfully addressed through a combination of careful unit layout, and having dual aspect living rooms where the

main window is in a different / other elevation. It is noted that the existing urban grain and streetscape, which is typical of London streets, has buildings of similar adjacencies.

- 10.125. Objections have been raised to the provision of the additional floor to Block D. The proposals also include a corresponding reduction in the height of Block B. The proposed additional storey is located on Block D, which is situated at the eastern end of Iceland Road. The part of 419 Wick Lane (Ink Court) facing Block B includes windows on all floors and the reduction in the height of Block B would therefore have a positive effect on the light conditions. Conversely, the part of 419 Wick Lane facing Block D includes one window at first floor level and a small number of windows within the set-back roof storey only. The vast majority of the façade is blank. As such, the impact of the additional height is considered to be negligible. There is only a relatively small section of frontage where the two buildings (i.e. the proposed 8 storey Block D and this part of 419 Wick Lane (Ink Court)) directly face. The majority of the proposed 8 storey Block D extends beyond Ink Court, which further illustrates that effects of the additional height on Ink Court would be limited (see appendix 5). PPDT's environmental consultants have confirmed that the additional height to Block D does not show a significant reduction of daylight and sunlight for the top floor of 419 Wick Lane.
- 10.126. Given the across-street relationship between the two buildings, coupled with the proposed mitigation measures (including setting-back the north-facing windows to Block D behind recessed balconies) it is considered that the proposed additional storey would not result in any significant loss of privacy through overlooking or outlook in relation to this neighbouring occupier or any other.
- 10.127. Within the Scheme officers are satisfied that inter-visibility within the site is within acceptable tolerances and generally acceptable. The orientation of the buildings within the site is generally sited in a manner so as to avoid direct overlooking impact between opposite units within the complex. Instead the relationship between the habitable windows of the facing units are orientated so that there would be limited front on views. Officers are satisfied that the buildings within the site have been positioned appropriately to avoid residential amenity issues. The use of deck access is acceptable from a privacy/overlooking perspective given that they have been designed to include void areas with depths of 1.8m adjacent to windows which would front onto the deck access. These voids would help provide defensible space to the rooms within these units which would front onto the deck access.

### **Landscaping and Public Realm**

- 10.128. The submission includes a comprehensive landscape strategy, which is welcomed and has clearly been conceived as an integral part of the scheme. The proposed planting is in some part considered mitigation against the challenging site conditions. It is therefore considered paramount that the landscape on the deck access and balconies and courtyard terraces, meets the aspirations set out in the submitted DAS and Landscape Strategy.
- 10.129. In accordance with the Mayor's Housing SPG all of the proposed residential units include private amenity areas in the form of a private projecting/recessed balcony. The proposed balconies/terrace areas vary in size and shape but all have a minimum depth of at least 1.5m in compliance with the Mayor's Housing SPG.

- 10.130. 999m<sup>2</sup> of communal amenity space, which includes play space provision, has been provided. Based on the development's anticipated child yield and the minimum requirement for play space of 10m<sup>2</sup> per child, 270m<sup>2</sup> dedicated playspace would be required. The development provides 412m<sup>2</sup>, which is in excess of the policy requirements.
- 10.131. The communal amenity space includes 344m<sup>2</sup> of publicly accessible riverside amenity space and access to a communal terrace at first and fourth floor levels.
- 10.132. In addition, 182sqm of external amenity 'break-out' space is provided for the commercial uses.
- 10.133. Officers are satisfied that the required amenity space standards are met or exceeded.
- 10.134. As clarified to the EA the proposed development is set-back from the river and includes a planted 'green buffer', which is considered beneficial in terms of visual amenity, as well as for the enjoyment of residents and users of the space and the setting of the development. With respect to the objections on this point that other developments have a setback, it is relevant to note that 419 Wick Lane was originally set back in order to create a new pedestrian route to the Greenway. However, as the pedestrian route has not been delivered, over time the space has become an informal additional amenity space.
- 10.135. As the site adjoins the SIL it would therefore not be possible to create a riverside pedestrian route to the south, as it would terminate at the SIL (i.e. the site's southern boundary). The proposals do however include the creation of a new area of publicly accessible open space (a riverside garden) adjacent to the River Lee, on an area of land that was previously not publicly accessible, which officers consider represents a public benefit.
- 10.136. Conditions are recommended to secure landscape details including management, maintenance as well as a monitoring. A condition requiring the strategy for the maintenance of the deck access is also recommended. Heads of Terms include the retention of the landscape architect to preserve the intent and quality of the spaces.
- 10.137. Ecology, bat and arboricultural reports have also been included as part of the submission, and have been reviewed by PPDT's environmental consultants, the findings and conclusions of which are considered to be acceptable. The reports include the results of a tree and bat survey undertaken and impacts from the development on the River Lea, which is a Site of Metropolitan Importance for Nature Conservation (SINC). However, the redevelopment of this brownfield site is considered not to cause harm to the adjoining SINC due to the hard edge of the boundary treatment between the site and the river and the absence of any marginal habitat. The accompanying Bat Survey report states that bats would not be impacted by the proposed development and are not a constraint to the development of the site. However, in order to avoid impacts on possible foraging and commuting bats it is recommended that light spill onto the River Lea is minimised and to that end as conditions are recommended to control external lighting.
- 10.138. The assessment is that the limited ecological interest on the existing site means that the principle of redevelopment is acceptable in ecological terms. The submitted Ecology Report states that the development provides opportunities for biodiversity enhancement such as riverside planting, greens roofs etc. and would have no adverse impacts on roosting bats.



- 10.139. Conditions are proposed that require further details of the riverside planting, green roofs, hard landscaping details, and bird/bat boxes.
- 10.140. The quality of residential amenity space and landscaping of the new development is acceptable for prospective occupants in meeting the policy aims and objectives of Local Plan Policies BN.3, and BN.4, London Plan Policies 7.21, 5.10, 5.11, 7.19 3.5 and 3.6 and the Mayor's Housing SPG.

### **Transport**

- 10.141. The accompanying Transport Statement (TS) includes a detailed assessment of the proposed multi-modal trip generation figures, which has been reviewed by PPDT's transport consultants. The proposed development (both residential and commercial uses) is forecast to generate a total of 173 two-way trips during the AM peak hour and 173 two-way trips during the PM peak hour. Of these trips, it is forecast that the vast majority would be made using public transport (132 at AM peak / 126 at PM peak), followed by trips made on foot (23 at AM peak / 23 at PM peak) and by bicycle (13 at AM peak / 13 at PM peak).
- 10.142. The TS concludes, and it is accepted by PPDT's transport advisors, that the proposed AM and PM peak trips generated by the development would have a negligible impact on the surrounding public transport infrastructure and services and the road network.

### Car Free:

- 10.143. Save for 12 accessible car parking spaces for residents and two accessible car parking spaces for staff the proposed development is intended to be car free, which is supported by TfL, no objections have been received from LB Tower Hamlets. Despite having a low PTAL Officers are satisfied that the site is reasonably accessible by walking or cycling, and is served reasonably well by public transport. As previously stated as agreed with the applicant a financial contribution to be secured by s106 legal agreement would be sought towards improved walking and cycling works to inter alia Hackney Wick overground station / Greenway or other similar appropriate connections.
- 10.144. London Plan policy 6.13 and draft new London Plan policy D6 require an appropriate balance being struck between promoting new development and preventing excessive car provision that can undermine cycling, walking and public transport. Local plan policy T.8 is aimed at reducing reliance on the car in the pursuit of sustainable development. Officers are of the view that in certain instances provision for the car can add significantly to the amount of land needed for a development which, in turn, can inflate the price of housing. Conversely, reducing the land needed for parking can help in achieving higher densities and the provision of amenity space.
- 10.145. Officers takes cognisance of the importance of ensuring that car free development does not result in additional parking in neighbouring streets. It is recommended that residents in this car-free development should not qualify for a resident parking permit and this would be secured by the s.106/condition. LB Tower Hamlets highway authority has in recent times designated parking regulations in the streets around the site.

- 10.146. Objections have been raised to the conversion of the existing public permit parking spaces on Iceland Road into parking spaces for the proposed development. The TS states that a parking survey was undertaken which reviewed the on-street parking capacity on Iceland Road and adjacent streets. Whilst this showed that the 14 bays on Wick Lane and 4 bays on Iceland Road are used (with 80% to 100% parking usage), it also showed that the 16 nearby bays on Maverton Road and Autumn Close (all within 100 metres of the bays on Iceland Road) have a low parking usage of between 0% and 33%. Given their close proximity to Iceland Road, these bays have sufficient capacity to accommodate the displaced parking on Iceland Road, and are located sufficiently close to meet the local need. The applicant is in discussions with LB Tower Hamlets as Highway Authority to agree the necessary s278 works, which is included within the proposed Heads of Terms.
- 10.147. A car park design and management plan would be secured by s106 legal agreement to inter alia clarify how demand for the proposed disabled spaces would be met. The applicant has advised that it may be that not all of the spaces would be provided from the outset; rather, spaces provided as and when they are required and parking would be managed/enforced by the on-site management team. Demand may be such that not all spaces are required to be provided.

Electric Vehicle Charging Points:

- 10.148. In accordance with the London Plan and its draft, 20% of these spaces (i.e. three spaces) would be provided with a standard Electric Vehicle Charging Point (EVCP). The remaining 11 spaces would have passive electric vehicle charging provision.
- 10.149. The management of the deliveries and servicing for the commercial uses in particular has been raised as a concern by local residents. A Delivery and Servicing Plan (DSP) (condition 23) for the development has been submitted as part of the Transport Assessment, and has been reviewed by PPDT's transport consultants and broadly agreed. The document states that 'the management strategy should include a scheduled delivery booking system to avoid deliveries being made during peak periods'. This is welcomed. Peak hours are considered to be between 07:00-10:00 and between 16:00-19:00 and off-peak times would generally be considered as 10:00-16:00 on weekdays. Deliveries should therefore be made during these hours where possible, which has been accepted by the applicant. Officers recommend a condition to ensure the implementation of an agreed DSP.
- 10.150. The Transport Statement includes swept path plans that show that a 10.0m long rigid vehicle would be able to enter the industrial block loading bay from Wick Lane and exit onto Iceland Road and then back onto Wick Lane in forward gear. In addition, the swept path plans also show that a 7.1m long rigid vehicle is also able to enter the central commercial courtyard, turn and exit in forward gear. A turning head would be provided at the eastern end of Iceland Road to enable commercial vehicles and refuse vehicles to turn and exit Iceland Road in forward gear. There is therefore sufficient space for the type and size of vehicles shown. It is anticipated that the final details of the servicing arrangements would be included within the DSP.
- 10.151. PPDT's transport consultants, and TfL have considered the proposals and raise no objections. Officers are satisfied that the proposals meet the aspirations of strategic London Plan Policies 6.1, 6.9, 6.10 and 6.13, and draft new London Plan Policy T6.1 and Local Plan Policies T.4, T.6, T.8, and T.9 refers, in proposing a development which supports sustainable transport objectives.

## **Noise and Air Quality**

### Air Quality:

- 10.152. The applicant has submitted an Air Quality assessment which has been assessed by PPDT's Environmental Consultants in relation to the effect of the development on local air quality. PPDT's Environmental Consultants have reviewed the assessment following which the applicant has provided further detail. It considers transport sources and energy plant and the impact on individual receptors as well as the overall significance of the effect of the development in accordance with the Institute of Air Quality Management (IAQM) guidance.
- 10.153. The air quality issues primarily relate to the construction phase operations, which without proper mitigation have the potential to give rise to dust and particulate impacts to nearby residential properties. With mitigation, the construction impacts are assessed as slight adverse. PPDT's Environmental Consultants and Officers are satisfied that the mitigation can be provided through appropriate planning conditions i.e. controlling dust and emissions from construction, operation and demolition, and the use of the latest Euro VI construction vehicles (or additional mitigation derived from further air quality assessment that will inform the Demolition and Construction Management Plan required under condition. Given the existing unrestricted commercial use that can operate from the site officers are of the view that the proposed mixed uses are unlikely to result in air quality issues comparable with a fully operational commercial business with HGV's and a more extensive operational open yard than is currently proposed.

### Noise:

- 10.154. London Plan London Plan Policies 7.15, 5.3 and 5.8, draft new London Plan D13 Policies D12 and D13, and Local Plan policy BN.11 seek to reduce noise impacts associated with developments.
- 10.155. The applicant has submitted a Noise Assessment the purpose of which is to establish whether existing noise levels at the site pose a constraint to residential development and sets out the design criteria, the measured environment noise levels and an assessment of the acoustic requirement of the facade to achieve recommended noise levels.
- 10.156. The assessment concludes that mitigation measures in the form of closed thermal double glazed windows would be necessary to reduce internal noise levels to be within the sleep disturbance criterion outlined by the World Health Organisation and the criteria outlined in BS8233 against both ambient noise sources and potential noise egress from the use of the proposed ground floor commercial uses. The report has been assessed by PPDT's Environmental consultants who have concluded that subject to this arrangement the proposed development would not result in significant noise disturbance for existing uses or the proposed uses.
- 10.157. In relation to the construction noise and disturbance, the applicants have submitted a Construction Management Plan which outlines amenity protection methods, and would be secured by condition (condition 4 refers). Conditions limiting noise levels are also recommended in order to safeguard amenity protection methods in line with policy criteria.

- 10.158. The proposed B2 industrial use would be undertaken entirely within the enclosed loading area on the ground floor of Block C, which would ensure that associated activities do not result in noise disturbance to nearby building occupants. Vehicles would enter Block C from Wick Lane and would exit in forward gear onto Iceland Road via the western commercial yard. Deliveries and servicing for the B1 office and B1(c) light industrial uses within Blocks C2 and C3 would be undertaken from the eastern commercial yard at lower ground floor level, which is accessed from the public highway on Iceland Road. The yard is of sufficient size to accommodate a 7m long rigid vehicle, which would be able to turn within the yard and exit onto Iceland Road in forward gear. As set in the transport section condition is recommended requiring details of the deliveries and servicing to be submitted for approval.
- 10.159. Objections/concerns have been raised from the operator of a night club in the local vicinity around possible noise complaints from new residents to their business. The Agent of Change principle as set out within Policy D12 of the draft new London Plan places the responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive development. The Agent of Change principle is included in the NPPF and Planning Practice Guidance provides further information on how to mitigate the adverse impacts of noise and other impacts such as air and light pollution.
- 10.160. Draft new London Plan policy D12 states that ‘...when considering co-location and intensification of industrial areas, boroughs should ensure that existing businesses and uses do not have unreasonable restrictions placed on them because of the new development. It goes on to state that ‘...noise-generating cultural venues such as theatres, concert halls, pubs, nightclubs and live music other venues that host live or electronic music should be protected...’ in support of Draft new London Plan Policy HC5 (Supporting London’s culture and creative industries).
- 10.161. The applicant and the night club operator have jointly commissioned a report to look into possible impacts. The report has been assessed by PPDT’s environmental consultants and required further areas of clarification and detail to be provided. An updated noise/acoustic survey report illustrates that the background noise levels taken when the club was operating were not materially different to the daytime background noise levels recorded in the original noise survey, with the main noise source again being the fan/plant located on the adjacent commercial building (not the club). As such, the applicant is of the view that further noise mitigation measures are not required. This view has been accepted by officer’s advisors. However, a condition (19) has been recommended to ensure that the development is built in accordance with the findings of the acoustic report i.e. ensuring good acoustic design on the inside of the buildings so that the internal sound levels within the residential elements of the proposed development are met.
- 10.162. Furthermore, the ambient noise levels are based on attended noise surveys and as such, would include any noise generated from the current industrial operations at Bow East located to the east of the site on the opposite side of the River Lea from the application site. As such, measures proposed to mitigate noise from the nightclub would also serve to mitigate any noise generated from nearby industrial operations.
- 10.163. Officers and their advisors are satisfied that with appropriate condition the proposals comply with London Plan policy 7.14 and Local Plan policy BN.11 in so far as minimising the effect of emissions and noise impacts.

## **Energy and Sustainability**

- 10.164. The application is accompanied by an Energy Statement and a Sustainability Statement, and Overheating Assessment, which have been reviewed by PPDT's environmental advisors
- 10.165. The proposed energy efficiency measures include levels of insulation beyond Building Regulation requirements, low air tightness levels, efficient lighting as well as energy saving controls for space conditioning and lighting.
- 10.166. The application site is located in an area where district heating is expected to be implemented in the future. The development may also be connected to another heat network from a site nearby (e.g. Wick Lane), the feasibility of this option is still to be investigated.
- 10.167. The measures proposed are in line with London Plan policy 5.2B, the residential part of the development would need to achieve a 'zero carbon' target for regulated CO2 emissions; and the commercial part a 35% reduction in regulated CO2 emissions against a Building Regulations where feasible. Means of energy efficiency measures alone, regulated CO2 emissions are shown to reduce by:
- 2.3% (3.2 tonnes per annum) for the domestic part of the development;
  - 23.3% (18.7 tonnes per annum) for the commercial part of the development; and
  - 10% (21.9 tonnes per annum) across the whole site.
- 10.168. The applicant advises that the commercial areas of the scheme could achieve a BREEAM score of 58.75%, exceeding the BREEAM 'Very Good' target of 55%.
- 10.169. A number of conditions and Heads of Terms are recommended to ensure that measures outlines are implemented in the design. Officers are satisfied that the proposals accord with London Plan policies 5.2, 5.5, 5.6, and 5.7 as well as draft new London Plan Policies S12 and GG6, Local Plan Policies S.2 and S.3 and the LLDC Carbon Offset Local Plan SPD.

## **Ground Contamination and Archaeology**

- 10.170. Based on the previous uses of the site, the submitted remediation report and advice from Historic England GLAAS (HE) recommend a detailed investigation be carried out prior to commencement of development. PPDT's environmental consultants have reviewed the report and HE comments, which recommends the imposition of conditions, and generally agree with the conclusions to secure the further investigative work and associated remediation. Subject to the imposition of such conditions, the proposal is considered acceptable in this regard and accords with London Plan policy 5.21 and Local plan policy BN.13.
- 10.171. **Other relevant material considerations** have been considered and assessed by Officers and PPDT's Environmental Consultants including flooding. These issues are either considered to be acceptable or can be dealt with by conditions.

### Summary of Objections:

- 10.172. The objections to the proposals on grounds of their massing, scale and loss of privacy and overlooking as well as daylight and sunlight issues are set out in Section xxxx of this report and have been carefully considered. For the reasons set out in this report

officers have concluded that the proposals would not have an adverse impact on amenity and is considered to be acceptable and in general accordance with development plan policy.

### **Draft Heads of Terms**

10.173. The following heads of terms for the Section 106 agreement are recommended to mitigate the effects of the development:

- To secure 35% Affordable Housing, and include a review mechanism, in accordance with the Mayor of London's Affordable Housing and Viability SPG
- Phasing: No residential units shall be occupied until the commercial space has been completed to shell and core.
- Employment Workspace
  - Delivery of affordable workspace (should single user tenant not be secured)
  - Employment floorspace to shell and core linked to occupation of residential floorspace
  - Requirement for workspace strategy to ensure employment floorspace is designed and managed to meet the needs of small local companies and businesses
  - Secure maximum amount of B1a floorspace
- Management Strategy: To ensure that the inter relation between the commercial and residential uses is satisfactory
- Local Labour Strategy: To ensure a proportion of the employment during construction and operation (end-use) are from the Host Boroughs and to provide training initiatives
- London Living Wage: The minimum hourly wage as published by the GLA to be paid for both construction and end jobs.
- Travel Plan: To implement, monitor and review; and provide membership to a car club and to include electric car charging points
- Car Parking Design and Management Strategy:
  - To include layout and location of accessible parking provision in association with LB Tower Hamlets Highway Authority
  - To ensure that the maximum of 10% disabled provision can be provided should there prove to be demand for extra spaces either on-street or on-site.
  - Provision and location of electric vehicle charging bays
  - Provision and location of car club bay
- A S278 and Traffic Management Order: to be entered into with the Local Highway Authority around the relocation of the vehicle crossover on Wick Lane and the provision of on-street blue-badge bays
- Design Monitoring Contribution – In order to maintain design quality in the event that the original architect and landscape architect is not retained.
- Sustainability: Use of reasonable endeavours to secure the extension of the QEOP district heating and cooling network to the development site and thereafter obligation to secure connection of all buildings; and in the event that this cannot be achieved submit details of alternative measures by which equivalent carbon savings can be achieved; reasonable endeavours to encourage occupiers to reduce their energy usage

- The development shall be futureproofed as to enable future connection to a new or existing district energy network.
- Commercial space within the development to achieve a minimum BREEAM 2011 rating of Very Good.
- Management and maintenance of public realm.
  - Public realm management strategy and public access to open space within the development
  - Financial contribution towards improved walking and cycling works
- Demolition and construction activities to be carried out in accordance with the National Considerate Constructors Scheme.

## **11. HUMAN RIGHTS AND EQUALITIES IMPLICATIONS**

- 11.1 Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the Applicants and any third party opposing the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.
- 11.2 In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. In particular Members must pay due regard to the need to:
1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
  2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.3 Officers are satisfied that the application material and Officers' assessment has taken into account these issues. Particular matters of consideration have included the provision of affordable and family housing.

## **12. CONCLUSION**

- 12.1 The proposed development includes new B2 and B1 (Business) floorspace as well as 120 residential units including affordable units (35% by habitable room).
- 12.2 The proposed mixed-use development on this OIL designated site is acceptable in principle and in accordance with planning policy. Employment at the site has been limited in recent years, and the proposals would result in up to 169 new jobs being

created. Affordable workspace discussions are continuing to secure the maximum reasonable quantum from the scheme. The agreed quantum would be clarified and confirmed in an Update Report.

- 12.3 The retention of the non-designated heritage asset (former Ammonia Works Warehouse) is applauded and the demolition of the existing buildings on the site that are not of individual merit or townscape importance is considered to be appropriate.
- 12.4 Officers consider that the overall massing, scale and height of the buildings and the scheme's architectural treatment and material selection have been well handled. The architectural expression and form of the buildings is a suitable response to the context of the site, which would provide a high quality architectural insertion into the streetscape and river edge and provide a marked improvement on the current situation. The development would also be compatible and consistent with developments on immediately adjoining sites.
- 12.5 The proposal has been assessed as meeting the 'liveability' standards under the Mayor's Housing SPG. Officers consider that the standard and quality of accommodation including access to outdoor space is good.
- 12.6 The fact that this is a car free development is acceptable in a scheme of this size and is supported by TfL.
- 12.7 With respect to the objections received Officers are satisfied that the proposals would not be detrimental to residential amenities of adjacent properties both existing and emerging, and conditions are imposed where necessary to protect amenity. No objections have been received from statutory consultees.
- 12.8 Officers are satisfied that the proposed redevelopment of this site is entirely in accordance with the principles for regeneration established by national, regional and local planning policies.
- 12.9 Therefore, it is recommended that the application be approved, subject to agreement being reached on the quantum of affordable workspace to be provided, conditions set out below and the completion of a s106 legal agreement.

### **13. PLANNING CONDITIONS**

#### **1. Time limit**

The development shall be commenced before the expiration of three years from the date of the permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1991

#### **2. Works in accordance with approved details**

The development, including demolition and construction, shall be carried out in accordance with the following details and plan numbers:

INSERT DRAWING NUMBERS

and the description of development contained in the application and any other plans, drawings, documents, details, schemes or strategies which have been approved by the Local Planning Authority pursuant to these conditions.

Reason: To ensure that all works are properly implemented and retained.



### **3. Notice of Commencement**

The development shall not be commenced until written notice of intention to commence the development has been given to the Local Planning Authority. The notice required by this condition shall only be given where there is a genuine prospect of development being commenced within 21 days of the notice and the notice shall confirm and provide evidence that this is the case.

Reason and pre-commencement justification: To enable the LPA to monitor development.

## **DEMOLITION & CONSTRUCTION**

### **4. Demolition and Construction Management Plan (DCMP)**

The development shall not be commenced until a demolition and construction management plan (CMP), has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall be in accordance with all relevant legislation in force and substantially in accordance with all policy adopted and best practice guidance published at the time of submission. The DCMP shall include as a minimum the following information:

- The arrangements for liaison with the relevant highway authorities;
- The parking of vehicles of site operatives and visitors;
- The loading and unloading of plant and materials including a construction logistics plan;
- Access arrangements including on-street loading bay on Iceland Wharf and Wick Road in consultation with LB Tower Hamlets Highway Authority;
- Liaison with Transport for London regarding any impacts on existing bus stops within the vicinity of the site;
- The storage of plant and materials use in constructing the development;
- The erection and maintenance of security hoardings;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling and disposing of waste resulting from demolition and construction work;
- Dealing with complaints and community liaison;
- Measures to control the flow of surface water off the slab (temporary drainage details);
- Attendance as necessary at the LLDC Construction Transport Management Group (CTMG) and or Construction Coordination Group;
- Details of routes and access for construction traffic. Including lorry holding areas;
- Confirmation that EuroVI construction vehicles will be used on the public highway through the construction phase, or an air quality assessment to determine the likely effects of construction and, if necessary, the measures required to mitigate the effects; and
- Guidance on membership of the Fleet Operator Recognition Scheme and implementation of vehicle safety measures and driver training including cycle awareness and an on-road cycle module.

The development shall be carried out in accordance with the approved details.

Reason and pre-commencement justification: To ensure that the Local Planning Authority can assess whether the development would generate any unacceptable

environmental impacts through demolition and construction that would require appropriate mitigation and to be in accordance with London Plan Policy S.3 and Local Plan 2015 Policy T.4.

## **5. Code of Construction Practice**

The development shall not be commenced until a Code of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Code of Construction Practice shall be in accordance with all relevant legislation in force and substantially in accordance with all policy adopted and best practice guidance published at the time of submission. The Code of Construction Practice shall include proposals for the following:

- Safeguarding of buried services
- Location and height of any proposed stock
- Waste generation and materials reuse and recycling
- Air quality mitigation measures from demolition and construction activity within the Site
- Noise mitigation measures from demolition and construction activity within the Site

The Development shall be carried out in accordance with the approved details.

Reason and pre-commencement justification: To ensure that the Local Planning Authority can assess whether the development would generate any unacceptable environmental impacts through construction that would require appropriate mitigation in accordance with Local Plan Policies BN.11 and S.4.

## **6. Demolition and Construction Waste Management Plan**

The development shall not be commenced until a Demolition and Construction Waste Management Plan (DCWMP) has been submitted to and approved in writing by the Local Planning Authority. The objectives of the DCWMP shall be to ensure all waste arising from the demolition and construction works are managed in a sustainable manner, maximising the opportunities to reduce, reuse and recycle waste materials. The DCWMP shall also detail the compliance and assurance requirements to be maintained on the Site during all phases of construction. The DCWMP shall include as a minimum the following information:

- classification of all waste including hazardous waste according to current legislative provisions;
- performance measurement and target setting against estimated waste forecasts;
- reporting of project performance on quantities and options utilised;
- measures to minimise waste generation;
- opportunities for re-use or recycling;
- provision for the segregation of waste streams on the Site that are clearly labelled;
- licensing requirements for disposal sites;
- an appropriate audit trail encompassing waste disposal activities and waste consignment notes;

- measures to avoid fly tipping by others on lands being used for construction. Returns policies for unwanted materials;
- measures to provide adequate training and awareness through toolbox talks; and
- returns policies for unwanted materials.
- The Development shall be carried out in accordance with the approved details.

Reason and pre-commencement justification: Submission required prior to commencement to ensure that the Local Planning Authority to ensure that the impact of demolition and construction is appropriately mitigated and ensure high standards of sustainability are achieved in accordance with Policy 5.18 of the London Plan and Policy S.6 of the Local Plan 2015.

## **7. Approval of road works necessary**

The development shall not be commenced until details of the following works to the highway have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Works to the highway shall only be carried out by the Highway Authority:

- The provision of an on-street loading bay
- The installation of new crossovers and reinstatement of footways where existing crossovers are being blocked up

The building hereby permitted shall not be occupied until these works have been consented in accordance with the approved details.

Reason and pre-commencement justification: To ensure that occupiers of the site have adequate facilities to support the use and encourage the uptake of sustainable transport methods to and from the site, and to ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before occupation and in accordance with Local Plan 2015 Policy T.4.

## **8. Piling/Foundation Designs**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express prior written consent of the Local Planning Authority, which may be given for those parts of the respective area of land where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed activities safeguard human health and do not harm controlled waters and groundwater resources in line with the Environment Agency's approach to groundwater protection March 2017 and in accordance Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

## **9. Piling method statement**

No piling, including impact piling shall take place on until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling would be carried out, including measures to prevent and minimise the potential for impact on ground water, damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the

Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that the proposed activities safeguard human health and do not harm controlled waters and groundwater resources in line with the Environment Agency's approach to groundwater protection March 2017 and in accordance Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015

## **10. Infiltration Drainage**

No infiltration drainage or surface water drainage into the ground at this site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters from contamination. The development shall be carried out in accordance with the approval details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy 5.13 of the London Plan and Policy BN13 of the Local Plan 2015.

## **11. Drainage**

Development shall not commence until a drainage strategy, detailing any on and/or off-site drainage works, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. The drainage works referred to in the approved strategy shall be implemented in full and no discharge of foul or surface water from the site shall be accepted into the public system until the said drainage works have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and in accordance with Policy 5.13 of the London Plan and Policy BN13 of the Local Plan 2015.

Pre-commencement justification: To ensure that adequate facilities to support the use are provided

## **12. River Lea**

Prior to the commencement of development, details of appropriate mitigation measures to prevent any risk of pollution or harm to the adjacent River Lee navigation or its users, both during demolition/construction and on completion of the development, shall be submitted to and agreed in writing by the Local Planning Authority. The details shall also include measures to locate, clear, remediate and permanently seal any existing drains or culverts within the application site that may discharge to the waterway. The approved measures shall thereafter be implemented in full unless otherwise agreed in writing by the local planning authority.

Reason and pre-commencement justification: In order to protect the amenity and ecological value of the waterway from any contaminants and in the interests of water quality in accordance with Policy 5.13 of the London Plan and Policy BN13 of the Local Plan 2015.

No development (including demolition) shall take place within 10m of the waterway until a Risk Assessment and Method Statement outlining all works to be carried out

adjacent to the waterway has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the waterway infrastructure;
- Provide details of any strengthening or repairs that may be required to the waterway wall adjacent to the site;
- provide cross sections showing the distance from the waterway to the proposed buildings;
- include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with demolition or construction of the buildings;
- details specifying how the waterway will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- include the steps to be taken to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the waterway.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason and pre-commencement justification: To protect the structural stability of the waterway infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015

### **13. Contamination**

No development approved by this planning permission (or stage in development as may be agreed in writing with the Local Planning Authority) shall commence until the following have each been submitted to, and approved in writing, by the Local Planning Authority:

- 1) A scheme of ground investigation, based on the Geo-environmental desk study / preliminary risk assessment report (dated 20th February 2018, Ref. P9841J1283, prepared by Jomas Associates Ltd), describing and justifying the scope of investigations to provide sufficient information for a contamination risk assessment; and
- 2) A contamination risk assessment and remediation strategy report based on the findings of the ground investigation.

The scheme of ground investigation (part 1) shall be agreed in writing with the Local Planning Authority before the ground investigation commences. The ground investigation and remediation strategy (part 2) shall be implemented as approved, with any changes requiring the written consent of the Local Planning Authority.

Reason and pre-commencement justification: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

#### **14. Remediation Implementation and Verification Method Statement**

No development approved by this planning permission (or stage in development as may be agreed in writing with the Local Planning Authority) shall commence until a remediation implementation and verification method statement, based on the contamination risk assessment and remediation strategy report, has been submitted to and approved in writing by the Local Planning Authority.

The remediation implementation and verification method statement shall be implemented as approved, with any changes agreed in writing with the Local Planning Authority.

Reason and pre-commencement justification: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

#### **15. Unexpected Contamination**

If during development unexpected contamination is encountered then the Local Planning Authority shall be notified and no further development (as agreed in writing with the Local Planning Authority) shall be carried out until an addendum to the remediation implementation and verification method statement has been submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed in writing with the Local Planning Authority).

The addendum remediation implementation and verification method statement shall be implemented as approved, with any changes agreed in writing with the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development has been carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

#### **16. Verification Report**

No occupation of any part of the permitted development (or stage in development as may be agreed in writing with the Local Planning Authority) shall take place until a verification report demonstrating completion of works set out in the remediation implementation and verification method statement, has been submitted to and approved in writing by the Local Planning Authority.

If the verification report identifies a requirement for long-term monitoring and maintenance (including contingency action) to ensure the effectiveness of the remediation measures implemented, then an addendum verification report(s) shall be submitted to and approved in writing by the Local Planning Authority. Long-term monitoring and maintenance elements of the verification report shall be implemented as approved.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance

with Policies 5.21, 5.14 and 7.19 of the London Plan and Policy BN13 of the Local Plan 2015.

## 17. Archaeological investigation

- A) No works except demolition to existing ground level shall take place until a written scheme of investigation (WSI) for proposed archaeological work relating to Contamination Condition I (Contamination and Site Characterisation) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site work and the nomination of a competent person(s) or organisation to undertake the agreed works. The submitted WSI will include a statement of significance and research objectives, the programme and methodology for relevant site investigation and recording, and the nomination of a competent person(s) or organisation to undertake the agreed works. This WSI will describe appropriate archaeological works related to the proposed scheme of ground investigation proposed in order to fully understand and quantify the scope and nature of required contamination remediation. The work will result in the creation of a combined archaeology and contamination site model to inform further work, according to the relevant Historic England guidance.
- B) No decontamination or development except demolition to existing ground level shall take place until a stage 1 and stage 2 written scheme of investigation (WSI) for proposed archaeological work relating to Contamination Condition II (Remediation Implementation and Verification Method Statement) and III (Unexpected Contamination) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI, which shall include:

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of A competent person(s) or organisation to undertake the agreed works;
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

The Stage 1 WSI will describe appropriate archaeological evaluation works in advance of the remediation implementation.

The Stage 2 WSI will, if necessary, describe appropriate further archaeological mitigation works, informed by the remediation implementation and/or (unexpected)

contamination remediation implementation. The WSI will include provision for the preservation in situ of important remains.

- C) No development works except demolition to existing ground level shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

c) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

d) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Following the remediation implementation and/or (unexpected) contamination remediation implementation, with relevant associated archaeological works, some areas of the site may require stand-alone archaeological fieldwork. The Stage 1 WSI will describe appropriate archaeological evaluation works within these areas; the Stage 2 WSI will describe appropriate archaeological mitigation works within these areas, following the completion, and dependent upon the results of, appropriate archaeological evaluation.

- D) No development, save for demolition to ground level, shall take place shall take place before details of the foundations and piling configuration, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.

Should the results of the above works, particularly those carried out to meet with the requirements of the other archaeological conditions, identify archaeological remains deemed to be of national significance which must remain in situ and cannot be archaeologically recorded and excavated, this condition would allow for the re-design of foundations in order to accommodate the preservation of such remains, while allowing the redevelopment proposals to progress.

- E) No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and



- a) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason and pre-commencement justification: To ensure that the archaeological interests are protected and considered appropriately and in accordance with London Plan policy 7.8 of the Local Plan and policy BN.2 of the Local Plan 2015.

## **18. Commercial**

No residential occupation shall occur until a commercial strategy has been submitted to and approved in writing by the Local Planning Authority detailing the method of operation, including the hours and days of operation, of the end user(s) of the B2 (general industrial use) including its ancillary commercial yard.

In the event of any subsequent change in user(s) of the B2 (general Industrial use) further approval of the method of operation, including the hours and days of operation, of the end user of the B2 (general industrial use) including its ancillary commercial yard shall be submitted to the Local Planning Authority for approval in writing.

The B2 (general industrial use) shall only be carried out in accordance with these approved details.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources and to be in accordance with Policy 7.15 of the London Plan and Policy BN11 of the Local Plan 2015.

## **RESIDENTIAL STANDARDS**

### **19. Residential standard- internal noise levels**

No residential premises shall be occupied unless it has been designed and constructed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings- Code of Practice' and attains the following internal noise levels:

- Bedrooms- 30dB LAeq,T\* and 40dB LAfmax
- Living rooms- 30dB LAeq, D\*
- \*T- Night-time 8 hours between 23:00-07:00
- \*D- Daytime 16 hours between 07:00-23:00.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources and to be in accordance with Policy 7.15 of the London Plan and Policy BN11 of the Local Plan 2015.

### **20. Noise mitigation – Residential**

The development hereby permitted shall be implemented in accordance within the acoustic reports (Environmental Noise Assessment, Iceland Wharf, London, XCO2, October 2018 and Nightclub Noise Impact Assessment, Iceland Wharf, London, XCO2, October 2018) to ensure the internal sound levels within the residential elements of the proposed development are met. The Development shall not be occupied until the noise mitigation measures approved as part of the sound insulation scheme have been installed. The approved scheme is to be completed prior to occupation of the Development and thereafter permanently retained.

Reason: To protect the amenity of future occupants and/or neighbours in accordance with Policy 7.15 of the London Plan and Policy BN11 of the Local Plan 2015.

## **21. Sound insulation and noise mitigation details – Residential and Non-Residential**

The Development shall not be occupied until details of the proposed sound insulation scheme to be implemented between the residential accommodation and any non-residential uses have been submitted to and approved in writing by the Local Planning Authority. Details should include airborne and impact sound insulation. The Development shall not be occupied until the noise mitigation measures approved as part of the sound insulation scheme have been installed. The approved scheme is to be completed prior to occupation of the Development and thereafter permanently retained.

Reason: To protect the amenity of future occupants and/or neighbours.

## **22. Fabric Efficiency Standards**

Subject to the circumstances outlined below, the Developer will ensure all residential units shall meet, through onsite measures, the Full Fabric Energy Efficiency Standards (FEES) for domestic dwellings set out in the Code for Sustainable Homes Technical Guide November 2010 (specified as mandatory for Levels 5 and 6).

Where the parameters associated with daylighting, view-out, overheating criteria or technical viability cannot be met without compromising the Full FEES, the Developer will aim to meet, through onsite measures alone, no less than the Interim FEES (43 kWh/m<sup>2</sup>/yr for apartments and 52 kWh/m<sup>2</sup>/yr to be met by detached houses) as calculated using the methodology adopted for Ene2 of the Code for Sustainable Homes (CSH) in November 2010 as if those standards were adopted into policy at the date of this permission, and provided that no less than 75% of Residential Units within any one phase achieves Full FEES.

Following the adoption of those standards into policy residential buildings shall be built to meet as a minimum such standards as shall apply at the time of such construction.

Where FULL FEES cannot be achieved, the Developer shall submit the following to the Local Planning Authority for approval as part of the Reserved Matters Energy Statement:

- a) Calculation of the 'carbon gap' between dwellings that have achieved Full FEES compliance and Interim FEES compliance and abate those residual emissions, assuming an abatement period of 30 years, through alternative onsite measures; and

- b) A detailed justification for not achieving the Full FEES and where technical viability is an issue, this will need to be fully documented.

In the event that the FEES scheme is abolished or replaced the following requirements shall apply:

- c) The aforementioned standards shall be required in respect of any Residential Unit for which all Reserved Matters have been approved or lodged prior to the date of such abolition or replacement;
- d) The aforementioned standards shall continue to be required in respect of any Residential Unit for which Reserved Matters are lodged in the period:
- e) Commencing with the date of such abolition or replacement; and
- f) Ending on the date on which written approval is obtained from the Local Planning Authority (for the purposes of this Condition only, the "Approval Date") to an alternative means of assessing that the fabric efficiency performance of Residential Units is at least equivalent to the aforementioned standards (for the purposes of this Condition only, the "Alternative Certification");
- g) The standards identified as the Alternative Certification shall be required in respect of any Residential Unit for which Reserved Matters are lodged following the Approval Date, and FEES shall no longer apply to such Residential Units.

Reason: To ensure a high standard of sustainable design and construction.

### **23. Noise Levels – Mechanical Equipment or Plant**

Prior to above-ground work commencing on site, emissions from the boilers must meet the Sustainable Design and Construction SPG emission standards (Appendix 7). If the EPUK/IAQM threshold for significance of emissions is exceeded a detailed assessment of the impact of boiler emissions on air quality at current and future sensitive receptors must be carried out, or the reason for a detailed assessment not being required submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining occupiers and the surrounding area.

### **24. Accessible housing**

90% of the residential units hereby permitted shall be designed and constructed in accordance with M4 (2) Category 2 of Part M of the Building Regulations.

10% of the residential units hereby permitted shall be designed and constructed in accordance M4 (3) Category 3 of Part M of the Building Regulations (split proportionately so that 10% of each of the following tenures of residential units shall be so provided: market housing units, intermediate housing units, social rented housing units and affordable rented housing units; and 10% of each of the following sizes of residential units shall be so provided: one, two and three bedroom units).

The actual number of units to be provided in accordance with this condition would be the number of whole units that is as near as arithmetically possible to the specified percentage and 0.5 or above shall be rounded up to the nearest whole.

Reason: To ensure adequate accessible housing is provided and to be in accordance with Local Plan 2015 Policy BN.5: Requiring inclusive design.

## **25. Refuse storage**

Before the first occupation of the development hereby permitted the waste and recycling storage, transfer and collection arrangements shall be submitted in a Waste Servicing Strategy and approved in writing by the local planning authority, and made available for use by the occupiers of the Development. The Waste Servicing Strategy shall include the following key pieces of information:

- Details and plans showing where residents and commercial tenants in each building should deposit their waste;
- Description of the waste containers and equipment to be housed in each waste storage area;
- Explanation of how and when waste containers will be transferred between waste rooms, the route the container will take during transfer, and where the necessary equipment for facilitating the operations will be stored; and
- Details of arrangements for collection contractors for municipal and commercial waste, including where the waste will be collected from, where the waste collection vehicles will park, and the route for transferring bins between waste stores and vehicles.

The facilities and management processes provided shall thereafter be retained and maintained for the life of the Development and neither they nor the space they occupy shall be used for any other purpose unless it can be demonstrated that these facilities are no longer required or can be reduced in size without affecting recycling rates, to be agreed in writing by the Local Planning Authority in accordance with Policy S.6 of the Local Plan.

Reason: To ensure there are refuse storage and management arrangements in place in advance of the use commencing to avoid highway and safety issues and ensure that that the refuse would be appropriately stored within the site in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance.

## **PARKING, SERVICING, CYCLES**

### **26. Deliveries and servicing management plan**

The development shall not be occupied until a delivery and servicing management plan (DSMP) detailing how all elements of the development are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The DSMP shall be prepared in accordance with TfL's online guidance on delivery and servicing plans found at <http://www.tfl.gov.uk/info-for/freight/planning/delivery-and-servicing-plans#on-this-page-1> or such replacement best practice guidance as shall apply at the date of submission of the DSMP. The approved shall be implemented from first occupation of that part of the development and thereafter for the life of the development on the respective area of land.

Reason: In the interests of highway and pedestrian safety and residential amenity making adequate provision for deliveries and servicing, and encouraging sustainable

delivery methods in accordance with Policy 6.11 of the London Plan and Policy T4 of the Local Plan 2015.

### **27. Cycle Storage and facilities- details to be submitted**

The development shall not be occupied until details (1:50 scale drawings) of the facilities to be provided for the secure storage of cycles (for both residential and commercial elements) and on site changing facilities and showers (for the commercial element) for the respective area of land have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the facilities provided shall be retained for the life of the development and the space used for no other purpose.

Reason: In order to ensure that satisfactory secure cycle parking and facilities for cyclists are provided and retained and in accordance with Policy 6.3 of the London Plan and Policy T4 of the Local Plan 2015.

### **28. Permit Free Details**

Prior to the first occupation of the development hereby permitted, arrangements shall be submitted and agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the area at any time.

Reason: To avoid obstruction of the surrounding streets.

### **29. Travel Plan**

The development hereby approved shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall comply with TfL 'Travel Planning for new development in London' and have clear commitments to measures, including investigation of additional measures, an action plan and set out a clear process for review, consultation and approval of changes (and specifically targets) with the Local Planning Authority. The travel plan shall be implemented as approved throughout the life of the development.

Reason: To promote sustainable travel patterns.

## **SUSTAINABILITY**

### **30. Renewable energy**

The development shall be constructed and operated in accordance with the submitted XC02 Energy Statement Assessment dated 23<sup>rd</sup> February 2018 and achieve reductions in regulated CO2 emissions through the use of on-site renewable energy generation sources approved as part of this development.

Reason: To ensure a high standard of sustainable design and construction and to ensure sufficient information is available to monitor the effects of the development in accordance with Policy 5.2 of The London Plan and Policies S2 and S5 of the Local Plan 2015.

### **31. BREEAM**

Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM Design Stage rating and a BREEAM certificate of building performance) which demonstrates that a minimum 'Very Good' rating has been achieved shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. Within three months of occupation of any commercial premises hereby permitted, a certified Post Construction Review (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards above have been met.

Reason: To ensure that high standards of sustainability are achieved in accordance with Policies 5.2, 5.3 and 5.6 of The London Plan and Policies S2 and S4 of the Local Plan 2015.

### **DESIGN**

#### **32. Material samples**

Prior to the construction of the development hereby permitted a schedule detailing of concrete finish, brick bonding(s) where appropriate and samples of materials and finishes to be used on the external surfaces of the development of the respective area of land shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development. A sample panel(s) of brickwork of not less than 1m x 1m showing mortar mix, bonding and pointing type shall be constructed for the Local Planning Authority to inspect and approve and shall be retained on site until completion of the works, and the brickwork shall be constructed in accordance with the approved panel(s).

Reason and pre-commencement justification: To safeguard the appearance of the buildings and the character of the area generally and to enable the Local Planning Authority to properly consider and control the development in the interest of visual amenity and to accord with Policies BN.1 and BN.4 of the Local Plan 2015.

#### **33. Detailed drawings**

Prior to the construction of the development detailed drawings including sections (at a scale to be agreed in writing with the Local Planning Authority) of the respective area of land shall be submitted to and approved in writing by the Local Planning Authority as follows:

- Commercial façade details (ground level entrances and shopfront): commercial floorspace slab details; elevations and sections through shopfronts, including details of doors, windows and signage and junctions with new pedestrian space as well as canopies, security shutters and areas for signage;
- Details of the design and location of the service lift serving the B1c industrial use building;
- Residential façade treatment details (including elevations facing the internal courtyard): elevations and sections annotated with materials and finishes of all windows (including reveals and sills), entrances, external bin stores, balconies,

and balustrades, pipework and parapets; and all openings adjacent to the highways; and

- Interior of the former Ammonia Works Warehouse building (non-designated heritage asset) with respect to the details of any of the existing fabric to be removed within the building.

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

Reason and pre-commencement justification: To enable the Local Planning Authority to properly consider and control the development and to be in accordance and in order to ensure a high quality of design and detailing is achieved and to be in accordance with Strategic Policy SP.3 and Policies BN.1, BN.4 and BN.10 of the Local Plan 2015.

#### **34. Secured by Design**

The development shall be constructed and operated thereafter to 'Secured by Design Standards'. A certificate of accreditation to Secured by Design Standards shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential element of the development hereby permitted.

Reason: To ensure that the development maintains and enhances community safety.

#### **35. Deck Access Landscaping Maintenance and Cleaning Regime**

Prior to the occupation of the development hereby approved details of the maintenance and cleaning regime of the deck access shall be submitted to and approved in writing by the Local Planning Authority; any repairs or replacement works shall match the existing original work to the methods used and the material including colour and, texture and all details of which shall be agreed in writing by the Local Planning Authority prior to the commencement of such works.

Reason: In the interest of amenity and to preserve the character and appearance of the development.

#### **36. Defensible space**

Prior to the commencement of the relevant phase, details of the measures to provide defensible space for the ground floor residential units, including any means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in full accordance with the approved details prior to occupation of the residential units and retained thereafter.

Reason: To ensure the protection of residential amenity.

#### **37. Green/brown roof**

Prior to the construction of the development hereby permitted details of the biodiverse roofs (including a specification and maintenance plan) shall be submitted to and approved in writing by the Local Planning Authority and the development of the respective area of land shall not be carried out otherwise than in accordance with any such approval given.

Reason and pre-commencement justification: To ensure the proposed development would enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity and to be in accordance with Policy S.4 of the Local Plan 2015.

### **38. Landscaping Plan (including terrace)**

Prior to the construction of the development detailed drawings, the following information regarding the development shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed drawings 1:50 and 1:10 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings and roof terrace areas (including wind mitigation measures, boundary treatments, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping);
- Full details of the treatment of site boundaries (including bollards)
- Details of all existing trees on and adjacent to the land, and details of any to be retained, together with measures for their protection, during the course of development;
- Waterside landscaping;
- Planting schedules;
- Sections through street tree pits;
- Species mix;
- Ecological considerations for communal planting;
- Location of tables and chairs;
- How inclusive access furniture is to be provided;
- Details of biodiversity enhancements (bird and bat nesting boxes etc);
- Details of marginal habitat
- Details including plans, elevations and specifications of any play equipment to be provided and
- Details of parapet/balustrade and planting buffer around the courtyards and terraced areas
- Management arrangements for areas of retained landscape, communal planting and soft landscape treatments set out above.

The planting, seeding and/or turfing shall be carried out as approved in the first planting season following completion of building works comprised in the development and any tree or shrub that is found to be dead, dying, severely damaged or diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

All landscaping works shall be maintained in accordance with the approved details and retained for the period of the development unless otherwise agreed in writing in advance by the Local Planning Authority. All other works including hard surface materials and play equipment shall be carried out and completed prior to the occupation of any part of the development.



Reason and pre-commencement justification: To ensure the proposed development would enhance the visual amenities of the locality and in order that the Local Planning Authority may ensure that the design and details are of high quality and to be in accordance with Policies BN.1 and BN.3 of the Local Plan 2015.

### **39. Wind Assessment**

Prior to occupation, full details of the proposed public realm, including hard and soft landscaping, shall be submitted to, and agreed in writing by, the local planning authority. The details shall include an assessment of the local wind environment as a result of the public realm's relationship with buildings proposed as part of the development. The assessment will be in accordance with the Lawson Criteria and can be qualitative (based on professional engineering experience or steady state Computational Fluid Dynamics) unless a potential safety issue is identified. If a safety issue is identified, a quantitative methodology (i.e. physical wind tunnel testing or Large Eddy Simulation CFD) shall be undertaken to prove safe conditions are met.

Reason: To ensure that the design of public realm and local wind conditions are compatible in accordance with Policy BN.1 of the Local Plan 2015.

### **40. Photovoltaics**

Prior to the commencement of the development hereby permitted full details of photovoltaic (PV) panels and a strategy for their installation on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. The approved details shall be implemented prior to the first use of the building and shall thereafter be permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development meets a high standard of sustainable design and construction and incorporates renewable technologies.

### **41. Overheating**

Before the construction of the façades for the development an assessment of the internal temperature in summer of the development shall be submitted to and approved in writing by the Local Planning Authority, so as to demonstrate compliance with the requirements of the Building Regulations 2010 (Schedule 1, Part L) such assessment must use the method of calculation set out in the SAP 2012 (Appendix P) (or any subsequent edition of the SAP as may amend or replace the 2012 edition, as published by BRE). The assessment shall include details of any mitigation measures that are proposed to be used to reduce overheating, which shall include without limitation and where appropriate design of the facades; provision of ventilation; and internal layout. Following approval of the mitigation measures the building shall be constructed in accordance with the approved details and maintained in this condition thereafter, unless other minor variations are agreed in writing by the Local Planning Authority.

Reason: To ensure a comfortable level of amenity for residents of the development and in the interests of visual amenity and to be in accordance with Policy S.4 of the Local Plan 2015.

## **PERMITTED DEVELOPMENT**

### **42. Land Use**

Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) the commercial premises hereby approved shall only be used for the purposes specified in the application (being use class B2 (Block D) and B1 as defined in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended at the date of this permission).

Reason: To provide control over the loss of employment generating use in accordance with the regeneration objectives for the Legacy Corporation area as set out in its purposes and within the Corporation's Local Plan. In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use.

### **43. Lighting**

No architectural lighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall provide for lighting that is low level, hooded and directional, and has been submitted to and approved in writing in advance by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interest of residential amenity and to protect ecological systems in accordance with Local Plan Policy BN.3.

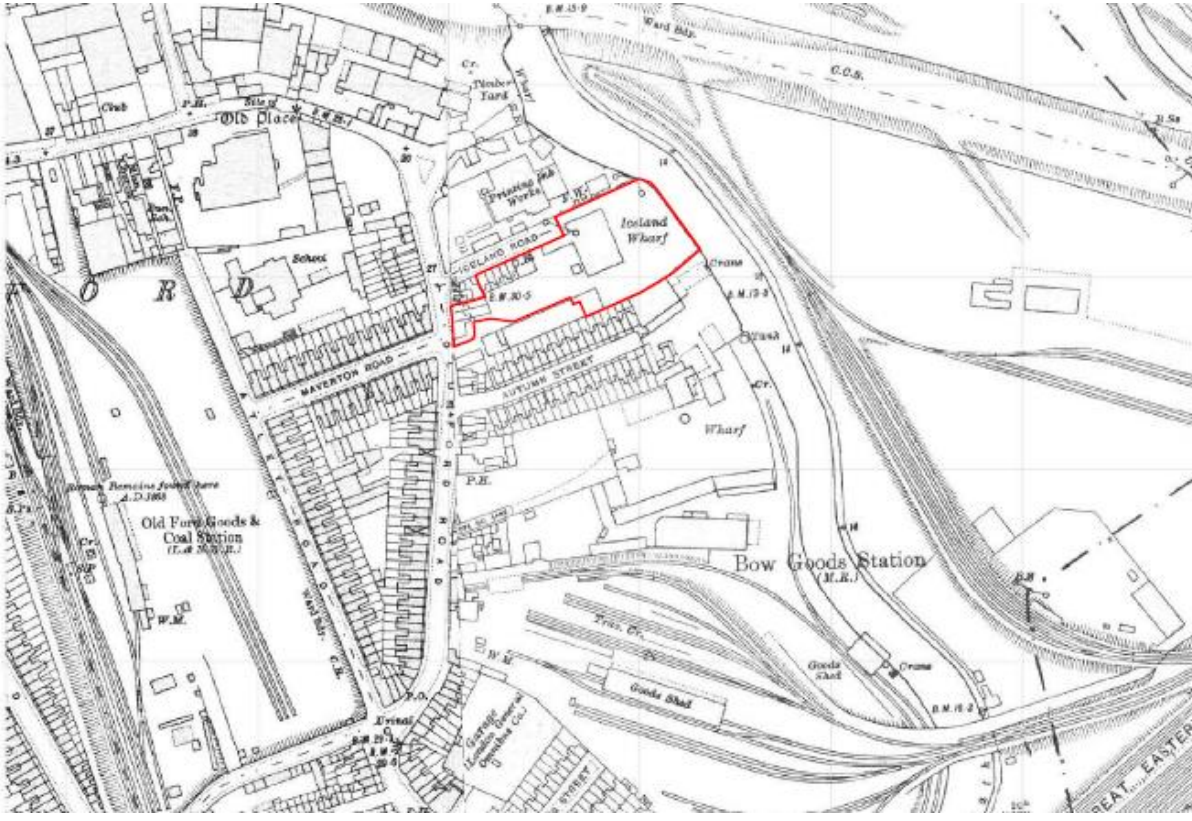
## **14. INFORMATIVES:**

- 14.1 This planning application has been assessed against current planning legislation only. The applicant (or any subsequent owner or developer) is therefore reminded that the onus of responsibility to ensure the development meets current fire safety regulations lies fully with them and that they are legally obliged to obtain the relevant Building Regulations consent.
- 14.2 In accordance with LFEPA guidance the applicant is strongly recommended to ensure the installation of sprinklers in the new development. The development shall conform with Part B5 of Approved Document B of the Building Regulations.
- 14.3 Include Thames Water and English Heritage Greater London Archaeology informatives

### **Appendices**

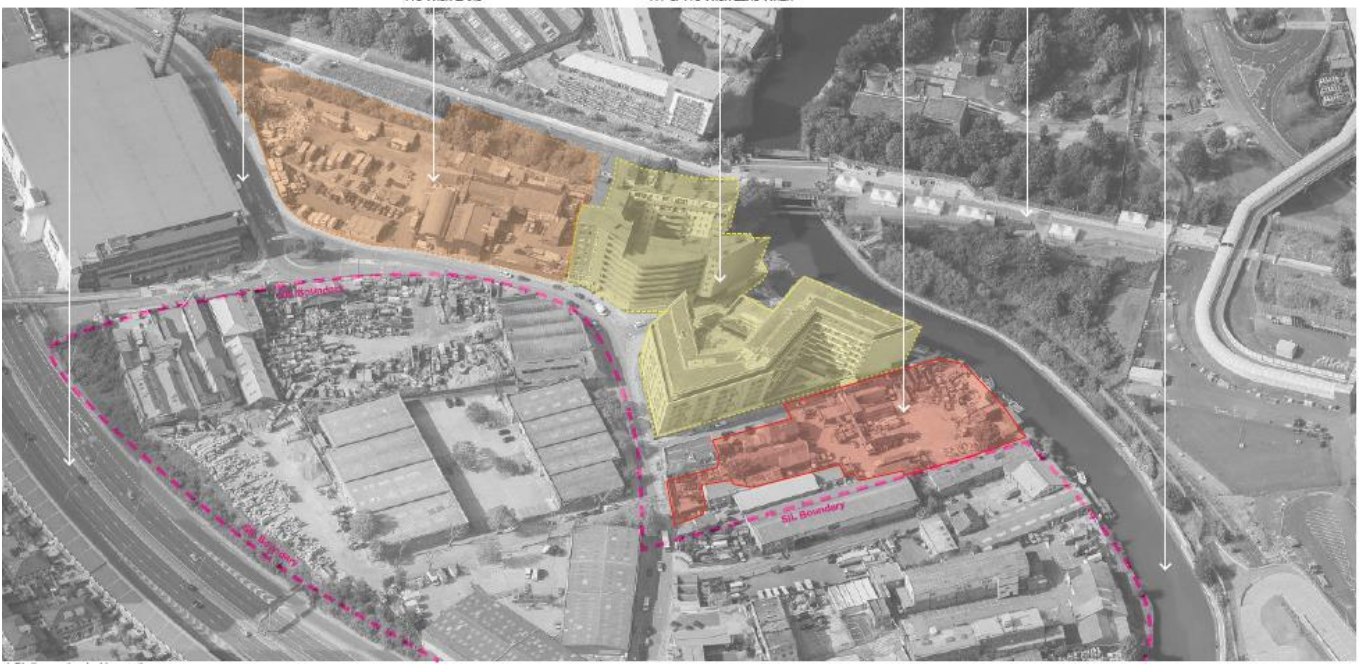
- Appendix 1 Location Plan
- Appendix 2 Site Context
- Appendix 3 Proposed Site Plan
- Appendix 4 Selection of Drawings
- Appendix 5 419 Wick Lane Ink Court
- Appendix 6 Visualisations
- Appendix 7 QRP post submission report of 14th June 2018

## Appendix 1 Location Plan



## Appendix 2 Site Context

A12 E Cross Route      Wick Lane      Site of Approved Residential Development 416 Wick Lane      Tower Hamlet Approved Developments 417 & 419 Wick Lane Wharf      Application Site      Greenway      River Lea

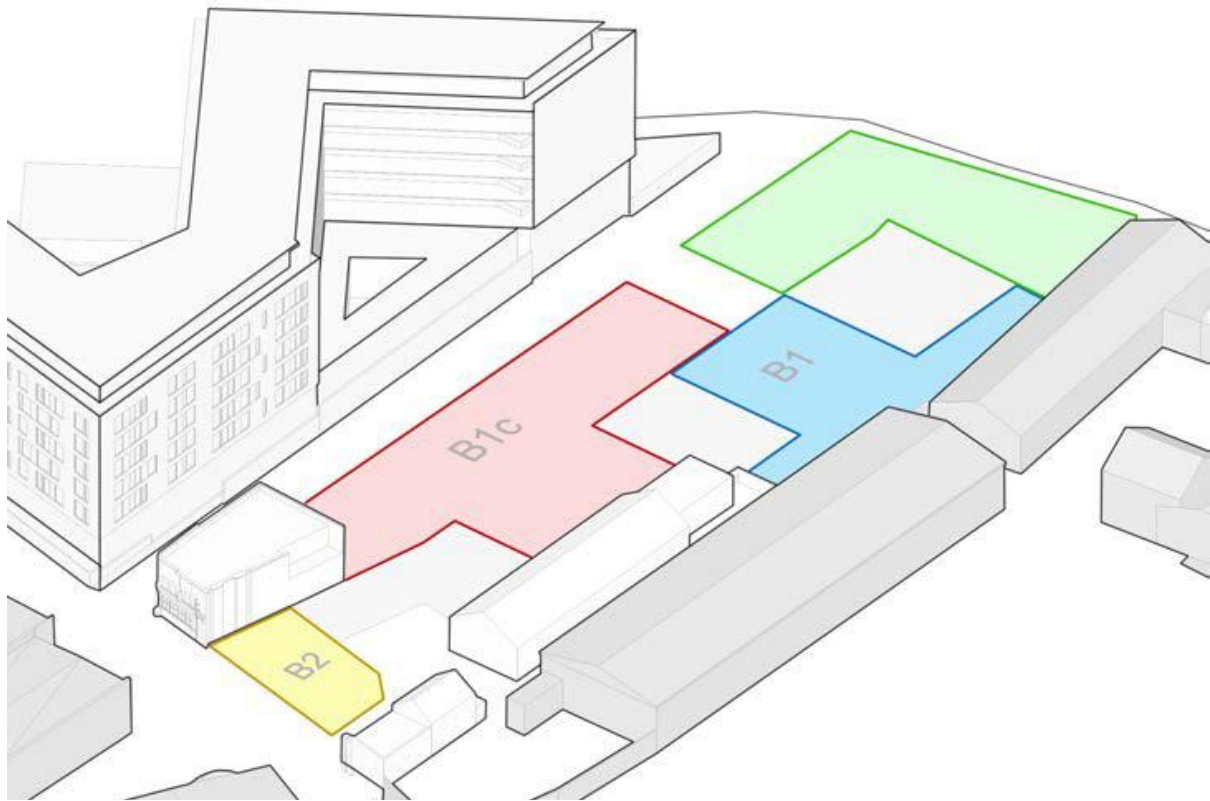


**Appendix 3 Proposed Site Plan**

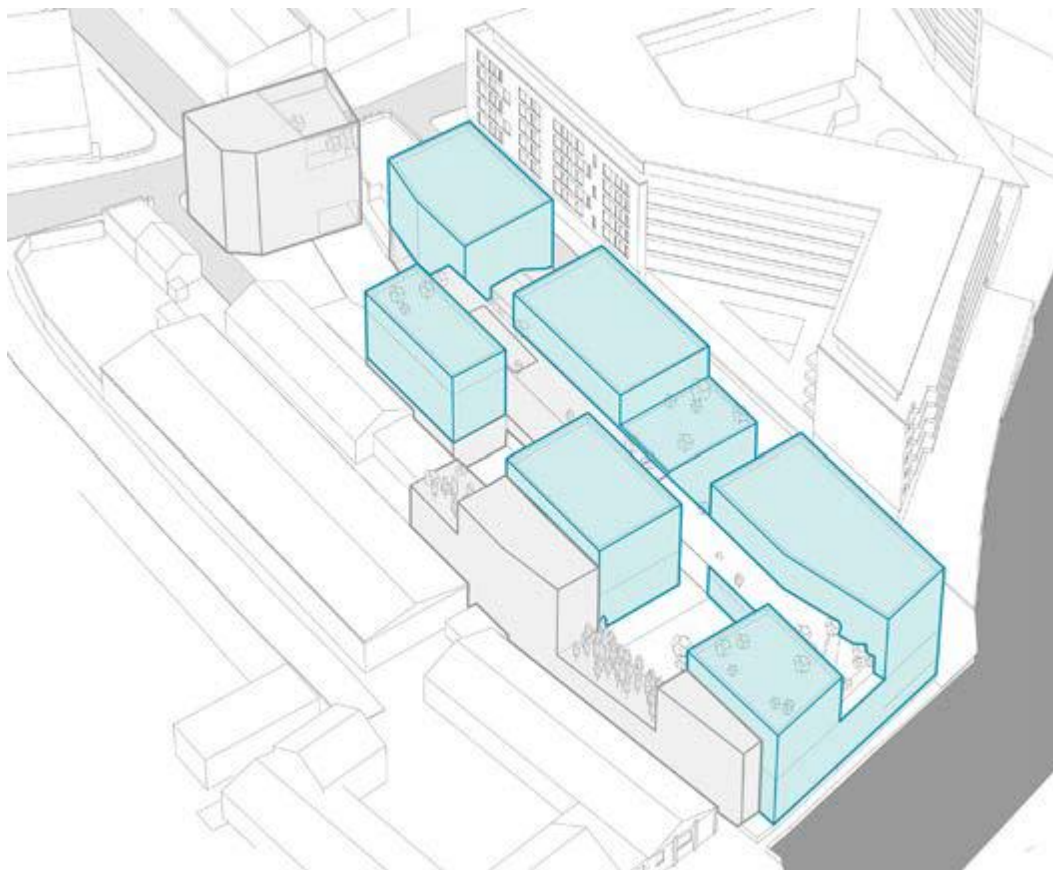


**Proposed scheme link between OIL and SIL (to the south)**

**Footprints of commercial and residential development**

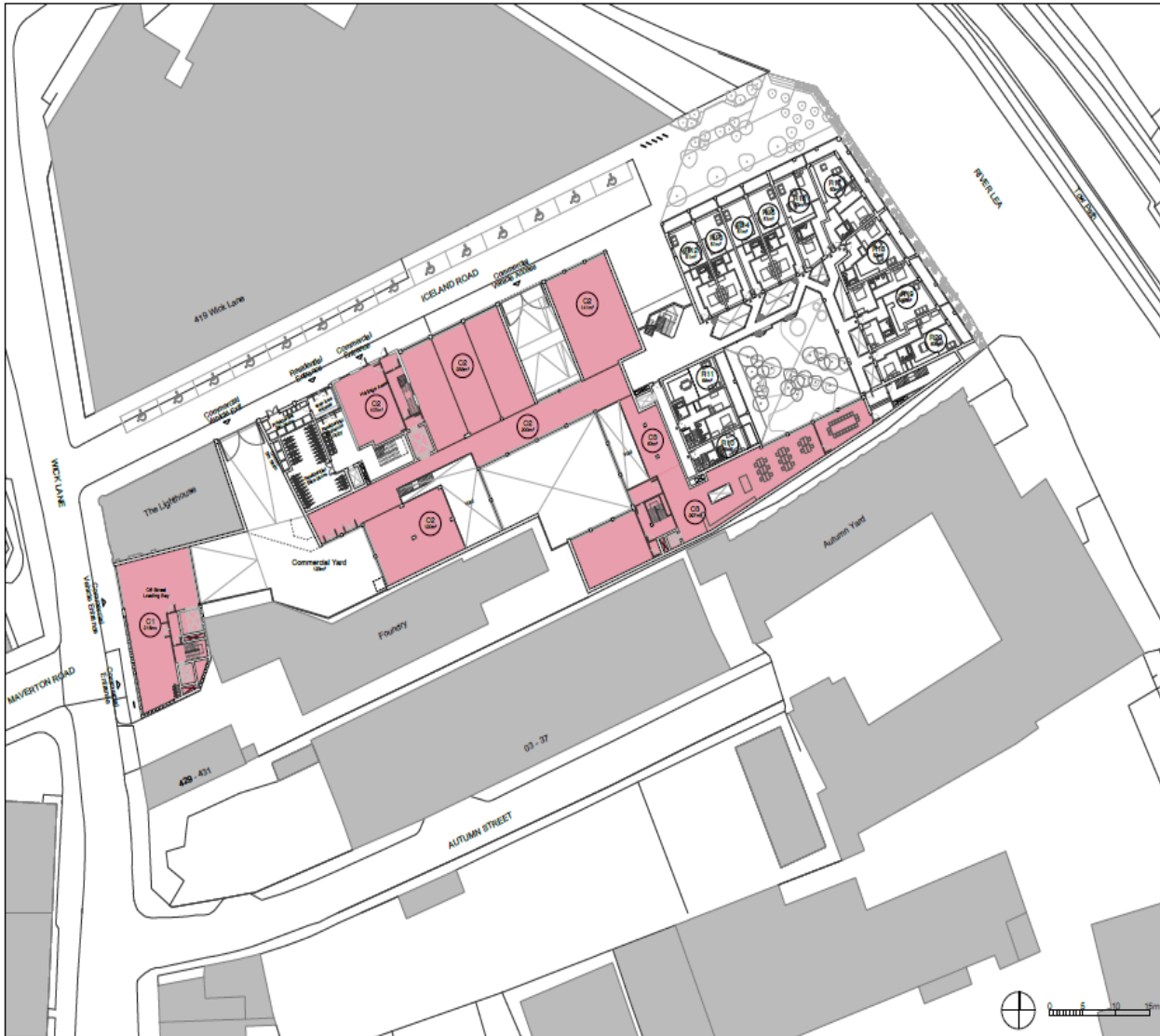


**Footprint of residential massing**



# Appendix 4 Selection of Drawings

## Lower Ground Plan



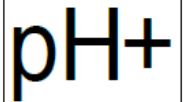
Copyright pH+. No implied license exists. This drawing should not be used to calculate areas for the purposes of valuation. Do not scale this drawing. All dimensions to be checked on site by the contractor and such dimensions to be their responsibility. All work must comply with relevant British Standards and Building Regulations requirements. Drawing errors and omissions to be reported to the architect.

- Revisions
- 18.02.23\_Planning Submission
  - 18.03.26\_RevA: Residential bike storage amended and located on Lower Ground and Ground Floor level only
  - 18.05.15\_RevB: Riverfront landscaping updated
  - 18.06.04\_RevC: Commercial cores reconfigured to the engineer's guidance
  - 18.06.14\_RevD: Floor amendments to the engineer's guidance
  - 18.06.19\_RevE: Plans updated to QRP comments
  - 18.06.14\_RevF: C2 lift added to planning comments

Commercial space

Albion Mills  
3rd Floor  
18 East Terrier Street  
London  
E1 8DN

t: 020 7613 1965  
e: mail@phplusarchitects.com  
w: www.phplusarchitects.com

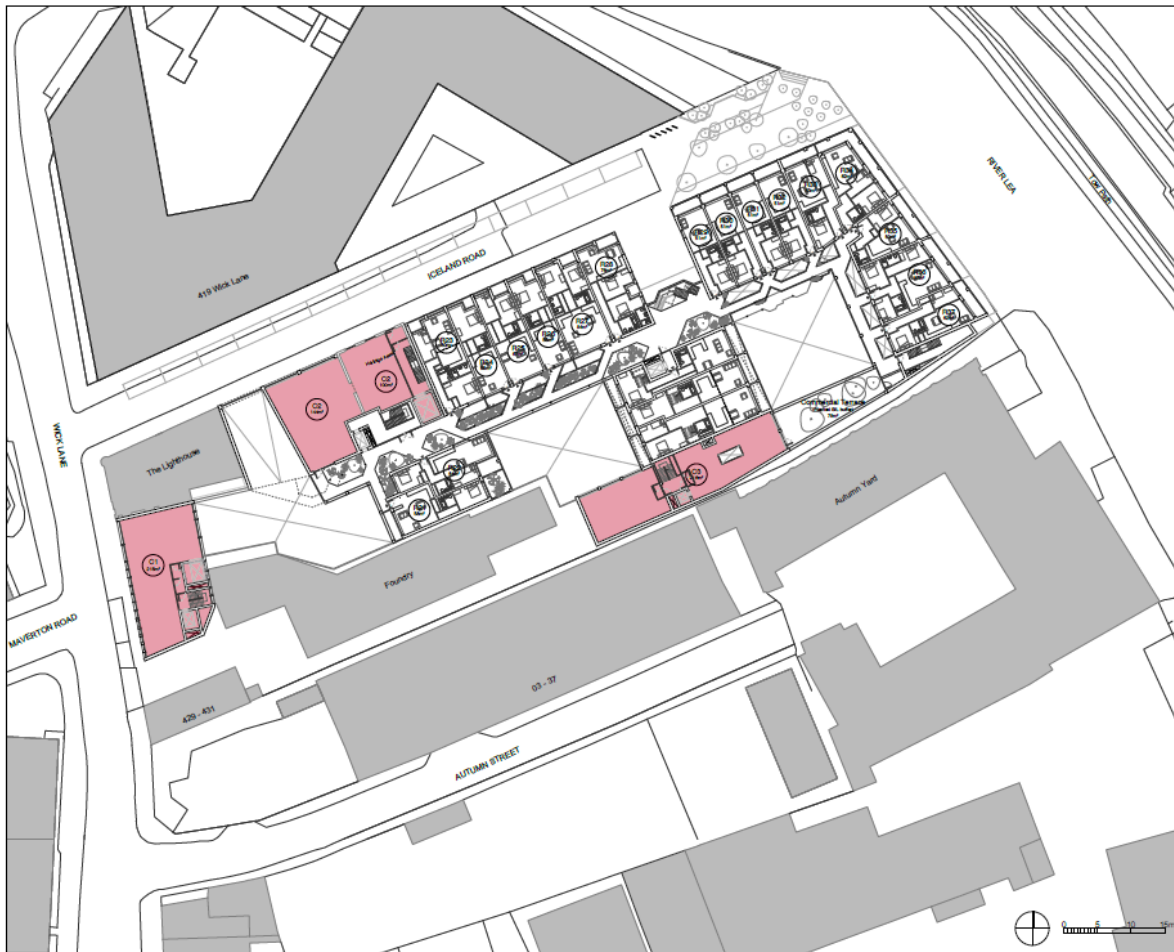


Project  
Iceland Wharf  
London, E3

Drawing  
Proposed  
Ground Floor Plan

Scale at A3 1:500	Date February 2018
Job Number pH+697	Drawing No. Rev 0200-GA F
Drawn by AR/CS	Checked by GH
Status Planning	

# First Floor Plan

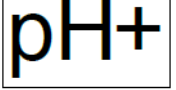


Copyright pH+. No implied license exists. This drawing should not be used to calculate areas for the purpose of valuation. Do not scale the drawing. All dimensions to be checked on site by the contractor and such dimensions to be their responsibility. All work must comply with relevant British Standards and Building Regulations requirements. Drawing errors and omissions to be reported to the architect.

Revisions  
 18.02.23\_Planning Submission  
 18.02.14\_RevA: Plans updated to the engineer's guidance  
 18.02.09\_RevB: Updated in response to Review Panel comments  
 18.02.14\_RevC: C2M related to planning comments

Commercial space

Albion Mills  
 3rd Floor  
 18 East Tenter Street  
 London  
 E1 5DN  
 T: 020 7613 1965  
 e: mail@phplusarchitects.com  
 w: www.phplusarchitects.com



Project  
 Island Wharf  
 London, E3

Drawing  
 Proposed  
 First Floor Plan

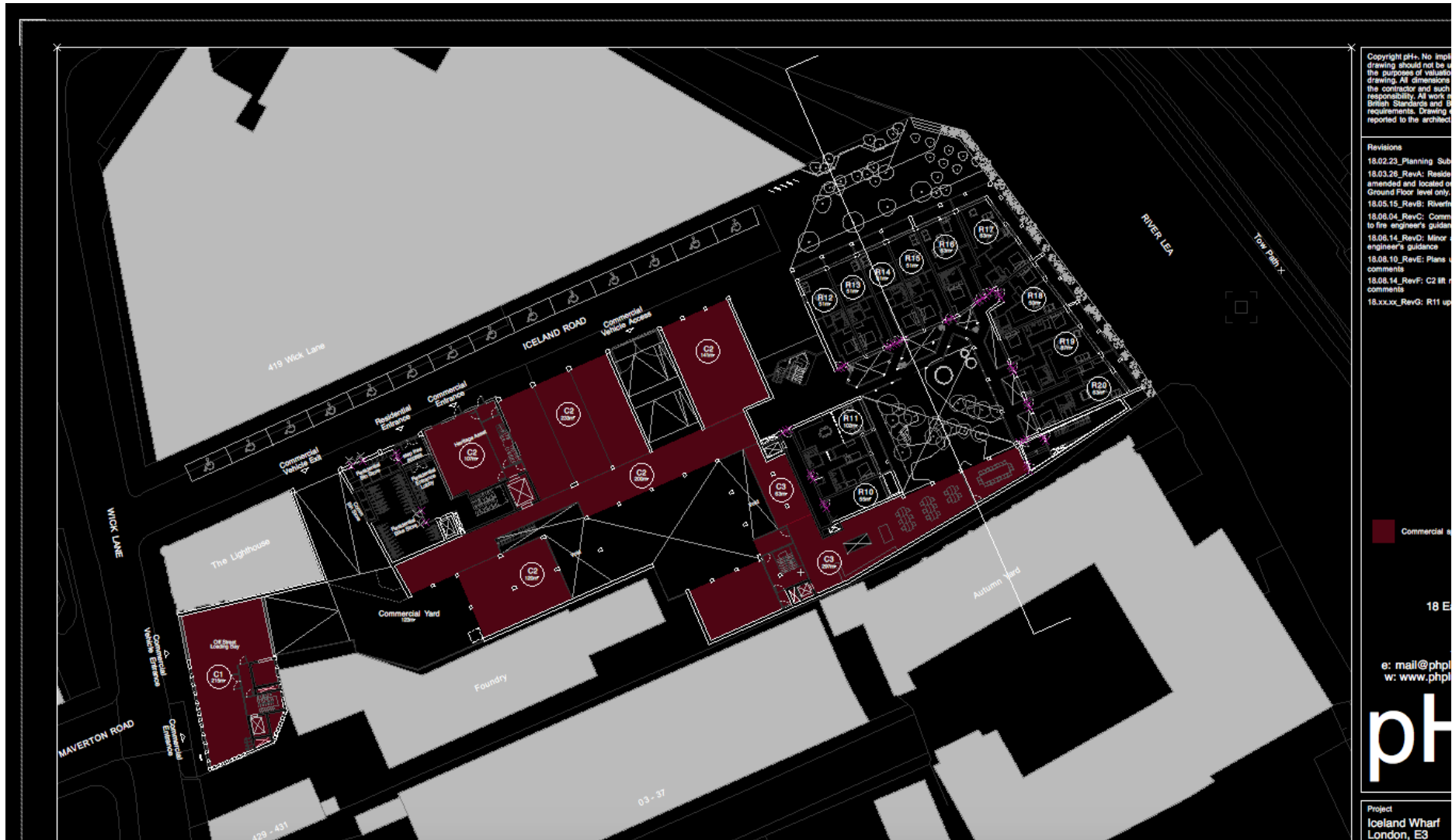
Scale at A0 1:500	Date February 2018
Job Number pH+697	Drawing No. Rev 0201-GA C
Drawn by ARICS	Checked by GH
Status Planning	

This page is intentionally left blank



# Appendix 5 Iceland Wharf – Ink Court 419 Wick Lane

Section in relation to Ink Court



## Appendix 5 Iceland Wharf – Ink Court 419 Wick Lane

Extent of Ink Court Facade Facing Block B (Left) and Block D (Right)





View from Wick Lane



View from Iceland Road



**Within B2 Commercial Courtyard**



**View from River Lea**



**View from River Lea (showing Autumn Yard)**



**Illustrating Deck Access**



**Deck Access**



## London Legacy Development Corporation Quality Review Panel

### Report of Planning Application Review: Iceland Wharf

Thursday 14 June 2018

Level 10, 1 Stratford Place, Montfichet Road, London E20 1EJ

#### Panel

Peter Studdert (chair)  
Russell Curtis  
Keith French

#### Attendees

Anne Ogundiya	LLDC Planning Policy and Decisions Team
Esther Everett	London Legacy Development Corporation
Tessa Kordeczka	Frame Projects

#### Report copied to

Anthony Hollingsworth	LLDC Planning Policy and Decisions Team
Catherine Smyth	LLDC Planning Policy and Decisions Team
Jerry Bell	London Borough of Tower Hamlets
Jane Jin	London Borough of Tower Hamlets

#### Note on process

The Quality Review Panel comments below follow on from a pre-application review of the scheme for Iceland Wharf. Panel members who attended the previous meeting were: Peter Studdert (chair); Russell Curtis; Keith French; Neil Deely; and David Bonnett.

## **1. Project name and site address**

Iceland Wharf, Hackney Wick, London E3

Planning application reference: 18/00095/FUL

## **2. Presenting team**

Andy Puncher	pH+ Architects
Gavin Henneberry	pH+ Architects
Laura La Greca	pH+ Architects
Glen Charles	City & Suburban Homes
Adam Williams	CMA Planning

## **3. Planning authority's views**

A constrained site, land use designation and proximity of a Strategic Industrial Location (SIL) result in a challenging context for a mixed use development. The planning authority has welcomed the design team's inventive approach to these challenges. Issues pursued with the applicant include: appropriateness of scale and massing; compliance with the Mayor's housing SPG with respect to unit sizes and amenity provision; response to the adjacent SIL; impact on neighbouring properties, including daylight / sunlight levels, overshadowing and noise.

Block D marginally exceeds the prevailing 20 metre height and is therefore subject to LLDC Local Plan Policy BN.10 on tall buildings which includes a requirement for 'outstanding' architecture.

A question arises around the design of the walkways providing access to residential units in terms of mitigating fire risk. The planning authority considers, however, that the design as submitted is central to the development's success.

## **4. Quality Review Panel's views**

### *Summary*

The Quality Review Panel supports approval of the planning application for development at Iceland Wharf. This is an ambitious and complex scheme which combines both commercial and residential uses, in keeping with the character of Hackney Wick and Fish Island. Some reservations remain about residential units overlooking commercial working yards. The panel suggests that the streetscape along Iceland Road might be improved by a small reduction in the height of the block between the Lighthouse public house and the retained two storey building – possibly to be compensated by an increase in the height of the riverside residential block. The panel thinks that the architecture shows exceptional quality, promising high quality spaces for both living and working. The landscape design is integral to the quality of the scheme and careful thought should be given to ensuring that the proposed planting thrives. These comments are expanded below.



### *Response to context*

- The panel points to potential issues, such as noise or offensive smells, arising from existing or future uses of the SIL to the south of the development. It welcomes assurances that the scheme has been designed to create a buffer to the SIL and also that it benefits from high acoustic specifications.

### *Mixed use*

- The panel commends the depth of thought applied to creating a genuinely mixed use development – a little community within a community – that is entirely appropriate to the character of Hackney Wick and Fish Island. The scheme demonstrates a real richness and quality.
- While the proposal cleverly tackles the challenge of combining living and working, some reservations remain about the compatibility of residential and B1 uses, with commercial working yards overlooked by residential units. (It is noted that servicing of B2 uses in block A is envisaged from an internal loading bay.)

### *Scale and massing*

- Overall, the panel finds the scale and massing of the buildings appropriate, although some uneasiness remains about the relationship between the two storey retained building (former Ammonia Works Warehouse, a non designated heritage asset) and the new buildings along Iceland Road (blocks B, C and D). It would be interesting to see how the streetscape along Iceland Road might reveal itself at street level.
- The panel suggests that the streetscape might be improved by a reduction in height of one storey for block B between the Lighthouse public house and the retained building. This block directly faces the development across Iceland Road (419 Wick Lane).
- Such a reduction would lessen the dominance of the blank flank wall of block B. It would also moderate, to a certain extent, reservations around residential accommodation overlooking a commercial working yard, and also any issues around overlooking of development at 419 Wick Lane.
- The panel suggests that a reduction in height of block B could be compensated by an increase in height of residential block D on the riverside. This could result in a subtle gradation of heights along Iceland Road. The panel leaves these suggestions to be pursued with planning officers.

### *Architectural expression*

- The panel has no hesitation in concluding that Block D will meet the requirements of Policy BN.10: it considers that Iceland Wharf as whole demonstrates ‘outstanding’ architectural quality.



### *Residential accommodation*

- The residential units promise high quality accommodation. The panel welcomes the reconfiguration of internal layouts, with living spaces now opening onto the south facing access walkways overlooking the courtyards, and bedrooms facing onto the quieter street side.

### *Public realm / landscape design*

- The panel supports the proposed generous planting on the walkways and rooftop gardens, but recommends careful thought to ensuring conditions that will support successful plant growth.
- The panel thinks it appropriate that block D is built up to the river edge, with a planted green buffer.

### *Next steps*

- The Quality Review Panel supports approval of the planning application for development at Iceland Wharf, which it thinks has the potential to be a highly successful addition to Hackney Wick and Fish Island. It suggests some refinement to the massing of the blocks along Iceland Road.
- The panel also stresses the importance of the scheme being built in the spirit in which it has been designed – with ambition and imagination.





**Subject: Charging for pre-application planning advice on development proposals**

**Meeting date: 23 October 2018**

**Report to: Planning Decisions Committee**

**Report of: Daniel Davies, Principal Planning Development Manager**

FOR DECISION

---

**This report will be considered in public**

---

## **1. EXECUTIVE SUMMARY**

- 1.1. It is good practice for pre-application discussions to be held between developers, the local planning authority, and other key stakeholders. The National Planning Policy Framework (2018) supports early engagement, recognising that it has significant potential to improve the efficiency and effectiveness of the planning system and improve outcomes for communities.
- 1.2. Local planning authorities are able to charge for providing pre-planning application advice using discretionary charging powers under Section 93 of the Local Government Act 2003 ('2003 Act'). These charges are separate from the planning application fee, which is set by regulation. The Host Borough's (London Borough of Newham, Tower Hamlets, Hackney, Waltham Forest) have all adopted pre-application fee schedules, which have been in place for a number of years; as have most, if not all, London Local Planning Authorities.
- 1.3. Planning Decisions Committee resolved to agree adopting a pre-application charging schedule in 2013 and 2015. However, the agreed charging schedules were not implemented, because, Mayoral Development Corporations are not local authorities for the purposes of the 2003 Act and do not automatically benefit from the discretionary powers under the 2003 Act. LLDC therefore had to await the introduction of further legislation to allow PPDT to set and charge formal pre-application fees. Following amendments to the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 ('the Fee Regulations'), that came into effect on 17 January 2018, these powers are now available to Mayoral Development Corporations. A fee schedule was adopted by the Old Oak and Park Royal Development Corporation (OPDC) on 23<sup>rd</sup> July 2018.
- 1.4. It is proposed to adopt a pre-application fee charging schedule that is based on the nature and scale of development proposed. Six categories of fee are proposed which are set out in table 1 of the main report. The categories include strategic development,

large scale development, major development, an 'other' category and a householder category which involves extensions and alterations to residential dwellings. The categories all involve varying scales of mixed use, commercial and residential development.

- 1.5. The service provided under the proposed fees will include an initial meeting and a written response providing officer advice on the proposal. It is not proposed to charge a fee for advice relating to householder or other minor works as LLDC rarely receives requests for this type of pre-application advice. Where following an initial pre-application enquiry, an applicant enters into a Planning Performance Agreement ('PPA') with LLDC any fees paid under the proposed fee charging schedule will be taken into account in agreeing the additional cost to the developer of resourcing the PPA.
- 1.6. The proposed fee schedule shall only be adopted once it has been published on the LLDC website and in local newspapers for at least 21 days. Charging can then commence ten days after adoption.

## **2. RECOMMENDATIONS**

### **2.1. The Planning Committee is invited to:**

- a) **Approve the proposed pre-application fee schedule set out in Table 1; and**
- b) **Delegate Authority to the Director of Planning Policy and Decisions to adopt the proposed pre-application fee schedule following publication of the schedule for 21 days on the LLDC website and in local newspapers and make reasonable changes to the schedule if considered appropriate.**

## **3. FINANCIAL IMPLICATIONS**

- 3.1. The introduction of formal charges for pre-application planning advice is an opportunity to recover costs associated with the provision of the service, which is currently provided free of charge, unless a PPA fee is negotiated between Planning Policy and Decisions and the applicant. Whilst Planning Performance Agreements (PPAs) are currently in use, adoption of a formal pre-application charging schedule will lead to increased revenue to help cover the cost of providing the service, rather than on a negotiated basis as occurs currently with PPAs, whilst providing more certainty to developers on the costs of planning advice. As with other Local Planning Authorities, PPDT's annual budget is increasingly dependent on a significant level on non-planning fee income to off-set its revenue costs, in particular staffing.

## **4. LEGAL IMPLICATIONS**

- 4.1. The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 provides LLDC with legal power to charge for pre-application advice in the same way as other local planning authorities can do, as set out in the paragraphs above.

## 5. BACKGROUND

### The legislative context

- 5.1. Local authorities are able to charge a fee for providing pre-application advice using discretionary charging powers under the Section 93 of the Local Government Act 2003 ('2003 Act'). Mayoral Development Corporations are not local authorities for the purposes of the 2003 Act and do not automatically benefit from this power. However, following amendments to the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 ('the Amended Fee Regulations'), that came into effect on 17 January 2018, Mayoral Development Corporations can now charge for providing pre-application planning advice, by setting up a formal charging schedule.
- 5.2. The Amended Fee Regulations require that prior to adoption, a Mayoral Development Corporation must publish a copy of its proposed fee schedule in one or more newspapers, whose circulation or combined circulations cover the Corporation's area, and on its website, no less than 21 days before the fee schedule is adopted. The fee schedule should specify the date that it comes into effect, at which point charging can commence, and this date should not be earlier than ten days after the day on which it is adopted. Within 5 days of adopting the fee schedule, the Mayoral Development Corporation must publish a copy of it on its website and make hard copies of it available on request.
- 5.3. Primary legislation, set out in section 303 of the Town and Country Planning Act 1990 ('TCPA 1990') establishes that pre-application fees must be set at a level which ensures that, taking one financial year with another, the income from fees charged for pre-application advice does not exceed the cost of providing that service.

### The approach to implement pre-application charging

- 5.4. Prior to the Amended Fee Regulations coming into force, a pre-application charging schedule was approved by Planning Decisions Committee Members in January 2013 and again in December 2015. Details of these schedules are set out in Appendix 1. The charging schedules took account of the schedules published by the adjoining London Boroughs of Newham, Hackney, Waltham Forest, Tower Hamlets and the GLA, all of whom charge for pre-application advice. Charges across these authorities and the GLA vary. In any case, neither the 2013 or updated 2015 charging schedule was implemented as the necessary changes giving Development Corporations the relevant legal powers to charge did not come into force.
- 5.5. The delay by Government in introducing the Amended Fee Regulations has given officers time to reflect on the previously approved fee charging schedule, in light of the experience of providing pre-application advice over the past number of years. During this period, each of the host boroughs have increased their pre-application charging schedule to recover the costs of providing this service. Pre-application fees charged by the adjoining boroughs has informed the proposed fee schedule, which it is proposed is set at a level that would not discourage early engagement by applicants. Regard has been given to the pre-application fees charged by the GLA, Transport for London and the OPDC.

## 6. PROPOSED FEE CHARGING SCHEDULE

- 6.1. A tariff based approach is proposed that is based on the type and scale of proposed development. The proposed categories are similar to that previously approved, but have been updated to provide a clearer distinction between the types of development that may come forward and to capture the full range of advice that may be expected from the PPDT service. The approach proposed is consistent with that adopted by the London Boroughs of Newham, Tower Hamlets, Hackney and Waltham Forest where pre-application charging rates vary according to the scale and type of the proposed development. A summary table is provided at appendix 2.
- 6.2. In Newham, fees start at £2,400 for small scale development involving less than 3 residential units and £4,800 for schemes involving 4-9 dwellings or 100-1999 sq. m of commercial floorspace; £7,200 for schemes involving 10-49 residential units or between 2,000-4,999 sq. m of floorspace; £10,800 for schemes involving 50-149 residential units or between 5,000-15,000 of commercial floorspace and £14,400 for Strategic Scale Development involving 150 or more dwellings or 15,000 sq. of floorspace.
- 6.3. In Tower Hamlets fees start at £840 for a small scheme involving less than 5 dwellings, £1,475 involving 6-9 dwellings or 500- 999 sq. m of commercial space for a medium scale scheme, £7,500 for a scheme involving 10-149 dwellings or between 1,000 – 19,999 of commercial floor space and £15,000 for strategic schemes involving more than 150 dwellings or 10,000-20,000 sq. m of commercial floorspace.
- 6.4. In Hackney fees start at £360 for small scale development involving 1-4 residential units or between 100-499 sq. of commercial floorspace or £900 for minor scale development involving 5-9 dwellings or between 500-999 sq.m of commercial floorspace, £1,800 for development involving 10-24 dwellings or between 1000-1999 sq.m of commercial floorspace, £3,000 for a scheme involving 25-49 dwellings or between 2,000-4,999 sq.m of commercial floorspace, £3,600 for schemes involving 50 or more residential units or 5,000 or more of commercial floorspace.
- 6.5. In LB Waltham Forest, fees start at £700 (+VAT) for small scale schemes, £1,000 for minor scale development, £3,500 (+VAT) for major development, £6,5000 (+VAT) for large scale developments.

**Table 1 Proposed LLDC Pre-application Charging Fee Schedule**

Category	Development Type and Scale	Fee
Householder	<ul style="list-style-type: none"> <li>Extensions or alterations to single dwellings</li> </ul>	None
Other	<ul style="list-style-type: none"> <li>1-3 new residential dwellings</li> <li>Extensions and alterations to commercial premises up to 99 sq. m including change of use</li> <li>Shopfronts</li> <li>Small scale adverts</li> </ul>	None
Minor Development	<ul style="list-style-type: none"> <li>4 to 9 new residential dwellings</li> <li>New build or extensions from 100 sq.m. to 999 sq.m of non-residential floorspace, including change of use</li> </ul>	£3,500 (+VAT)



	<ul style="list-style-type: none"> <li>• Mixed use development from 100 sq.m. to 999 sq.m Telecommunications</li> <li>• Prior approvals for development within this category</li> <li>• Reserved matters pursuant to outline applications for development within this category</li> <li>• Conditions, minor material amendments and non-material amendments for development types within this category</li> </ul>	<p><b>Follow up meetings:</b></p> <p>£2,500 (+VAT)</p>
Major Development	<ul style="list-style-type: none"> <li>• 10-49 new residential dwellings</li> <li>• New build or extensions from 1,000 sq.m. to 4,999 sq.m of non-residential floorspace including change of use</li> <li>• Mixed use development from 1,000 sq.m. to 4,999 sq.m</li> <li>• Reserved matters pursuant to outline applications for development within this category</li> <li>• Conditions, minor material amendments and non-material amendments for development types within this category</li> </ul>	<p>£5,500 (+VAT)</p> <p><b>Follow up meetings:</b></p> <p>£4,500, (+VAT)</p>
Large Scale Major Development	<ul style="list-style-type: none"> <li>• 50-149 residential dwellings</li> <li>• New build or extensions from 5,000 sq.m. to 9,999 sq.m of non-residential floorspace including change of use</li> <li>• Mixed use development of 5,000 sq.m. to 9,999 sq.m</li> <li>• Reserved matters pursuant to outline applications for development within this category</li> <li>• Conditions, minor material amendments and non-material amendments for development types within this category</li> </ul>	<p>£7,500 (+VAT)</p> <p><b>Follow up meetings:</b></p> <p>£5,500 (+VAT)</p>
Strategic Development	<ul style="list-style-type: none"> <li>• 150 new residential dwellings or more</li> <li>• New build or extensions of 10,000 sq. m or more of non-residential floorspace including change of use</li> <li>• Mixed use development of 10,000 sq. m or more</li> <li>• Reserved matters pursuant to outline applications within this category</li> <li>• Conditions, minor material amendments and non-material amendments for development types within this category</li> </ul>	<p>£9,500 (+VAT)</p> <p><b>Follow up meetings:</b></p> <p>£6,500 (+VAT)</p>

6.6. Officers remain of the view that it would be appropriate to charge an initial fee for a meeting and written advice and to apply reduced fees for subsequent follow up meetings. This approach to charging is common amongst other London Boroughs. Where pre-application advice is requested for proposals that would fall into the

'householder' or 'other' category it is proposed that no fee will be charged. PPDT rarely receive requests for this type of advice. The proposed charges set out in table 1 are subject to yearly review and are set at a level which Officers consider can be reasonably upwardly reviewed if required in future.

- 6.7. The proposed fees take account of PPDT's need to recover costs. They are also competitive, taking account of the other local pre-application charging regimes and have been pitched at a level that would enable applicants to incorporate additional service costs to cover specialist PPDT consultant costs where they are required. The fee service for householder applications and 'other' developments is offered for free and would not deter applications from local residents and small businesses coming forward.
- 6.8. The preapplication service offered will continue to be a high-quality, responsive and proficient service that provides professional planning advice to applicants. Officers are satisfied that an appropriate balance has been struck between matters of commerciality and local context that will enable PPDT to recover the cost of delivering this service in a way that will not undermine the deliverability of schemes in the LLDC area or discourage early engagement with the planning service.

#### Planning Performance Agreements

- 6.9. Whilst to date LLDC has been unable to set and charge a fee for providing pre-application advice, in the case of strategic or major development proposals, where it is apparent that pre-application discussions are likely to be protracted and require significant resource, LLDC have sought to agree bespoke Planning Performance Agreements ('PPA'). The PPA is a voluntary agreement that sets out timescales, actions and resourcing during the pre-application and planning application processes. It is common for a PPA to include a mechanism for the local planning authority to recover the reasonable costs of resourcing including off-setting the costs of any specialist advice required to advise the applicant e.g. viability testing, environmental/transport considerations.
- 6.10. Therefore, whilst it is considered necessary for LLDC to implement a pre-application advice fee charging schedule in order to recover costs where a PPA may not be appropriate, it is considered that PPAs will continue to be the preferred approach where pre-application discussions are expected to be particularly complex or protracted.
- 6.11. In order for the two processes to work together, it is proposed that for new pre-application advice requests, an initial pre-application fee, based on the adopted fee charging schedule, will be charged but that this fee will subsequently be taken into consideration when agreeing the additional cost of any future PPA entered into by the application in respect of the enquiry.

## **7. FINANCIAL MATTERS**

- 7.1. The LLDC have budgeted for £650,000 fee income from PPAs and pre-application advice during 2018/19. The overall income from planning fees, PPAs and CIL admin over this period is forecast at 1.8 million. PPDT costs for the same period are forecast at £2.8 million. The introduction of charges for pre-application planning advice is an opportunity to recover costs associated with the provision of this service, which is currently provided free of charge or under a PPA agreed on a case by case basis with the applicant. Under the Local Government Act 2003, income derived from charging fees cannot exceed the cost of providing the service and a profit cannot be made to subsidise

other services. Guidance published alongside the 2003 Act (General Power for Best Value Authorities to Charge for Discretionary Services – Guidance on the Power in the Local Government Act 2003) recognises that estimating costs and incomes can be difficult and therefore the Act allows for the budget to be balanced over a period of time (Section 93 (3) of the Act refers to taking one years with another for this purpose). The 2003 Act does not prescribe how long this period of time should be. Therefore, if actual pre-application income exceeds pre-application costs in any given financial year the surplus will be ringfenced and held in PPDT reserves to be utilised on pre-application expenditure in future years.

## **8. LEGAL MATTERS**

- 8.1. The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 amends the Town and Country Planning Deemed Applications, Requests and Site Visits) (England) Regulations 2012 to provide LLDC with legal power to charge for pre-application advice in the same way as other local planning authorities have been allowed to do since 2003 as set out in the paragraphs above.

### **Appendices**

Appendix 1 Pre-application charging schedules approved by Planning Decisions Committee in January 2013 and December 2015 compared with Host Boroughs

Appendix 2 Proposed LLDC 2018 pre-application charging schedule compared with Host Boroughs

This page is intentionally left blank

**APPENDIX 1 - Host Borough and LLDC Pre-application Schedule Comparison Table - January 2013/December 2015**

Category	LB Tower Hamlets				LB Hackney				GLA			
	January 2013		December 2015		January 2013		December 2015		January 2013		December 2015	
	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)
<b>Householder</b>	<b>Free</b> (4) Householder, COU upto 99m <sup>2</sup> , comm.extensions upto 99m <sup>2</sup> , small scale adv, minor physical alterations to comm. property  Advice to 3 <sup>rd</sup> parties (local residents affected by proposals)	<b>£40</b> per letter GPD enquiry correspondence	<b>Free</b> No change	<b>£50</b> + 25%	<b>£75</b> (3)	<b>£25</b> (3)	No change	No change	<b>N/A</b>		<b>N/A</b>	
<b>Other Development</b>		<b>£55</b> per letter follow-up requested pre-app correspondence			<b>£150</b> (3) COU upto 99m <sup>2</sup> , comm.. extensions upto 99m <sup>2</sup> , shopfronts, small scale adv, telecoms	<b>£75</b> (3)	No change	No change	<b>N/A</b>		<b>N/A</b>	
<b>Small Scale</b>	<b>£600</b> 1-5dw 100-499m <sup>2</sup> COU 100-499m <sup>2</sup>	<b>£300</b>	<b>£646</b> No change + 8%	<b>£331</b> + 10%	<b>£300</b> (3) 1-4dw 100-499m <sup>2</sup>	<b>£150</b> (3)	No change	No change	<b>N/A</b>		<b>N/A</b>	
<b>Minor Scale</b>	<b>£1000</b> 6-9dw 500-999m <sup>2</sup> comm. COU 500-999m <sup>2</sup>	<b>£500</b>	<b>£1,155</b> No change + 15.5%	<b>£552</b> + 10.4%	<b>£750</b> (2) 5-9dw 500-999m <sup>2</sup> comm	<b>£375</b> (2)	No change	No change	<b>N/A</b>		<b>N/A</b>	
<b>Medium Scale</b>	<b>£2000</b> 10-99dw 1000-4999m <sup>2</sup> COU 1000m <sup>2</sup> Site 0.5-2.4ha	<b>£1000</b>	<b>£2,310</b> 10-99dw 1000-9,999m <sup>2</sup> COU 1000 - 9,999m <sup>2</sup> + 15.5%	<b>£1,155</b> + 15.5%	<b>£1500</b> (2) 10-24dw 1000-1999m <sup>2</sup>	<b>£750</b> (2)	No change	No change	<b>£4,000</b>	<b>£1,000</b>	<b>£5,500</b> + 37.5%	<b>£1,100</b> + 10%
<b>Major Scale</b>					<b>£2500</b> (2) 25-49dw 2000-4999m <sup>2</sup>	<b>£1250</b> (2)	No change	No change				
<b>Large-Scale Major</b>	<b>£3000</b> +100dw +5000m <sup>2</sup> COU +5000m <sup>2</sup> Site +2.5ha	<b>£1750</b>	<b>£3,465</b> +100dw +10,000m <sup>2</sup> COU +10,000m <sup>2</sup> + 15.5%	<b>£2,025</b> + 15.8%	<b>£3000</b> (2) +50dw +5000m <sup>2</sup>	<b>£1500</b> (2)	No change	No change				
<b>Strategic Large Major Scale</b>			<b>To be agreed</b>									

**APPENDIX 1 - Host Borough and LLDC Pre-application Schedule Comparison Table - January 2013/December 2015**

Category	LB Newham				LB Waltham Forest		LLDC				
	January 2013		December 2015		January 2013	December 2015	January 2013		December 2015		
	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)	Meeting	Meeting	First Meeting	Follow Up (meeting/letter)	First Meeting	Follow Up (meeting/letter)	
<b>Householder</b>	<b>Free</b>		<b>Free</b>					<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>
<b>Other Development</b>	Householder, COU up to 99m <sup>2</sup> , comm.extensions up to 99m <sup>2</sup> , small scale adv, minor physical alterations to comm. Property. AODs  Advice to 3 <sup>rd</sup> parties (local residents affected by proposals)		Extensions and alterations to single domestic dwellings; and  Advice to 3 <sup>rd</sup> parties (local residents affected by proposals)					COU up to 99m <sup>2</sup> Comm ext. up to 99m <sup>2</sup> Shopfronts Advice to 3 <sup>rd</sup> parties (local residents affected by proposals)		No change	
<b>Small Scale</b>	<b>£375</b> 1-3dw	<b>£180</b>	<b>£1,890</b> No change + 404%	<b>£945</b> + 425%	<b>£321 (5)</b> 1-5dw Conversion + 2 flats Single telco.	<b>£480</b> No change + 49.5%	<b>£385</b> 1-9dw Up to 999m <sup>2</sup> COU up to 999m <sup>2</sup> Telecoms Amendments to approved schemes	<b>£190</b>	<b>£443</b> No change + 15%	<b>£219</b> No change + 15%	
<b>Minor Scale</b>	<b>£750</b> 4-9dw 100-999m <sup>2</sup> comm COU 100-999m <sup>2</sup> adv. telco. amendments. LBC	<b>£375</b>	<b>No longer a category. Medium scale now the same as minor scale in its description of development</b>		<b>£642 (5)</b> 6-9dw 100-999m <sup>2</sup> comm COU 100-999m <sup>2</sup>	<b>£924</b> No change + 43.9%	<b>£1,015</b> 10-49 dw Floorspace 1,000-1,999 m <sup>2</sup>	<b>£505</b>	<b>£1,167</b> No change + 15%	<b>£581</b> No change + 15%	
<b>Medium Scale</b>	<b>£1500</b> 10-99dw 1000-4999m <sup>2</sup> COU 1000m <sup>2</sup> site up to 0.49ha Thames-side and Dockland developments	<b>£750</b>	<b>£4,000</b> 4-9dw 100-999m <sup>2</sup> comm COU 100-999m <sup>2</sup> adv. telco. amendments. LBC + 433% (on minor scale rates)	<b>£2,000</b> + 217% (on minor scale rates)	<b>£1285 (5)</b> 10-24dw 1000-1999m <sup>2</sup> comm site + 0.5ha mixed use	<b>£1,800</b> No change + 40%					
<b>Major Scale</b>			<b>£5,850</b> 10-99dw 1000-4999m <sup>2</sup> COU 1000m <sup>2</sup> site up to 0.49ha + 290%	<b>£2,925</b> + 290%	<b>£2571 (5)</b> 25-99dw 2000m <sup>2</sup> comm large mixed use	<b>£3,600</b> No change + 40%	<b>£1,295</b> 50-99 dw Floorspace 2,000-5,000m <sup>2</sup>	<b>£970</b>	<b>£1,489</b> No change + 15%	<b>£1,116</b> No change + 15%	
<b>Large-Scale Major</b>	<b>£3000</b> +100dw +5000m <sup>2</sup> COU +5000m <sup>2</sup> Site +0.5ha	<b>£1500 (1)</b>	<b>£8,370</b> 100-150 dw COU 5,000-15,000 m <sup>2</sup> + 179%	<b>£4,185</b> + 179%	Variable Fees negotiated  mixed use regeneration scheme +100dw	No change	<b>£3,000</b> +100 dw Floorspace +5,000m <sup>2</sup>	<b>£2,250</b>	<b>£3450</b> No change + 15%	<b>£2,588</b> No change + 15%	
<b>Strategic Large Major Scale</b>			<b>£8,910</b> 150+ dw +15,000 m <sup>2</sup> Site +1ha	<b>£4,455</b>							

- LBTH, LBN, LBH, GLA and LLDC fees quoted are exclusive of VAT

## Appendix 2: Proposed LLDC 2018 pre-application charging schedule comparison with Host Boroughs

Category	LB Tower Hamlets (Actual)		LB Hackney (Actual)		LB Newham (Actual)		LB Waltham Forest (Actual)		LLDC (Proposed)	
	First Pre-App	Subsequent Pre-App	First Pre-App	Subsequent Pre-App	First Pre-App	Subsequent Pre-App	First Pre-App	Subsequent Pre-App	First Pre-App	Subsequent Pre-App
<b>Householder</b>	Free	£70 Letter/email £180 Site Visit	£90	£30	Free	N/A	N/A	N/A	Free	Free
<b>Other Development</b>	£840	£500	• £180 (commercial) • £360 for (dwellings)	• £90 (commercial) • £180 for (dwellings)	• £240 (commercial) • £2,400 (dwellings)	£480	£700 (+VAT)	£350 (+VAT)	Free	Free
<b>Minor Development</b>	£1,475	£885.00	£900	£450	£4,800	£960	£1,000 (VAT)	£500 (+VAT)	£3,500 (+VAT)	£2,500 (+VAT)
<b>Major Development</b>	£7,500	£3,000 £3,000 EIA Screening or Scoping	• £1,800 for 10-24 dwellings • £3,000 for 25-49 dwellings	• £900 for 10-24 dwellings • £1,500 for 25-49 dwellings	£7,200	£1920 meeting at LBN offices; +£960 site visit	£2,500 - £3,500 (+VAT)	Follow up meeting: £1,250 -£1,750 (+VAT)	£5,500 (+VAT)	£4,500 (+VAT)
<b>Large Scale Major Development</b>	£7,500	£3,000 £3,000 EIA Screening or Scoping	£3,600	£1,800	£10,800	£4,800 +£960 site visit	£5,000-£6,500 (+VAT)	£2,500 - £3,250	£7,500 (+VAT)	£5,500 (+VAT)
<b>Strategic Development</b>	£15,000	£4,000 £4,000 EIA Screening or Scoping	PPA	PPA	£14,400	£6,720 +£1,920 site visit	N/A	N/A	£9,500 (+VAT)	£6,500 (+VAT)

This page is intentionally left blank





**Subject:** Decisions made under Delegated Authority  
**Meeting date:** Tuesday 23 October 2018  
**Report to:** Planning Decisions Committee  
**Report of:** Anthony Hollingsworth, Director of Planning Policy and Decisions

FOR NOTING

---

**This report will be considered in public**

---

**1. SUMMARY**

This report appends a list of all decisions taken by officers between 1 – 30 September 2018.

**2. RECOMMENDATION**

2.1 The Committee is asked to note the report and the attached Appendix 1.

This page is intentionally left blank

**LLDC Delegated Decisions Report - September 2018**

**Appendix 1**

<u>Application Number</u>	<u>Application Type</u>	<u>Registration Date</u>	<u>Location</u>	<u>Full Development Description</u>	<u>Applicant</u>	<u>Decision Date</u>	<u>Decision Description</u>	<u>Officer Name</u>	<u>Officer Comments</u>
18/00295/FUL	Full planning application	30/05/18	Unit 13a, Main Press Centre (MPC), Here East, Queen Elizabeth Olympic Park, Eastway, Hackney, LONDON, E20 3BS	Change of use of ground floor retail unit within the MPC from flexible A1, A3, A4, A5 to flexible A1, A3, A4, A5 (Retail) & B1 (Business) comprising 450sqm.	Here East	03/09/18	Approve	Josh Hackner	The proposed inclusion of B1 floorspace aligned with the employment cluster function for Here East, which supports a range of complementary employment uses within B1, as set out in the Local Plan; and was considered to be acceptable.
18/00386/NMA	Non-Material Amendment (Section 96A applications)	08/08/18	80-84 & 90b Wallis Road, Hackney, London, E9 5LW	Application for non-material amendments to the wording of condition 8 (Sound Insulation and Noise Reduction) of planning permissions 14/00387/FUL (30th June 2016) and 16/00467/VAR (9th February 2017), to update the acoustic design criteria to reflect BS8233:2014.	Telford Homes	04/09/18	Granted NMA	Russell Butchers	The proposal to update the noise criteria to reflect current the British Standard was a non-material change.
18/00352/AOD	Approval of details (conditions)	10/07/18	Neptune Wharf - Phases 1-2, Wyke Road, London, Tower Hamlets, E3 2PL	Submission of details pursuant to condition AZ.29 (Hours of Operation) of planning permission 12/00210/OUT of Phases 1 and 2 of the development only.	Peabody and Hill c/o Agent	05/09/18	Approve	Grant McClements	
18/00379/NMA	Non-Material Amendment (Section 96A applications)	06/08/18	Plot N17, Zone 3, Stratford City	Application under s96A TCPA for non-material amendments to planning permission 16/00212/REM and non-material amendment application 16/00573/NMA comprising the following: a change of five no. meeting rooms and ancillary WCs to six no. hotel rooms on the second floor of the hotel.	The Gantry Devco Ltd	05/09/18	Approve	Grant McClements	Non-material amendment to change five meeting rooms and ancillary WCs to six hotel rooms within the second floor of a hotel. A previous NMA reduced the number of hotel rooms originally granted while this application increased the hotel rooms by a small number (still lower than the original permission).
17/00262/106	Section 106 Details	15/06/17	2-12 High Street, Stratford, London, E15 2PW	Submission of details pursuant to Schedule 1, Part 2, Paragraph 9.5.1 (Architect's Certification) of the Section 106 Agreement for planning permission 10/90519/FUMODA, as varied by 14/00112/VAR.	Galliard Homes	06/09/18	Approve	Russell Butchers	The relevant clause of the 106 agreement had been complied with.
18/00343/ADV	Advert (Express Consent)	16/07/18	Land South of Stratford Bus Station, London, E15 1AN	Application for advertisement consent for a single sided landscape advertisement.	JCDecauxUK	07/09/18	Refuse	Grant McClements	Application for a large internally illuminated advertisement at the paved area to the south of Stratford Bus Station. The proposal would result in visual clutter, in conjunction with the proliferation of existing advertisements and was considered to be a potential distraction to motorists at a busy traffic interchange so was refused.
18/00100/AOD	Approval of details (conditions)	06/03/18	Plot MU2, Land to the south of High Street Stratford, east of the River Lea Navigation and west and north of the Three Mills Wall River	Submission of details to partially discharge condition C20 (Verification of Remediation Works) of planning permission 12/00336/LTGOUT/LBNM in relation to In Situ Groundwater Remediation and Verification of Plot MU2 only.	Vastint UK BV	10/09/18	Approve	Victoria Bates	
18/00342/AOD	Approval of details (conditions)	05/07/18	Plot N17, Zone 3, Stratford City, land bounded by Celebration Avenue, Penny Brooke Street and De Coubertin Street, Stratford, E20	Application for submission of details pursuant to Conditions 6 (Detailed Drawings) 8 (Protecting Design Quality Statement) 14 (Highway Conditions Survey) and 15 (Traffic Management Plan) of planning permission reference 16/00212/FUL dated 9th August 2016 as it relates to the development known as Plot N17.	The Gantry Devco Ltd	10/09/18	Approve	Grant McClements	
18/00359/FUL	Full planning application	17/07/18	Shell Old Ford Service Station, 445-453 Wick Lane, Bow, London, E3 2TB	Application for full planning permission for the proposed widening of the canopy link to create additional cover for pedestrians.	Shell UK	10/09/18	Approve	Grant McClements	Application to widen the forecourt canopy of Shell Old Ford service station. The proposed materials would match the existing canopy, and the canopy would not protrude beyond a previously approved extension of the petrol station sales building. The proposal was minor in scale and considered to be visually acceptable.
18/00376/VAR	Variation of conditions (Section 73 applications)	31/07/18	Unit B, Albert House, 236-252 High Street, Stratford, London, E15 2JA	Variation of condition 4 (Hours of operation) of planning permission 12/00237/COU to amend the hours of operation of the medical scanning centre to 7am to 9pm on Mondays to Saturdays and 8am to 8pm on Sundays and Bank Holidays.	InHealth Ltd	10/09/18	Approve	Russell Butchers	The proposed hours were reasonable and would not give rise to any concerns with regards to neighbouring amenity.
18/00351/AOD	Approval of details (conditions)	10/07/18	Land At 85, 105 And 115 Monier Road, (Monier Road East), Bounded By Monier Road, Wyke Road And Roach Road, London, E3	Submission of details to discharge Condition MR.35 (Hours of Operation) of planning permission 13/00204/FUM insofar as it relates to the use of the commercial space for Class B1 (Business) purposes.	Peabody and Hill c/o Agent	12/09/18	Approve	Russell Butchers	
18/00341/AOD	Approval of details (conditions)	05/07/18	Land adjacent to Rick Roberts Way, Stratford, E15 2LH	Submission of details to fully discharge condition 7 (Details of External Lighting) of planning permission 18/00162/FUL dated 20th June 2018.	Padel Solutions UK Ltd	13/09/18	Approve	Josh Hackner	
18/00301/AOD	Approval of details (conditions)	04/06/18	Plot N06, Stratford City, Zone 5, London	Approval of Details submitted for the partial discharge of condition A5 (Preparatory & Temporary Works) attached to the outline planning permission 10/90641/EXTODA dated 30/03/2012 in so far as it relates to Plot N06.	Stratford Village Property Holdings 1 and 2	14/09/18	Approve	Sara Dawes	
18/00367/AOD	Approval of details (conditions)	25/07/18	Plot N06, Stratford City, Zone 5, London	Approval of Details submitted for the partial discharge of Condition B10 (External Materials) attached to the outline planning permission 10/90641/EXTODA dated 30/03/2012 in so far as it relates to the colour palette of the facades to Plot N06 only.	Stratford Village Development Partnership	17/09/18	Approve	Victoria Bates	
18/00370/FUL	Full planning application	25/07/18	10 Brinkworth Way, Hackney, London, E9 5JX	Erection of a part-width single storey roof extension to create a two-storey building. Existing ground floor and new first floor to be finished in white render.	410 architects	18/09/18	Approve	Russell Butchers	Objections were received from neighbouring occupiers, relating primarily to the design and impact of the extension on neighbouring amenity. The design was considered to be acceptable, and the height would not be similar to other existing development. The applicant amended the scheme to overcome concerns that were raised with respect to overlooking of neighbours, and there were found to be no unacceptable impacts to amenity following this. A very similar scheme has been previously consented at 4 Brinkworth Way.

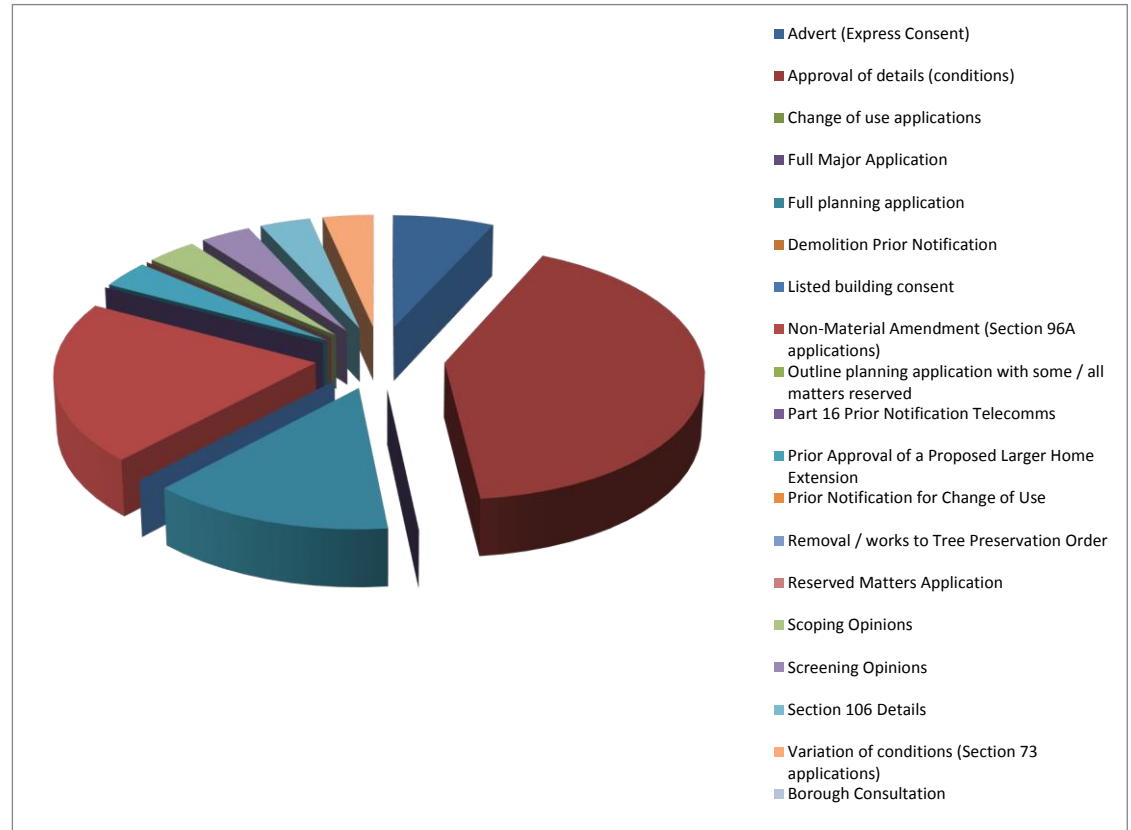
**LLDC Delegated Decisions Report - September 2018**

**Appendix 1**

<u>Application Number</u>	<u>Application Type</u>	<u>Registration Date</u>	<u>Location</u>	<u>Full Development Description</u>	<u>Applicant</u>	<u>Decision Date</u>	<u>Decision Description</u>	<u>Officer Name</u>	<u>Officer Comments</u>
18/00398/NMA	Non-Material Amendment (Section 96A applications)	17/08/18	Angel Lane, Stratford City, Zone 1, London, E15 1BB	Application for Non-Material Amendments to vary condition 4 (Phase 1 YHA Drawings) of planning permission reference 16/00524/FUL - dated 27 March 2008.	Westfield UK Property Developments & YHA	18/09/18	Approve	Anne Ogundiya	Application for small amendments to the previous approval: minor reduction in height and width of the building, and change to the cladding material from the approved lightweight aluminium to concrete. The nature and scale of proposed development would not impact on the original architectural intent approved under the parent planning permission (16/00524/FUL).
18/00194/SCOES	Scoping Opinions	16/04/18	Vulcan Wharf, Cooks Road, Stratford, London, E15 2PW	Formal Request for an Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and County Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) in respect of a full planning application for a mixed-use development, including residential space comprising approximately 640 residential units, and a range of employment generating uses including office (B1a), light industrial (B1c), brewery use (B2) and associated drinking establishment use (A4), restaurant/café (A1/A3), along with servicing/carpark facilities, ancillary space and associated landscaping.	Vulcan Wharf Limited	20/09/18	Scoping required	Richard McFerran	Application sought a scoping opinion on the proposed development. Officers, advised by environmental consultants, advised the developer.
16/00519/AOD	Approval of details (conditions)	03/10/16	Chobham Manor Phase 4, Development Parcel 6.1 (Development Block 6.1-A), Planning Delivery Zone 6, Stratford, London	Submission of details pursuant to Conditions LCS0.88 (Surface Water Drainage Details), LCS0.95 (Remediation Statement) and LCS0.140 (Detailed Planting Scheme -BAP Habitat, Play Space and Publicly Accessible Open Space) of the Legacy Communities Scheme planning permission 11/90621/OUTODA, as varied by 14/00036/VAR.	Chobham Manor LLP	21/09/18	Approve	Grant McClements	
16/00511/AOD	Approval of details (conditions)	03/10/16	Chobham Manor Phase 3, Development Parcel 6.3, Planning Delivery Zone 6, Queen Elizabeth Olympic Park, London, E20	Submission of details pursuant to Conditions LCS0.88 (Surface Water Drainage Details), LCS0.95 (Remediation Statement) and LCS0.140 (Detailed Planting Scheme -BAP Habitat, Play Space and Publicly Accessible Open Space) of the Legacy Communities Scheme planning permission 11/90621/OUTODA, as varied by 14/00036/VAR.	Chobham Manor LLP	21/09/18	Approve	Grant McClements	
18/00335/NMA	Non-Material Amendment (Section 96A applications)	02/07/18	Land (known as International Quarter London South) which is bound by Westfield Avenue, Montfichet Road and railway lines east of Carpenters Road; and Land (known as International Quarter London North) which is bound by Penny Brookes Street, Montfichet Road	Application for non-material amendments to the approved Stratford City Outline planning permission 10/90641/EXTODA, seeking to redistribute 2,000sqm of leisure floorspace from Zone 3 (IQL North) to Zone 2 (IQL South) pursuant to Condition D2A (Deviation of floorspace figures).	Stratford City Business District Limited (SCBD Ltd)	24/09/18	Approve	Richard McFerran	The application sought a minor alteration to the consented Stratford City development by transferring 2,000 sqm of leisure floorspace from Zone 3 to Zone 2, which was assessed as being acceptable.
18/00347/ADV	Advert (Express Consent)	10/07/18	Land Adjacent to Bow Roundabout (North East Quadrant) and River Lea, London, E3 3BA	Application for advertisement consent for the replacement of 3 existing externally illuminated static advertising hoardings with a supporting structure and 2 static internally illuminated digital screens (7.5 m x 5m) on a silver steel supporting structure (15.6m x 5.5m) in a triangular formation.	Reach Outdoor Developments Ltd	24/09/18	Approve	Grant McClements	Application for a three-sided internally illuminated advert to replace three existing adverts at Bow Roundabout. Officers requested that the applicant remove one canal-facing side to mitigate impacts upon the canal and neighbouring properties. The updated details were concluded to be acceptable.
18/00374/PRLHE	Prior Approval of a Proposed Larger Home Extension	13/08/18	441 Wick Lane, London, E3 2TB	Application for Prior Approval for a single storey rear extension with a depth of 4.75 metres, a height of 3.06 metres and an eaves height of 2.68 metres.	Michael Dover	24/09/18	Approve	Josh Hackner	The proposal complied with the criterion for development permitted under Schedule 2, Part 1 A.1(b) of the GPDO 2015 (as amended).
18/00423/AOD	Approval of details (conditions)	21/09/18	Eastwick Phase 1, Development Parcels 5.5 and 5.9, Planning Delivery Zone 5, Queen Elizabeth Olympic Park, London	Submission of details pursuant to Condition LCS0.255 (Notice of Commencement) of outline planning permission 11/90621/OUTODA dated 28 September 2012 (as varied by planning references 14/00036/VAR dated 11 August 2014 and 17/00236/VAR dated 03 May 2018) of the Legacy Communities Scheme, in respect of the Zonal Masterplan for Planning Delivery Zone 5 (East Wick).	East Wick and Sweetwater Projects	26/09/18	Approve	Anne Ogundiya	
17/00655/NMA	Non-Material Amendment (Section 96A applications)	21/12/17	Plot N24 (Manhattan Lofts), Zone 3, Stratford City, London, E20 1YY	Application under s96A TCPA for non-material amendments to planning permission 13/00579/VAR dated 28th October 2014 (as amended) for the deletion of condition 47 (Restaurant Management Strategy) and to amend the wording of condition 48 (Use of Rooftop Amenity Area).	Manhattan Loft Gardens Ltd (MLG)	28/09/18	Granted NMA	Daniel Davies	The proposed amendment would put in place measures that would safeguard residential amenity and would not materially affect the consented scheme. The proposed changes were thereby considered to be acceptable.
18/00073/AOD	Approval of details (conditions)	19/02/18	Cherry Park, Westfield Avenue/Montfichet Road, Zone 1, Stratford City, London	Application for Approval of Details pursuant to Condition A1 (Code of Construction Practice) of planning permission reference 15/00358/OUT dated 13 February 2018.	Stratford City Developments Limited	28/09/18	Approve	Russell Butchers	
18/00123/AOD	Approval of details (conditions)	19/03/18	Chobham Manor Phase 1, PDZ6, Queen Elizabeth Olympic Park, London	Submission of details pursuant to Condition LCS0.102 (Remediation Validation and Protection) in relation to Phase 1B only, of the Legacy Communities Scheme planning permission 11/90621/OUTODA, as varied by 14/00036/VAR.	Chobham Manor LLP c/o Agent	28/09/18	Approve	Grant McClements	
18/00195/FUL	Full planning application	11/05/18	Bumpkin, 105-106 Chestnut Plaza, Westfield Stratford City, London, E20 1EN	Application for full planning permission for alterations to the shopfront by the installation of artificial planting to the front façade at ground and first floor levels.	The Ignite Group	28/09/18	Approve	Sara Dawes	An application for shopfront alterations which were considered to be minor in nature.
18/00357/SCRES	Screening Opinions	10/07/18	Plot S4, International Quarter London (IQL) South, land adjacent to Westfield Avenue, Zone 2 Stratford City	Formal request for an EIA Screening Opinion under Regulation 5(1) of the Town and County Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) in association with applications 18/00354/REM and 18/00355/REM for the Approval of Reserved Matters for the layout, scale, siting and access including engineering works for the below ground basement, in-ground drainage, services and utilities and associated substructure and superstructure for Building S4 pursuant to conditions B1, B8, B9, Q1 and Q4 of outline planning permission 10/90641/EXTODA.	Stratford City Business District Limited (SCBD LTD)	28/09/18	Screening not required	Daniel Davies	The proposed development was considered unlikely to generate environmental effects that are new or different to those assessed in connection with the parent planning permission.
18/00372/NMA	Non-Material Amendment (Section 96A applications)	26/07/18	6 Villiers Gardens, Chobham Manor, London, E20 1GW	Non-Material amendment to Reserved Matters Application 13/00504/REM to install 1no. fixed walk on glazing panel to cover the existing lightwell opening at 6 Villiers Gardens	Avril Forbes	28/09/18	Approve	Daniel Davies	Taking account the scale and nature of the scheme the proposed changes were considered to be non-material, as they would not change the character, use or appearance of the property.

## LLDC Delegated Decisions Report September 2018 - Application Type Totals

Application Type	Total
Advert (Express Consent)	2
Approval of details (conditions)	12
Change of use applications	0
Full Major Application	0
Full planning application	4
Demolition Prior Notification	0
Listed building consent	0
Non-Material Amendment (Section 96A applications)	6
Outline planning application with some / all matters reserved	0
Part 16 Prior Notification Telecomms	0
Prior Approval of a Proposed Larger Home Extension	1
Prior Notification for Change of Use	0
Removal / works to Tree Preservation Order	0
Reserved Matters Application	0
Scoping Opinions	1
Screening Opinions	1
Section 106 Details	1
Variation of conditions (Section 73 applications)	1
Borough Consultation	0
<b>Total Applications Determined this Month</b>	<b>29</b>



This page is intentionally left blank