Strategic planning application stage 1 referral (new powers)

The proposal
Hybrid application has been submitted for 790 residential units and 10,527 sq.m. commercial floorspace including office, car dealership, bar/public house and other flexible restaurant, cafe and bar uses. The proposals also includes works to the highway, existing River Lea towpath, vehicle and cycle parking and associated landscaping.

The applicant
The applicant is East Thames Group and Southern Housing Group, and the architect is John Thompson & Partners.

Strategic issues
The application raises a number of strategic matters including the principle of development, employment land; comprehensive development and phasing of housing delivery, affordable housing, design, access, transport, energy, noise, air quality, biodiversity and climate change.

Recommendation
That the London Thames Gateway Development Corporation, be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 134 of this report; but that the possible remedies set out in paragraph 136 of this report could address these deficiencies. The application does not need to be referred back to the Mayor if the Corporation resolve to refuse permission, but it must be referred back if the Corporation resolve to grant permission.

Context
1. On 11 October 2011, the Mayor of London received documents from Tower Hamlets Council, on behalf of the London Thames Gateway Development Corporation (LTGDC) notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 21 November 2011 to provide the Council with a statement setting out
whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Category 1A.1 and 1b.1 (c), of the Schedule to the Order 2008:

Category 1A

1. Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

Category 1B

1. Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings— (c) outside Central London and with a total floorspace of more than 15,000 square metres.

3 Once the Corporation has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal or allow the Corporation to determine it itself, unless otherwise advised. In this instance if the Corporation resolves to refuse permission it need not refer the application back to the Mayor.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The site is approximately 3.69 hectares and is bounded by the River Lea to the east, the A12 and Hancock Road to the west, the A11 to the north and Three Mill Lane to the south. At present there are a range of industrial sheds which occupy the site including Calor Gas distribution, a furniture distribution store, Big Yellow storage, a night club, garage and printers amongst other uses. Some buildings have been demolished in preparation for redevelopment. The current scale of development is fairly low rise. The applicant owns only part of the site, the area relating to phase 1, with the printers in the ownership of the Corporation. Immediately south of the site is the Tesco Store, recently the subject of a planning application for a new District Centre. The existing store car park forms part of this application. To the west of the Tesco application site, on the west side of the A12 is the St Andrews Hospital redevelopment site.

7 The application site is within the context of two conservation areas. To the north-east is the Sugar House Lane Conservation Area and to the south-east, and partly within the site, is the Three Mills Conservation Area (see figure 2).

8 Three Mill Lane is a borough highway however the A12 forms part of the Transport for London Road Network. Bow interchange, close to the northern boundary of the site provides access to the A11 which is also part of the Transport for London Road Network. Vehicular access to the site is from Hancock Road, a borough highway that runs parallel to the A12.

9 Bromley by Bow is the nearest London Underground station located to the west of the A12 with pedestrian access via a subway. It serves the District and Hammersmith & City Lines.
Numerous buses routes serve this area; routes 108 and 488 currently operate on Hancock Road, route 323 serves Twelvetrees Crescent and routes 25, 276 and 425 operates along the A11 Stratford High Street. Cycle Superhighway route 2 also operates along the A11, close to the site at Bow Interchange. The public transport accessibility level of site ranges from 3 to 5 (in a range of 1 to 6 where 6 is excellent).

**Details of the proposal**
A hybrid planning application has been submitted as described below:

Outline component

Outline permission is sought for 565 residential units and approximately 9,448 sq.m. of commercial floorspace on a combined site area of 2.61 hectares (area shown in figure 3 excluding the dotted red line which relates to the detailed application).

The commercial floor space in the outline phases consists of 2,384 sq.m. gross floor space for flexible B1 office use, 6,401 sq.m. gross floor space for a car dealership (sui generis), and 663 sq.m. floor space for a restaurant/public house (flexible A3/A4 Use Class). Building scale ranges from one to ten storey. The larger scale blocks located along the A12 (see figure 3).

Detailed component

Full planning permission is sought for detailed Phase 1 proposals (land to the east of the dotted line in figure 3) comprising 225 residential units and 1,079 sq.m. of commercial floor space (B1 office use) on a site area of 1.08 hectares. The blocks in this phase will be between six to ten storey.

Figure 3 masterplan block layout with land uses
The housing mix of the development is set out below, however the applicant is yet to provide full details of the bedroom size mix by tenure and as such the affordable housing component of the scheme is currently unknown.

Table 1 Bedroom size mix - Phase 1

<table>
<thead>
<tr>
<th></th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed</th>
<th>3-bed duplex</th>
<th>4 bed duplex</th>
<th>3-bed triplex</th>
<th>4 bed triplex</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>78 (34%)</td>
<td>79 (35%)</td>
<td>52 (23%)</td>
<td>5 (2%)</td>
<td>1 (1%)</td>
<td>8 (4%)</td>
<td>2 (1%)</td>
<td>225 (100%)</td>
</tr>
</tbody>
</table>

Table 2 Bedroom size mix outline permission

<table>
<thead>
<tr>
<th></th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed</th>
<th>4-bed</th>
<th>4 bed duplex</th>
<th>5-bed duplex</th>
<th>3 bed triplex</th>
<th>5 bed house</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>180 (32%)</td>
<td>207 (37%)</td>
<td>113 (20%)</td>
<td>35 (6%)</td>
<td>3 (0.5%)</td>
<td>4 (0.7%)</td>
<td>5 (0.8%)</td>
<td>18 (3%)</td>
<td>565 (100%)</td>
</tr>
</tbody>
</table>

Table 3 Overall bedroom size mix

<table>
<thead>
<tr>
<th></th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed</th>
<th>4-bed</th>
<th>3 bed duplex</th>
<th>4-bed duplex</th>
<th>5 bed duplex</th>
<th>3 bed triplex</th>
<th>4 bed triplex</th>
<th>5 bed house</th>
<th>total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>258 (33%)</td>
<td>286 (36%)</td>
<td>165 (21%)</td>
<td>35 (4%)</td>
<td>5 (0.6%)</td>
<td>4 (0.5%)</td>
<td>4 (0.5%)</td>
<td>13 (1.5%)</td>
<td>2 (0.3%)</td>
<td>18 (2.6%)</td>
<td>790 (100%)</td>
</tr>
</tbody>
</table>
Case history

15 As set out in this report, Bromley by Bow is identified as a potential new District Centre. Planning permission was recently granted for the redevelopment of Bromley by Bow south, for a new District Centre including Tesco Superstore, IDEAS Store (community facility), primary school, hotel and residential development including a new park (PA/09/02574/LBTH) (LTGDC-09-099-OUT) (PDU/2235).

16 In order to realise the delivery of the Tesco planning permission, land assembly was required and a Compulsory Purchase Order Inquiry opened in July 2010. On 11 January 2011 the Inspector made recommendations to the Secretary of State for the Order to be not confirmed. Part of the Order lands included the nightclub/garage and Colas Ltd as identified in figure 1 which forms part of this planning application. In the Inspector’s conclusions he draws on the impact on employees of the existing Order lands and that there was no planning permission in place regarding the comprehensive redevelopment of land to Bromley by Bow North (the subject of this application). It is understood that Tesco is still in negotiations regarding possible land assembly with third party owners to deliver the planning permission.

17 The applicant has not engaged in formal pre-application discussions with the GLA however, GLA officers have attended various meetings led by the Corporation where the proposals were presented and a number of matters were raised including the urban design, in particular the layouts of blocks, dealing with the canal edge, open space, residential quality, servicing and access and comprehensive redevelopment.Whilst no formal GLA pre-application engagement was ever undertaken by the applicant, the Corporation provided written feedback on these policy matters, which were broadly endorsed by GLA officers. Other matters regarding housing and climate change have not been discussed in detail. It is also understood that TfL has had separate discussions with the design team held in April 2011.

Strategic planning issues and relevant policies and guidance

18 The relevant issues and corresponding policies are as follows:

- Housing London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG, Housing Strategy; Assembly draft Revised Housing Strategy; Interim Housing SPG; Housing SPG EiP draft
- Affordable housing London Plan; PPS3; Housing SPG, Housing Strategy; Assembly draft Revised Housing Strategy; Interim Housing SPG; Housing SPG EiP draft; Affordable Rent draft SPG; Assembly draft Early Minor Alteration to the London Plan
- Density London Plan; PPS3; Housing SPG; Interim Housing SPG; Housing SPG EiP draft
- Urban design London Plan; PPS1
- Mix of uses London Plan
- Regeneration London Plan; the Mayor’s Economic Development Strategy
- Transport London Plan; the Mayor’s Transport Strategy; PPG13
- Parking London Plan; Assembly draft Early Minor Alteration to the London Plan; the Mayor’s Transport Strategy; PPG13
- Retail/ town centre uses London Plan; PPG13, PPS4
- Access London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)
For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2010 Tower Hamlets Core Strategy, the 1998 (as saved 2008) Tower Hamlets Unitary Development Plan and the 2011 London Plan.

The following are also relevant material considerations:
- 2006 Leaside Area Action Plan
- 2007 Interim Core Strategy and Development Control Plan
- Planning application for a new district centre (Tesco) Reference: (PA/ 09/ 02574/ LBTH) (LTGDC-09-099-OUT)(PDU/2235)
- 2010 LTGDC Sugar House Lane and Three Mills Land Use and Design Brief
- 2010 Sugar House Island Conservation Area Character Appraisal.
- 2006 Three Mills Conservation Area Character Appraisal.
- 2011 Draft Tower Hamlets Bromley by Bow Masterplan.
- The Early Minor Alteration to the London Plan.

Principle of development

Planning policy

The planning policy for the area has evolved through a range of supporting guidance that has informed the more recent publication of the London Plan (2011) and the Council’s Core Strategy (2010). The 1998 UDP status remains intact following the saving request in 2008 and the adoption of the Core Strategy, however the designation of the site in the UDP as an Industrial Employment Area, which seeks to protect and support industrial and warehouse use, has evolved, albeit that the core objective therein to maintain capacity for employment across the area is still embedded in policy but with the approach now seeking careful and managed release of industrial land, as oppose to outright protection.

This is outlined in Lower Lea Valley Opportunity Area Planning Framework (2007) (LLVOAPF) Sub Area 8 - figure 4.8, which identifies the site as an ‘other industrial area’ location.
and in Core Strategy Policy SO16 and Interim Core Strategy and Development Control Plan
guidance policy EE1 and EE2 which relates to the protection and management of industrial land.

23 Figure 19 of the Leaside Area Action Plan (AAP) and corresponding policies L19, L20 and
L21 of the AAP focus on providing commercial and residential uses across the site and a new
District Centre at Bromley by Bow. Policy LS24 of the AAP also identifies site LS32 ‘Hancock
Road’ as suitable for employment and residential uses. A suite of other supporting documents
including the Corporation’s Land Use and Design Brief (section 4.0 proposed land use) and the
emerging Bromley by Bow draft Masterplan bring forward the land use approach which is broadly
consistent with the aspirations of the London Plan, Core Strategy and the AAP in terms of a mix of
commercial and residential uses linked to the new District Centre though carefully planned release
of industrial land.

24 In September of this year, the Mayor published his consultation draft Olympic Legacy
Supplementary Planning Guidance (OLSPG) which will update and supersede the LLVOAPF in this
area, and which again emphasises careful and managed release of industrial land and where this
site is identified for potential residential development with strong links to the new mixed use
District Centre at Bromley by Bow and new community at Sugar House Lane. The key objectives
for the sub area are set out below and the land use aspirations are shown in figure 4 and 5.

Southern Olympic Fringe area (sub-area relevant to Bromley by Bow North) see figure 4 and 5
below):

- 9,600 new homes.
- 206,000 sq.m. new and improved commercial floor space.
- New child population of around 5,100 children.
- Target jobs of 8,200.

Comprehensive development of an emerging town centre

25 Annex 2 of the London Plan provides detailed policy direction regarding London’s Town
Centre network. Table A2.2 and Map A2.1 sets out potential future changes to the town centre
network over the Plan period which identifies Bromley by Bow, currently unclassified, as having
the potential for a new district centre, subject to capacity analysis, impact assessments, land use
and accessibility, planning approvals, town centre health checks and full implementation.

26 The Council’s Core Strategy underpins this strategic designation, which is carried through in
policy SP02. In July 2010 the Corporation issued planning permission for the redevelopment of
Bromley by Bow South as part of a planning application prepared on behalf of Tesco Ltd. The
planning application was for a new district centre including a new Tesco store, other retail uses,
community uses, hotel, residential, new park and primary school. To realise the delivery of the
planning permission land assembly was required. Due to failed negotiations over the transfer and
assembly of land, a Compulsory Purchase Order Inquiry was held in July 2010. The Inspector
recently reported on the matter recommending the Secretary of State not make the Order for a
number of reasons including the impact on the existing employment notwithstanding the potential
net benefits to employment through comprehensive redevelopment for a new district centre. The
Inspector also noted that part of the Order related to land at Bromley by Bow North, (night club,
garage and Colas Ltd shown in figure 1) and that these sites did not benefit from planning
permission and, at that time therefore, no realistic prospect of delivery in the near future.
Some of the sites referred to in the CPO Inquiry, therefore, now form part of this planning application as part of the outline submission. It remains to be seen if the Tesco planning permission can be realised at this stage, however AAP paragraphs 4.23 and 4.24 emphasises the need for the comprehensive redevelopment of Bromley by Bow. The Land Use and Design Brief also builds on the principles of a comprehensive approach to development and to avoid the creation of isolated plots of piecemeal development – a principle which is established through the appeal decision relating to the Trad Scaffold site in Bromley by Bow South which was the catalyst for the now established policy direction.

Figure 4 Southern Olympic fringe context (Source: Draft OLSPG)
In terms of the current application therefore, a number of matters arise in principle. First the GLA is still in the process of considering the Market Report and therefore further discussion with the applicant, the Corporation and Tower Hamlets may be required. Second, whilst the broad aspirations for a residential led mixed use community with commercial uses embedded at the heart of the community fits within the strategic and local planning policy objectives (subject to impact testing), the strategy for delivery is fundamentally unresolved as a result of the failure of the CPO.

The land currently owned by the applicant relates to Phase 1, which is centrally located within the application site. The land assembly for the wider masterplan, part of which is owned by third parties including Tesco Ltd and the Corporation, is still unclear.

In planning terms the principle of the proposals are acceptable as part of the delivery of a new town centre. The density, land use and townscape matters are underpinned by this policy objective and therefore the scheme cannot proceed without the improved social and physical infrastructure from the Tesco planning application. Whilst this goes beyond the control of the applicant the submission relies on this, as set out in the assumptions within the transport assessment. They are, therefore, inextricably linked in planning terms and the GLA will need to
discuss with the applicant, Tower Hamlets Council and the Corporation the appropriate mechanisms to deliver the current application in this context.

31 Aside of this fundamental delivery concern the current scheme still fails to address its own phasing and delivery conundrum, which again at present has the potential to undermine the principles enshrined through the strategic and local planning policy guidance regarding comprehensive development - and the need to avoid development being delivered in a piecemeal isolated manner.

32 Phase 1 is, under the current submission, the only guaranteed part of the submission that can be delivered within the applicant’s control. The land identified in the outline application falls within third party ownership and it remains unclear what approach has been taken, if at all to assemble all or any other parts of this third party land.

33 Fundamentally, the site needs to grow from ‘south to north’, which should be broadly reflected in the phasing plan. The failed COP means this objective is, at least in the short term, on hold for the Tesco site, until such time that Tesco is able to realise land assembly.

34 The land uses that currently operate either side of phase 1 and the nature of the current environment would mean that in isolation phase 1 could potentially deliver a poorly connected, isolated and inappropriate residential development in a piecemeal approach in direct conflict with the objectives of strategic and local policy regarding comprehensive approach to development.

35 This is not just a matter of delivering new townscape in a comprehensive manner, but providing the quality of environment on completion of the relevant phases which - on its own merits - is acceptable not just in design terms, but in all planning respects including density, open space, residential quality and accessibility.

36 There is at present no clear strategy regarding land to the south of phase 1 or how phase 1 is intended to function in the centre of an industrial estate. It remains unclear how the submission would deliver the objective of comprehensive development given the approach being adopted which delivers phase one in isolation of the rest of the master plan. It is therefore a matter which needs significant and careful consideration and which at present represents a serious concern in terms of the strategic objectives to deliver a comprehensive development.

**Affordable housing**

37 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to it’s own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan Policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale. The Mayor has published an early minor alteration to the London Plan to address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. With regard to tenure split the Mayor’s position is that both social rent and affordable rent should be included within the 60%.

38 While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes.

39 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The ‘Three
Dragons’ development control toolkit or other recognised appraisal methodology is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified. Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation.

40 Where borough councils have not yet set overall targets as required by Policy 3.11, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination.

41 Part 3 of policy SP02 of the Tower Hamlets Core Strategy requires affordable housing provision of between 35% and 50% with a tenure of split of 70:30 social rented to intermediate. Part 5, the policy requires 30% of all new housing to be of a size suitable for families (three-bed plus), including 45% of new social rented homes to be for families.

42 The housing offer is set out in table 1, 2 and 3 above but does not disaggregate the overall mix by tenure. This information is fundamental to the consideration of the case in terms of the affordable housing offer by quantum and the extent of family provision being delivered in the affordable component of the scheme. The affordable housing offer will need to be underpinned by a financial appraisal, which is also yet to be provided.

43 On submission of the financial appraisal the GLA will need this to be independently scrutinised to demonstrate the proposal represent the maximum reasonable amount of affordable housing. GLA officers would welcome a joint approach to the scrutiny of the financial appraisal in discussion with the Council and the Corporation. Further discussion is therefore required.

**Housing choice**

44 London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. The London Housing Strategy sets out strategic housing requirements and Policy 1.1C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms. The housing offer set out in table 1, 2 and 3 includes a mix of larger family size accommodation, however it remains unclear what the bedroom size mix by tenure will be. This needs to be confirmed by the applicant having regard to the strategic targets in the London Plan and the Mayor’s Housing Strategy.

**Density**

45 London Plan Policy 3.4 outlines the need for development proposals to achieve the optimum housing potential which is compatible with the local context, the design principles within Chapter 7 and public transport capacity. Table 3.2 of the London Plan provides guidelines on density in support of policies 3.4 and the policies in Chapter 7.

46 The applicant advises that the residential density for Phase 1 proposals comprise 443 habitable rooms, which equates to a residential density of approximately 410 habitable rooms per hectare. When considered with the outline proposals (providing an additional 1,210 habitable rooms), the applicant advises that the overall proposed scheme will provide a residential density of approximately 448 habitable rooms per hectare.

47 The applicant should confirm that the non-residential uses in the vertically mixed used buildings (i.e. those with ground floor commercial uses or commercial uses elsewhere within the block) have been calculated separately. This should be calculated as a proportion of the building, which should then apply to the proportion of land take area. This is unlikely to significantly affect
the overall density calculation but should be undertaken to reflect the true residential density of the site.

48 As highlighted earlier the acceptability of the proposals in planning terms relies on the delivery of a new District Centre to support the newly arising population in terms of the social and physical infrastructure requirements. The planning statement is unclear regarding the acceptability of the proposals in the context of a scheme that does not deliver the benefits of a new District Centre.

49 The characteristics of the area in such a case would be more suburban than urban and as such may fall within the 150-350 habitable rooms per hectare guidance for a site with a range of public transport accessibility level 3-4. Whilst the GLA fully support comprehensive regeneration of the area, the density needs to be carefully considered in terms of the infrastructure and phasing strategy. The proposed density of 448 is therefore still the subject of discussions around the concerns raised through comprehensive development of the site and the phasing strategy. It is also linked to the design considerations set out below regarding the scale of development and the impacts arising on residential quality.

Urban design

50 Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design polices in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

Arrangement of land uses

51 The site is predominantly residential with some commercial uses, mainly arranged along the A12 at ground floor level. In order to reinforce the plans for a District Centre at Bromley by Bow, the southern part of the site should have a greater quantity of commercial/community amenities as is articulated in the Corporation’s Land Use and Design Brief for the Bromley by Bow area.

52 This would have the benefit of clustering public activities and adding to a lively centre. This has been considered for the location of the proposed restaurant/public house, but the design team should explore extending this principle along Three Mill Lane and consolidating it closer to the District Centre.

53 The location and proposed car dealership at the northern point of the site works well as a buffer between the heavy traffic and industrial zones to the north and the proposed residential uses to the south. This is also outlined as appropriate Land Use and Design Brief.

54 The location of residential on A12 edge needs to be carefully considered due to its extreme environmental challenges. Despite plans for ventilation system technologies, this is an extreme environment, which will be difficult to naturally ventilate. In addition, the proposed winter garden spaces are likely to overheat. This matter is considered in further detail below regarding residential quality.

Block arrangements
Overall the master plan block layout arrangement of the scheme has led to a number of poorly planned routes and spaces, which need to be reconsidered. The proposals appear to be treated in isolation of the approved layouts of the Tesco permission and the emerging master plan work being prepared at Sugar House Lane. In particular, the link between the Bromley by Bow Tesco site through to Sugarhouse Lane is unnecessarily indirect and is weakened by an indistinct ramped landscape space.

The success of this route is also highly dependent on the size, orientation and footings of the proposed bridges, which should be shown in the drawings in order to fully understand how this space will work. This route is important and has the potential to be a key movement route linking the new District Centre with Sugarhouse Lane and onto Pudding Mill station and Stratford.

During pre-application discussion the Authorities were keen to emphasise the need to create a hard edge along the towpath. The design team responded in part through the introduction of block R8 (townhouses along the river edge), however the master plan layout still fails to deliver a robust and successful block layout approach. The riverside presents an opportunity to add definition and create a lively route. However, the series of small green spaces that populate this route serve to weaken the edge. Specifically, the semi-private green space creates ambiguity and a lack of definition between public and private space along the towpath, which could lead to an unsafe environment, which is poorly surveyed and with little interaction or relationship with the River Lea. A strong river edge should be created with built form, which would serve to populate and light the space.

While the homezone has been compared to the success of St. Andrew’s internal courtyards in terms of scale, these spaces are not entirely comparable. The homezone is peppered with refuse points and parking spaces, whereas the St. Andrew’s scheme is predominantly simple soft landscaping with straightforward routes for residents. The composition, scale and layout of the space is fundamentally different. The fact that the top of the home-zone leads to the entrance to the dealership parking bay and flank wall of R9 weakens the homezone as a route. The scale of blocks and orientation will result in dark, damp and poor environment. Sunlight and daylight testing needs to be scrutinised, in particular regarding the lower level flats.

The design team needs to explore fundamental block reconfiguration around the central part of the site. The central blocks, specifically (R1-R8), need to be reconsidered. As has been consistently raised, block R2 should be relocated to the water edge. This would provide a number of benefits:

- Strengthen the water edge route - removing ambiguity of the open-space above.
- Improve activity along the towpath - improving safety in general.
- Expand the home-zone and provide a more generous area of public amenity space.
- Improve the environmental conditions to units in R4 and R2.
- Successfully address site topography by using building form to manage the transition between towpath and courtyard levels.
- Create more successful courtyard typology.
- Create more usable amenity space.
Even with the relocation of block R2 to front the towpath the arrangement of the other blocks to the north is still contrived, poorly considered and ambiguous with the very tight relationship between R5 and R7. Officers believe the entire central section needs to be reconsidered, including the testing of a single courtyard block that could define space and edges in a clear manner.

**Layouts**

**Outline application**

There is a fundamental lack of detail regarding layouts as part of the submission. The submission includes a series of outline area plans marked for illustrative purposes only. In all cases the design team need to provide typical floor plans to demonstrate that key design principles will be imbedded within the outline permission.

The approval of block layouts needs to be underpinned by successful options for ground floor solutions, treatments, relationship to the street and proportion of accommodation with more than one aspect (thereby demonstrating the ability to design out north facing only accommodation). These plans need to form part of a robust design code which should be an approved document that will be used to test future detailed planning applications or reserved matters submissions in terms of achieving design excellence. The current approach in the design and access statement does not provide sufficient detail.

This is also required to support the proposals in demonstrating that the scale and massing can accommodate the quantum of residential and other uses being applied for and demonstrating that this is deliverable in the context of other policy requirements including compliance with the Mayor’s minimum space standards.

By way of example, the illustrative outline plan for blocks R6, R7 and R8 do not show how flats could be arranged on the ground floor or how the building will deal with the series of routes flowing around, in front and through blocks; it is also unclear how the level changes will be managed, how balconies might be successfully arranged, or how space and other standards within the Housing Design Guide will be met, including minimising the number of units accessed off a single core, creating intimate living environments and improving floor to ceiling heights. Residential quality will be particularly important for block R5 and therefore typical flat layouts must be provided. All these aspects will ultimately inform the design and architectural appearance to the outline blocks and the level of success in achieving design excellence. These reference points need to be clearly defined to be used during consideration of the later detailed design stages.

**Phase 1**

A number of areas of the phase 1 layout need to be reconsidered. Specific block comments are set out below. Some blocks are between six, seven and eight stories high and only benefit from a single lift. The Mayor’s Housing Design Guide, 3.2.6, sets out the requirement for lift access based on the building height. The design team should ensure the proposals have been designed to accommodate a range of accessibility measures that are consistent with the Mayor’s guidance.

The level change in the courtyard space makes it inaccessible except from the gate entrance in front of block R3. Any resident with children, pushchairs or mobility requirements would have restricted access from the residential blocks due to the steps between levels. Moving block R2 as previously suggested would create a level courtyard with the home zone that would create significant benefits and allow the level change to be dealt with internally.
- Block R1 – It is unclear how the ground floor of R1 – north, will interact with the courtyard of blocks R6, R7 and R8. The level changes within the courtyard are also poorly considered, inaccessible and result in a significant proportion of wasted space.

- Block R2 – there are four routes (mix of public and private) either past the flank walls of block R2 or directly through it. This is unnecessary and results in an inefficient layout that could be significantly improved.

- Block R3 – the relationship and routes around the block are poorly considered. The route through the central courtyard, shown as a public route is unnecessary given there is a public route to the towpath from the south of the block. The defensible space is also poorly considered in areas or lacking, as shown on the south side of the block where the steps to the towpath meet street level. The design team needs to show this block in the context of the wider plans for a new bridge landing - this fundamentally impacts on the layouts and elevation of the block.

- Block R4 – the layout of the block is broadly well considered, however a significant proportion of the flat layouts have significant frontage onto the A12 and limited frontage facing east away from the A12. On a typical floor plan some of the layouts result in all bedrooms being located on the A12 orientation. All units that front the A12 will be double aspect, which is supported, however, the noise and vibration and other environmental considerations, need to be carefully considered as set out later in this report.

Bridges

67 There is no clear definition of size, extent and orientation of bridges. The specifics of these crossing points have a huge impact on the success of the scheme. These should be defined in order to judge whether the surrounding locations are well designed. The technical drawings have been available from the master planners working on Sugar House Lane and therefore need to be integrated into the master plan as a fundamental part of the design solution.

Green/ open space and play space

68 Policy 3.6 of the London Plan sets out that “the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.” The design team need to use the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’ and based on the bedroom size mix to calculate the anticipated child population. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site.

69 The play space strategy is unclear, while the application proposes a number of green spaces throughout the site, officers are concerned about the nature and arrangement of these. There are six spaces which are all of similar sizes, some publically accessible with the others semi private as part of courtyard blocks. This lack of hierarchy has led to a series of spaces without a clear function or use.

70 One larger, more clearly defined open space would be a greater amenity for local people, which could have clear uses and be seen as an attraction to the development. This needs to be considered as part of the reconsideration to the block arrangements to the centre of the site.
Height and massing

71 London Plan policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings, are of particular relevance to the proposed scheme. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor.

72 In general, the application proposes height and massing that is significantly dense and overbearing. Scale is needed in parts of the site, mainly along the A12, to protect the rest of the master plan area, however the current scale of ten stories for block R4 and R5 will damage the human scale being sought elsewhere in the master plan area.

73 London Plan policy seeks to establish clusters of taller buildings. Existing permissions at St Andrew’s Hospital and Tesco’s has established a small cluster of taller buildings emerging at the new District Centre. There are also taller buildings recently approved on the north side of Stratford High Street. The master plan should respond to the emerging context by locating taller buildings towards the south of the site to support plans for a new district centre at Bromley by Bow by grouping density. The approach locating lower buildings along the water edge, facing Sugarhouse Lane, is broadly supported.

Views and historic assets

74 London Plan policies 7.8 to 7.12 set out the strategic approach to the protection and enhancement of London’s rich built heritage including strategic views defined in the London View Management Framework 2011 (LVMF). There are no relevant strategic views in this instance, however, the site is adjacent to the Sugar House Lane Conservation Area (east of the site) and part of the site falls within the Three Mills Conservation Area to the south of the site.

75 In terms of the impacts on the Sugar House Lane Conservation Area, view 9 of the Environmental Statement illustrates the context of the existing conservation area as low scale, industrial. This area will significantly change with the emerging master plan proposals being developed by Land Prop. The view shows the site in the background of the conservation area, beyond which are clear views of Canary Wharf. The impact is shown in wire line form, which given the relationship to the conservation area is broadly acceptable. The image suggests that the proposals would not significantly alter the character or appearance. The tight grain experience remains and the new scheme would be visible in glimpses from within the conservation area.

76 View 16 and 17 of the Environmental Statement are the key tests in terms of the impact on the setting of the listed Mill and the character and appearance of the Three Mills Conservation Area. In both cases there will be a change in the view, which is expected given the site has been identified in all levels of policy for regeneration. It is difficult, however, to fully judge the impact given the views are shown as wire line only given the proposals in this part of the application are in outline. The relationship and impacts on the Three Mills Conservation Area are far greater than the impacts on the Sugar House Lane Conservation Area and therefore the design team need to provide some indication of design quality in both these view in the form of rendering the visual as informed by a design code to demonstrate residential and architectural quality. Whilst the proximity of the buildings does not necessarily harm the ability to view the Mill buildings from certain defined points, the impact on the setting and the character and appearance is unclear. Further work is therefore required to establish the likely impacts.
Architecture

77 The architectural quality of the proposed scheme does not give adequate reference to its neighbouring historic areas of Sugarhouse Lane and Three Mills Conservation area. The choice of materials is generic and does not reflect the rich history industrial heritage, working river location and surrounding historical areas.

78 The overall nature of facade design is overly complex. This has the result of creating a number of small spaces that have the potential to raise security issues. These buildings could be simplified and proud. There are a number of successful schemes that could be drawn upon for lessons in appropriate materials uses in context. Butler's Wharf is an example of a successful response to a working river location, responding the locations rich working heritage with a limited materials palette and simple facades. Similarly, St. Andrew’s development has minimised material use to high quality brickwork with simple, clean detailing – resulting in a strong urban form which can withstand its challenging site. The proposal of using grey composite cladding, creates a generic, low-quality appearance, which does not meet the requirements of London Plan design polices.

Access

79 London Plan Policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion, and requires design and access statements submitted with planning applications to explain how the principles of inclusive design, including the specific needs of disabled people, have been integrated into the proposed development and how inclusion will be managed and maintained. The aim of Policy 7.2 is that proposals aim for the highest standards of accessibility and inclusion (not just the minimum) and that the design process has from the outset considered how everyone, including disabled and Deaf people, older people, children and young people, will be able to use the places and spaces that are proposed safely, easily and with dignity. Furthermore, London Plan policy 3.1 ‘Ensuring equal life chances for all’ establishes that “the Mayor is committed to ensuring equal life changes for all Londoners. Meeting the needs and expanding opportunities for all Londoners – and where appropriate addressing the barriers to meeting the needs of particular groups and communities - is key to tackling the huge issue of inequality across London”

80 The aim of Policy 7.2 is that proposals aim for the highest standards of accessibility and inclusion (not just the minimum) and that the design process has from the outset considered how everyone, including disabled and Deaf people, older people, children and young people, will be able to use the places and spaces that are proposed.

81 The access strategy does not explain the design thinking behind the master plan or demonstrate how the principles of inclusive design, including the specific needs of disabled people have been integrated into the proposed development and how inclusion will be maintained and managed. There are areas of the site which are wholly inaccessible, particularly the complex level changes within courtyards between the home zone and the towpath. These can and need to be designed out through a reconfiguration of the block arrangements described earlier in this report.

82 The design of the landscaping and the public realm is crucial to how inclusive the development is to many people. The buildings should be designed to ensure full and easy access for all users and as set out above should be clearly legible. Connectivity to the surrounding streets and public transport network and bridges is also a key issue that has not been clearly addressed.

83 An access audit of the surrounding streets showing existing and proposed pedestrian links and step free routes would be a helpful way to demonstrate that any barriers to disabled people
have been removed. Ideally, this should be illustrated on a plan. The lighting design is particularly important to create safe and well and evenly light routes through and into the site.

84 Matters regarding the provision of lifetime homes and wheelchair accommodation will need to be conditioned by the Corporation; however further layouts will need to be provided, as identified above, for the outline part of the proposals. Currently only three typical flat layouts are shown in the appendix to the design and access statement.

Residential quality

85 London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3. The Mayor will produce a new Housing SPG (a draft of which was put before the London Plan EIP), on the implementation of Policy 3.5 for all housing tenures, drawing on his London Housing Design Guide, paragraphs 3.37 - 3.39 provides further guidance on indicators of quality that the proposed SPG will cover.

86 Part A of the policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the policy states that new dwellings should meet the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and explanation. In particular paragraph 3.33 states that new housing development should address other the wider concerns of the plan and enhance the environment of London as a whole.

87 The applicant will need to set out the space standards for the proposals and test these against the Mayor’s minimum standards. The number of units accessed off a core should also be limited to a maximum of eight. The applicant should note the requirements of the Mayor’s draft Housing Design Guide and demonstrate compliance with all relevant standards. These standards should be secured and tested in the design code that should comprehensively cover residential quality to inform the detailed design stage.

88 As set out above, the proportion of single aspect units facing the A12 from block R4 is limited. These principles need to be enshrined within the outline application. Single aspect north facing only accommodation should be resisted, again, a principle that needs to be set out as part of a detailed design code. In the cases where double aspect units cannot be provided, the applicant should consider maximising the size of windows and increasing floor-to-ceiling heights to improve residential amenity - these and other design principles need to be established now for the outline stage and for the detail of phase 1.

89 A table comparing the unit types against the various standards, including individual room sizes and storage space, for example, would assist in assessment of this aspect. At present there is a lack of consideration for the case of residential quality.

Blue Ribbon

90 Chapter 7 of the London Plan provides policy guidance regarding the Blue Ribbon Network. Policy 2.27 seeks to support infrastructure and recreation use. The proposals will provide enhanced towpath access along the western edge of the River Lea. There are no safeguarded wharves on the site as defined in the London Plan Implementation Report, however, it is proposed that the British Waterways Free Wharf on the widened towpath at the north end of the site will be retained in accordance with the more general aims of the Blue Ribbon Policy. This is supported, subject to design matters raised regarding creating a robust relationship to the towpath edge and
any comments from Tower Hamlets Council, the Corporation, British Waterways and the Environment Agency. Any comments will be reported to the Mayor should the application be referred back for final determination.

**Noise and vibration**

91 London Plan policy 7.15 Reducing noise and enhancing soundscapes states that the Mayor will, and boroughs should reduce noise by, among other things, “minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals” and that new noise sensitive development should be separated from major sources of noise wherever practicable. The advice contained in Planning Policy Guidance note 24 (PPG24): Planning and noise is also relevant as is the Mayor’s Housing Design Guide which seeks to avoid single aspect north facing units or family sized accommodation or where noise exposure levels reach category C and D.

92 As already set out above, the application site contains several major sources of noise including road traffic noise from the A12 to the west and the A11 to the north. The residential parts of the proposed development will be particularly sensitive to road noise along the western boundary and mitigation is likely to be required. GLA officers are in the process of assessing the noise conclusions in the Environmental Statement with regard to the phase 1 layouts. As set out above the flats in phase 1 show that all units facing the A12 also benefit from an eastern (quieter) aspect. Whilst this is the case, the majority of bedrooms in a typical flat on a typical floor face the A12. In line with London Plan policy 7.15, it is essential to fully explore the sort of design and layout measures to minimise exposure e.g. placing habitable rooms on quieter facades, and only to use sound insulation when design measures alone are unable to achieve acceptable noise conditions.

93 Not all layouts of the blocks have been provided and as set out in the design section the design team need to provide details of example layouts to all other parts of the outline scheme. The location of blocks and the quality of the environment being created must be tested across the whole site. The GLA will continue to scrutinise the current submission and will report again to the Mayor should the application be referred back to him for final determination.

**Air quality**

94 London Plan policy 7.14 ‘Improving air quality’ sets out five objectives, a) to minimise exposure to existing poor air quality, b) promote sustainable design and construction, c) be at least ‘air quality neutral’ and not lead to further deterioration of existing poor air quality, d) ensure that where provision needs to be made to reduce emissions from a development, this is usually made on-site and e) where the development requires a detailed air quality assessment and biomass boilers are included, the assessment should forecast pollutant concentrations.

95 The site is located within an Air Quality Management Area (AQMA). The Environmental Statement considers potential emissions during construction and operation.

96 The assessment notes that the construction impacts have the potential to adversely impact local air quality and as such an Environmental Management Plan sets out the mitigation measures to reduce the impacts to ‘low localised and temporary’. The Statement also concludes that the operational impacts would be ‘low localised’. The impacts need to be discussed in further detail with Tower Hamlets Council and the Corporation and in line with discussion on construction, servicing and delivery. GLA officers will therefore further scrutinise the methodology in the Environmental Statement and may provide further comment in due course.
Biodiversity

97 London Plan policy 7.19 ‘Biodiversity and access to nature’ requires development proposals to a) make positive contribution to the protection, enhancement, creation and management of biodiversity, b) priorities assisting in achieving targets in biodiversity action plans, c) not adversely affect the integrity of European sites and be resisted where they have significant adverse impacts on European or nationally designated sites or on the population or conservation status of a protected species, or a priority species or habitat identified in a UK, London or appropriate regional biodiversity action plan or borough action plan.

98 There appears to be very limited commentary on matters regarding the impacts on biodiversity arising from the development. Given the waterside location is likely to have created a range of habitats, the applicant needs to provide commentary on any areas of status and commentary regarding impact on any identified or protected species.

Climate change mitigation

Energy efficiency

99 A range of passive design features and demand reduction measures are planned to reduce the carbon dioxide emissions of the proposed development. Both air permeability and heat loss parameters are envisaged to be improved beyond the minimum backstop values required by building regulations. Other potential features include energy efficient lighting and low specific fan power. The demand for cooling will be minimised through shading features and the use of thermal mass. The applicant should confirm that the development will exceed the 2010 Building Regulations Target Emissions Rate through energy efficiency alone.

District heating

100 The applicant identified a number of heat networks within the surrounding area, the largest and most significant being the Olympic Park heat network. The applicant has engaged in discussions with Cofely, the operators of the Olympic Park heat network. Connection to this heat network should be prioritised and evidence of recent correspondence with the network operator should be provided. A reduction in regulated carbon dioxide emissions of approximately 645 tonnes per annum (24%) would be achieved through connection to the Olympic Park heat network, if this can be secured.

101 In order to facilitate future connection to external district heating, the applicant should confirm that all dwellings and non-domestic building uses will be supplied by a site wide heat network. It should be confirmed that this will supply heat for space heating, as well as domestic hot water. A drawing showing the route of the heat network within the development should be provided.

102 The applicant should also confirm that the site heat network will be fed from a single energy centre and provide the location and floor area. The applicant should also confirm that heat connection equipment, for example heat exchangers, will be installed in the energy centre to enable connection to the external district heating network. The heating systems proposed must be capable of future connection to a heat network.

Combined heat and power

103 The applicant has investigated the feasibility of on-site combined heat and power, however, this is not proposed. In line with the hierarchy, the applicant should prioritise connection
to the Olympic Park heat network, ahead of other heat and power sources including on-site combined heat and power. For the avoidance of doubt, a site-wide heat network is required in this instance.

Renewable energy

104 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install air source heat pumps (ASHP) in each dwelling with refrigerant shared between groups of ten dwellings. The ASHP would provide space heating and contribute to domestic hot water (DHW), with electric heating used to top-up DHW requirements. Such a system is not compatible with connection to a district heating network and is inconsistent with the energy hierarchy as set out in London Plan 5.2 and 5.5.

105 The applicant should adopt a heating system which is compatible with connection to a district heating network as outlined above. In addition to the above, 40 sq.m. of photovoltaic panels are proposed for the commercial element in Phase 1 with additional provision considered for the later phases. The applicant should provide roof drawings showing the potential locations for photovoltaic panels.

Overall carbon savings

106 Taking into account the comments above, the applicant should provide an estimate of the regulated carbon dioxide emissions of the development after the cumulative effect of energy efficiency measures, district heating and renewable energy has been taken into account. The applicant should also provide an estimate of the overall carbon dioxide savings, expressed in tonnes of carbon dioxide per annum and percentage terms, compared to a 2010 Building Regulations compliant development.

Summary

107 The energy strategy needs to be fundamentally revisited in terms of the approach which is driven by a renewable energy led strategy which draws on electric heating technologies. The first principles approach to minimising energy has been broadly followed, however the strategy to identify and test existing networks and propose technologies which safeguard future connection has been wholly disregarded. The strategy is inconsistent with the energy policies in the London Plan.

Climate change adaptation

108 The London Plan promotes key adaptation principles in Chapter 5 that promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects; minimise solar gain in summer; contribute to flood risk reductions, including apply sustainable drainage principles; minimise water used; and protect and enhance green infrastructure and urban greening. Specific policies cover overheating, urban greening, living roofs and walls and water.

109 Policy 5.11 of the London Plan seeks the incorporation of living roofs and walls where feasible. Policy 5.13 seeks to ensure that surface water run-off associated with a proposed development is managed as close to its source as possible, and sets out a hierarchy of preferred measures to achieve this. All roofs should be ‘living roofs’ of an appropriate type in line with London Plan Policy 5.11 unless other policy requirements or legitimate technical barriers prevent this.
Policy 5.15 of the London Plan seeks to ensure that new development has proper regard to the impact of those proposals on water demand and existing capacity by minimising the use of treated water and minimising rainwater-harvesting opportunities. Measures to manage the run-off from the development should be specified within the design and access statement and the development should incorporate rainwater harvesting and sustainable drainage. A water strategy detailing how the proposal addresses the hierarchy of policy 5.13 should also be provided.

London Plan policy 6.13 seeks 20% of all new car parking spaces to be fitted with charging points. The applicant should therefore provide charging points as part of the application.

The adaptation strategy is also unclear and needs to be linked to other policy areas including biodiversity and nature conservation. Living roofs should be conditioned by the Corporation and water management strategy needs to be established for the whole site. From the Environment Agency’s current flood map the majority of the site is located within a Flood Zone 1 (low probability) which is considered to have less than a 1 in 1000 chance of river or sea flooding in any one year. There is a small area of Flood Zone 2 (medium probability), with the balance of the site indicated to be in a Flood Zone 3a (high probability) with a 1 in 100 year or greater annual possibility of river flooding. With the exception of the area at the northern tip of the site, most of the Flood Zone 3a area is protected by flood defences. Whilst this is the case GLA officers will report comments from the Environment Agency to the Mayor should he be required to make a decision at the final determination stage.

Transport comments

Car parking

For the detailed proposals, TfL notes that 64 parking spaces will be provided for the residential use (0.28 spaces per unit). The commercial element will be car free, save for two disabled bays located in the layby adjacent to Hancock Road. Given the moderate accessibility of this part of the site and that parking levels are comparable to those agreed for the scheme south of Three Mill Lane, this is considered reasonable in line with London Plan policy 6.13. Similarly, provision for the outline scheme is considered acceptable with 145 residential spaces proposed for 565 dwelling (0.27 spaces per unit). The provision of 27 spaces for the car dealership and 3 disabled spaces only for the commercial floorspace is also considered acceptable. In order to minimise vehicular trip generation, TfL requests that there shall be a section 106 obligation to restrict occupier access to parking permits.

TfL welcomes the applicant’s commitment to develop a car parking management strategy. In order to encourage the use of more sustainable modes, the strategy could be based on the proviso that the residential spaces would be leased or rented rather than allocated and sold with a particular dwelling. Tower Hamlets Council has recently adopted a permit transfer scheme for some residents who will occupy larger dwellings. As this may affect the uptake and parking levels in on street locations nearby, the strategy may need to reflect this. The provision of two car club spaces with the detailed phase is welcomed as overall; there will be nearly 800 dwellings on the site. The car parking management strategy and car club spaces should be secured by the local planning authority through a section 106 agreement or condition as appropriate. In order to comply with London Plan policy 6.13 ‘Parking’, 1 in 5 of the residential spaces (both active and passive) should provide an electrical charging point. 10% of all parking spaces should be designated for use by disabled persons.
Trip generation

115 The revisions to the transport assessment including the use of more representative survey data to assess the likely trip generation and mode share is welcomed. A more robust assessment of the predicted bus trips should however, include the number of trips in both directions in the peak hour as there are currently two routes that serve the site; 108 (southbound) and 488 towards Dalston and serving Bromley by Bow station. Depending on the results of any revisions to the assessment of bus trips, TfL may seek a contribution towards additional capacity in accordance with London Plan policy 6.2.

Highway impacts

116 The highway impact of the detailed and outline proposals have been considered separately. The detailed phase has been considered against the current highway network. The predicted additional vehicular flows have been compared with the estimated flows that have been agreed for the ongoing modelling work in connection with the proposed all movements junction at Three Mill Lane. The results indicate that this phase would only have a minor impact on Hancock Road and therefore the all movement junction would not be required in order to mitigate the vehicular flows in line with London Plan policy 6.3.

117 The outline phase, with the detailed phase of the scheme is being assessed using the VISSIM highway model that is being developed in support of the proposals for the adjacent developments at Bromley by Bow South, including the all movements junction to the A12. The development of the modelling is ongoing and will be subject to a separate report to TfL. In order to ensure that this phase of development can be satisfactorily accommodated on the strategic highway network, implementation must be linked to the delivery of the all movements junction. This links into the wider comments set out in this report regarding the need to ensure a comprehensive approach to development.

Cycle parking

118 The provision of 1,227 cycle spaces across the masterplan area is generally welcomed in accordance with the minimum standard set out in London Plan policy 6.13. Clarification is required however, with regard to the number of spaces for the detailed element of the scheme in respect of the mix of units. Details of their specific location as well as access and security measures should be provided to enable TfL to confirm that provision is acceptable. The applicant should also clarify whether passive provision will still be made for a cycle hire docking station close to Three Mill Lane. Any such provision should be secured through the planning process, along with a contribution towards its future implementation.

119 In addition, TfL welcomes the proposed set down space for the proposed cycle/pedestrian bridge. It is noted however, that it will only be delivered with the outline phase of the scheme and therefore conditions for cyclists are not proposed to improve to support the detailed scheme.

Pedestrians

120 TfL supports the elements of the scheme that will improve conditions for walking in accordance with London Plan policy 6.10. However, it is noted that most of the improvements will only be realised with the outline scheme or as a result of the delivery of an all movements junction. This needs to be considered in terms of the principle of comprehensive development as previously raised elsewhere in this report. TfL nevertheless welcomes the advice that all footways will be at least two metres wide. The provision of a shared pedestrian and cycle path adjacent to the River Lea is supported as it will improve permeability and links to the proposed district centre to the south. The configuration of the proposed buildings should ensure natural surveillance to this route.
and therefore the comments in the design section need to be taken forward regarding block arrangements and treating the towpath edge. The improvements to the east side of Hancock Road that have been identified in the PERS assessment should be secured through the section 278 agreement.

121 In order to improve wayfinding the scheme should promote the ‘Legible London’ initiative in accordance with London Plan policy 6.10. This will be particularly relevant with the provision of a pedestrian and bus bridge link to the Sugar House Lane area to the east.

**Buses**

122 In order to enable the bus network to be improved with the future delivery of an all movements junction and a bus/pedestrian bridge to Sugar House Lane, TfL welcomes that the scheme will make provision for a bus stand close to the proposed bus bridge. This should be required by planning condition and all necessary infrastructure should be secured through the section 106 agreement. In addition, TfL welcomes the advice that layout of blocks S1 to S4 will be to adoptable highway standard to enable a bus to be routed through the site and in accord with London Plan policy 6.7.

**Underground**

123 The transport assessment predicts that the entire scheme will generate 173 additional two way trips in the morning peak and 127 two way trips in the evening peak on the underground. Whilst the assessment concludes that this would not be significant by itself, when taken with other planned development within the walking catchment area of Bromley by Bow underground station it will place considerable additional demand on the capacity and circulation space within the station. TfL is considering proposals to upgrade this station and will request a contribution from this development to be pooled with other developments. This approach is consistent with the Lower Lea Valley Opportunity Area Planning Framework and London Plan policy 6.1. The framework identifies, amongst other things, priority for transport contributions towards Bromley by Bow station improvements to improve access, improve the interchange and create additional capacity. TfL expects to secure a contribution comparable to that recently secured from the other nearby developments in the Bromley by Bow area.

**Travel plan**

124 In order to manage travel demand in accordance with London Plan policy 6.1, TfL welcomes the submission of a framework travel plan. Further information is required in relation to phasing of the development, a commitment to carrying out surveys including servicing and deliveries, and how the travel plan will be funded. It should also a section on the management of service and delivery trips in accordance with London Plan policy 6.14. In addition, TfL supports the submission of a Construction Environmental Management Plan (CEMP). The travel plans should be secured, and monitored through the section 106 agreement.

125 TfL acknowledges that the detailed element of the scheme has been designed and assessed on the basis that it can be delivered prior to any wider improvements including the all movements junction at Three Mill Lane. The delivery of the outline phase however, appears to be supported by the accessibility improvements resulting from the all movement junctions, the realignments of Three Mill Lane and as such it makes provision for improved bus and pedestrian routes.

126 Given the current uncertainty that the scheme at Bromley by Bow South will be realised in their current form, TfL considers that both the outline proposals and phase 1 must be supported by an alternative package of accessibility improvements, should the all movements junction not be delivered. These improvements could include but are not limited to; bus turning provision within
the site, pedestrian and cycle improvements and upgrades to the existing subway under the A12. TfL welcomes further discussion about this matter.

**Summary**

127 In summary, TfL supports the proposed development in principle, however further discussions are required in order to identify the appropriate mitigation to support the outline and detailed phases of development.

**Community Infrastructure Levy**

128 In accordance with London Plan policy 8.3, the Mayor of London proposes to introduce a London-wide Community Infrastructure Levy (CIL) that will be paid by most new development in Greater London. Following consultation on both a Preliminary Draft, and then a Draft Charging Schedule, the Mayor has formally submitted the charging schedule and supporting evidence to the examiner in advance of an examination in public. Subject to the legal process, the Mayor intends to start charging on **1 April 2012**. Any development that receives planning permission after that date will have to pay, including:

- Cases where a planning application was submitted before 1 April 2012, but not approved by then.
- Cases where a borough makes a resolution to grant planning permission before 1 April 2012 but does not formally issue the decision notice until after that date (to allow a section 106 agreement to be signed or referral to the Secretary of State or the Mayor, for example).

129 The Mayor is proposing to arrange boroughs into three charging bands with rates of £50/£35/£20 per square metre of net increase in floor space respectively (see table, below). The proposed development is within the London Borough of Tower Hamlets where the proposed Mayoral charge is £35 per square metres. More details are available via the GLA website [http://london.gov.uk/](http://london.gov.uk/).

130 Within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time, borough CIL charges for Redbridge and Wandsworth are the most advanced. The Mayor’s CIL will contribute towards the funding of Crossrail.

<table>
<thead>
<tr>
<th>Mayoral CIL charging zones</th>
<th>London boroughs</th>
<th>Rates (£/sq. m.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone 1</td>
<td>Camden, City of London, City of Westminster, Hammersmith and Fulham, Islington, Kensington and Chelsea, Richmond-</td>
<td>£50</td>
</tr>
<tr>
<td></td>
<td>upon-Thames, Wandsworth</td>
<td></td>
</tr>
<tr>
<td>Zone 2</td>
<td>Barnet, Brent, Bromley, Ealing, Greenwich, Hackney, Haringey, Harrow, Hillingdon, Hounslow, Kingston upon</td>
<td>£35</td>
</tr>
<tr>
<td></td>
<td>Thames, Lambeth, Lewisham, Merton, Redbridge, Southwark, Tower Hamlets</td>
<td></td>
</tr>
<tr>
<td>Zone 3</td>
<td>Barking and Dagenham, Bexley, Croydon, Enfield, Havering, Newham, Sutton, Waltham Forest</td>
<td>£20</td>
</tr>
</tbody>
</table>
Local planning authority's position

Neither Tower Hamlets Council nor the Corporation have expressed a position on the case at this stage.

Legal considerations

Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Corporation must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Corporation under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

There are no financial considerations at this stage.

Conclusion

London Plan policies on employment, housing, affordable housing, climate change, energy, noise, biodiversity, air quality and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Principle of development: (non-compliant) The managed release of industrial employment land is broadly accepted in strategic terms and having regard to strategic and local policy guidance, further discussion may be required regarding the Market Report. The phasing strategy and approach to delivery is however unclear and does not meet the strategic objective to delivery comprehensive development in an appropriate manner.

- Affordable housing, tenure split, bedroom size mix and density (non-compliant): The housing offer needs clarification in terms of the bedroom size mix by tenure. The quantum may require independent review. The approach to deliverability of social rented affordable housing without grant funding may also need reconsideration along with the mix of family units. The density exceeds the guidance within the London Plan.

- Urban design and access (non-compliant): The report identifies some detailed design matters that require further consideration, including further work on block arrangements, layouts, access and residential quality. The views testing also needs further consideration; the quality of design (appearance) is also a concern. The design team also need to establish a design code to ensure a set of design principles are crystallised to inform the detailed design stages. The playspace strategy should also be confirmed.

- Noise and vibration (non-compliant): requires further scrutiny by the GLA along with draft flat layouts.

- Air quality (non-compliant): requires further consideration as part of ongoing discussions.

- Biodiversity (non-compliant): requires further consideration as part of ongoing discussions.
• Blue Ribbon Network (compliant): the aspirations to make enhancements along the towpath are supported along with the retention of the wharf.

• Climate change mitigation (non-compliant): Consideration of existing heat networks should be a key priority. The current strategy is incompatible with the emerging network and needs to be reconsidered.

• Climate change adaptation (non-compliant): Further consideration is required regarding flooding adaptation measures.

• Transport (non-compliant): A number of issues need to be resolved including matters regarding trip generation, highway impacts, pedestrian and cycle contributions other public transport and capacity contributions and the need for various mitigation strategies including travel plan, construction, delivery and servicing plans.

On balance, the application does not comply with the London Plan.

The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

• Principle of development: Further discussion may be required regarding the Market Report. The applicant needs to set out a phasing strategy which does not result in the delivery of piecemeal plots in isolation. Development of phase 1 on its own merits needs to be acceptable in planning terms.

• Affordable housing, tenure split, bedroom size mix and density (non-compliant): The housing offer needs clarification in terms of the bedroom size mix by tenure. The quantum may require independent review. The approach to deliverability of social rented affordable housing without grant funding may also need reconsideration along with the mix of family units. The density exceeds the guidance within the London Plan and needs to be justified.

• Urban design and access: The applicant should consider the matters identified in this report including reconsideration of the block arrangement, layouts, access and residential quality having regard to the Mayor’s space standards set out in the London Plan and the guidance within the Mayor’s draft Housing Design Guide. Further material should also be provided regarding the appearance of the proposals (townscape and heritage impacts) and a set of floor plans should also be provided to allow further scrutiny in particular regarding accessibility and interaction with the street and noise impacts. The provision of a single larger open space should be considered as part of the block arrangement testing. This links into the playspace strategy which should also be confirmed based on the housing mix.

• Noise and vibration: Further detail regarding flat layouts should be provided in the outline elements of the proposals to test against the noise impacts arising from the A12.

• Air quality: GLA officers will continue to scrutinise this policy area in discussion with the Council and may provide further comment.

• Biodiversity: GLA officers note that there is limited commentary or analysis regarding area status and presence of protected species. Further work is therefore required.

• Climate change mitigation: The applicant should consider the matters identified in this report in particular the priority to link to existing heat networks. The applicant should also verify the overall carbon dioxide savings to inform the requirement for further saving contributions in the form of renewable energy technologies.

• Climate change adaptation (non-compliant): The advice from the Environment Agency and Tower Hamlets Council is required in order to allow further consideration regarding
flooding. Appropriate conditions should be secured regarding living roofs and water management.

- Transport (non-compliant): A number of issues need to be resolved including trip generation, highway impacts, pedestrian and cycle contributions, other public transport and capacity contributions, and the need for various mitigation strategies including travel plan, construction, delivery, and servicing plans.

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