

VCR: Joynal Ahmed
Date: Wednesday, 27 April 2016
Location: Chamber, City Hall
Hearing: Former Westferry Printworks Representation Hearing

Start time: 10.01am
Finish time: 12.15pm

Speakers:

Sir Edward Lister, Deputy Mayor for Policy and Planning
Dawn Blackwell, Legal Manager - Planning and Highways, Transport for London (Legal Adviser)
Jonathan Finch, Senior Strategic Planner, Greater London Authority (Case Officer)

Paul Buckenham, Development Manager, Tower Hamlets Council

David Chesterton, Ward Councillor, London Borough of Tower Hamlets (Objector)
Andrew Wood, Ward Councillor, London Borough of Tower Hamlets (Objector)
Martin Young, Chair, Docklands Sailing and Watersports Centre Trust (Objector)
Leila Moore, on behalf of Docklands Sailing and Watersports Centre (Objector)

Gordon Breeze, Principal Consultant, Building Research Establishment

Jonathan Marginson, Planning Director, DP9 (on behalf of the Applicant)
Martyn Prince, Wolfson Unit, University of Southampton (on behalf of the Applicant)

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Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you very much for coming along to this particular Representation Hearing regarding the Westferry Printworks. My name is Edward Lister and I am the Deputy Mayor for Policy and Planning. I have been delegated by the Mayor to take this particular planning decision and those powers have been delegated to me by the Mayor under the Town and Country Planning Act 1990. Now, I think I am right. Dawn, you will go through the process, will you?

Dawn Blackwell (Legal Manager, Planning and Highways): Yes, thank you. My name is Dawn Blackwell. I am the Legal Adviser to the Deputy Mayor for Policy and Planning and the Greater London Authority (GLA) officers today. We are following an agenda and I hope you all have a copy of that. If you do not, the agenda, a copy of the case officer's report and the addendum report are on the desk by the entrance to the Chamber.

The Deputy Mayor carried out a site visit last Friday, 22 April 2016, and he was accompanied by officers, representatives from Tower Hamlets Council and the applicant. The site visit was conducted in accordance with the GLA's procedure for Representation Hearings and no representations were made to the Deputy Mayor during that visit.

Today all speakers have been given an allotted time in which they can make their representations and that is set out in the agenda. Could I just ask, when it is your turn to speak, please come forward to the table and could you please clearly introduce yourselves, because we are producing a transcript of the proceedings? Everyone who speaks will be notified they have 30 seconds just before their time runs out. When speakers have finished addressing the Deputy Mayor, there will be no further opportunity to speak unless the Deputy Mayor asks a direct question. If a member of the public interrupts the hearing at any point, the Deputy Mayor will warn them and may order their removal from the Chamber.

Having heard all the representations today, the Deputy Mayor may decide he is able to make the decision regarding the planning application today. However, if the Deputy Mayor decides he needs more time to consider the application, he will make the decision within five working days of today and that decision will be posted on the GLA website.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you, Dawn. The first person who is going to speak is Jonathan Finch from the GLA, who is the case officer. Jonathan, will you explain the scheme?

Jonathan Finch (Senior Strategic Planner, Greater London Authority): Thank you, Deputy Mayor, and Dawn. For the purpose of the record, my name is Jonathan Finch and I

am a strategic planner here at the GLA. The content of this presentation will set out the application site, its surroundings and the spatial planning policy context. I will then run through a description of the site, its existing buildings and context, the relevant case history, the proposed development itself, the response to public consultations, Tower Hamlets' stated reasons for refusal, work to determine the application, the key issues which the Deputy Mayor must consider and finally the recommendation to the Deputy Mayor. I would also like to draw your attention to the fact that there is an addendum report, which hopefully everyone has collected on their way in.

Starting with the site, its surroundings and spatial policy context, the large site highlighted in red is located at the northern bank of the Millwall Outer Dock on the Isle of Dogs in the London Borough of Tower Hamlets. The site records a good rating in terms of access to public transport, with access to three bus routes on Westferry Road and Crossharbour, Docklands Light Railway (DLR) station to the east being the nearest station. This view looking north across the Isle of Dogs shows the site outlined in red in its wider development context and its location on the north bank of the Millwall Outer Dock. The mix in building scales can be seen here, showing the lower scale of residential development immediately to the north of the site along Tiller Road, which ranges from two to ten storeys in height, a predominantly four-storey scale of residential development to the south of Millwall Outer Dock and the general increase in scale towards the large-scale office development at Canary Wharf.

This view also clearly shows the location of the Docklands Sailing and Watersports Centre in the northwest corner of the dock, or to the top left corner of the dock, as shown on the picture. This is a bird's-eye view of the site looking north. Here you can see the scale and massing of the existing printworks building and its current relationship with the existing street network. Looking at the plan view, we can see that the application site is bounded to the south by Millwall Outer Dock to Greenwich View Estate to the east, Westferry Road to the west and by the residential properties at Omega Close, Starboard Way, Tiller Road, Claire Place and Caravel Close to the north. Millharbour links the site to the northeast and Millwall Dock Road also links to the northern boundary at the northwest corner. It is also possible to reach the northern boundary from Starboard Way via a small car park.

Over the next few slides, I will take you through the existing site and its context in more detail. In this view from the southwest corner of the dock, you can appreciate the scale and massing of the existing printworks building, which is approximately four storeys tall. The building was constructed in 1984 as the Daily Telegraph Printing and Publishing Works. To the far right of the image, you can see the Greenwich View Estate development, which comprises a data centre and industrial uses. This is another view of the existing buildings from the southern side of the Dockside Walkway looking towards the existing printworks; this is a view from within the site looking east along the southern boundary parallel to the existing northern Dockside Walkway.

Now we will move around the immediate context of the site. The former Westferry Printworks is a secure site accessed from Westferry Road. The image at the top is from the outside of the existing Arnhem Wharf Primary School and shows the approach to the site

from the north and northwest corner. It is currently used as a car park. The image to the bottom right shows the current secure entrance to the site. In this image you can also see the existing historic dock cranes, which mark the northern edge of the dock, and to the far right of the image you can see the rear of the Docklands Sailing and Watersports Centre. The dock cranes are outside of the application boundary. Moving to the eastern side of the site, this view shows the existing secondary entrance to the printworks at the southern end of Millharbour and next to the entrance to the Greenwich View Estate. This access is also secure, but is not currently used and is overgrown.

The next few slides show the existing residential developments that adjoin the site boundary to the north. This is Omega Close, which is located on the south side of Tiller Road. It is a three-storey residential development whose rear gardens adjoin the site boundary to the north. To the middle right of the image, you can see the existing printworks building above the rendered white building on Starboard Way. The image at the bottom is taken from the Northern Circulation Road within the application site and demonstrates the existing relationship between these properties and the northern site boundary. This image from further along Tiller Road down Starboard Way shows the ten-storey Kedge House residential building, which along with Winch House - outside of the image to the left - and 1 to 20 Starboard Way, the four-storey white rendered building to the rear, form outlying parts of the Barkantine Estate. In the middle of the view, you can clearly see the rear of the existing printworks building. Again, the image at the bottom is taken from the Northern Circular Road within the application site and demonstrates the existing relationship between these properties and the northern boundary.

Moving close to the site boundary, this view from Starboard Way looking west shows the existing Tiller Road Leisure Centre to the right and the Barkantine District Heating Centre, which is the white building to the left. Immediately to the left, you can see the existing retaining wall which runs along the northern site boundary. Again, here you can also see the rear of the existing printworks building. This is Claire Place on the south side of Tiller Road, which consists of 79 two-storey red brick houses that were built in the mid-1980s. The image at the bottom demonstrates the existing relationship between these properties and the northern boundary of the site. This slide shows a view outside the Docklands Sailing and Watersports Centre looking south towards to the Quay View Apartments on the southern bank of the dock.

We will now look briefly at the relevant spatial policy context. The site falls within the Isle of Dogs Opportunity Area, as identified in the London Plan. The London Plan states that an Opportunity Area is capable of accommodating at least 10,000 new homes and 110,000 jobs up to 2031. Proposed transport investment, including Crossrail 1, will help the area to accommodate this growth. The site is located in the south of the Isle of Dogs and is not identified for employment use within the London Plan. In order to successfully deliver the strategic housing and employment aspirations for the Opportunity Area, the London Plan sets out that it will be necessary to deliver the social and physical infrastructure to support this very significant scale of growth, and in order to deliver sustainable development GLA officers are working with the Council to deliver an Opportunity Area Planning Framework (OAPF) for the Isle of Dogs, although this document has not yet been consulted on.

At the local level, the Tower Hamlets Managing Development Document under site allocation 18 allocates the Westferry Printworks site for a comprehensive mixed-use development required to provide a strategic housing development, a secondary school, publicly accessible open space and expanded leisure facilities, a district heating facility where possible and other compatible uses. It also sets out a number of design principles requiring development to respond to the existing character, scale, height, massing and urban grain of the surrounding built environment and its dockside location. In particular, it encourages development to provide family homes, to locate public open space adjacent to the Millwall Outer Dock that is suitable for sport and recreation, improve pedestrian and cycling connections aligned to the existing urban grain, to improve permeability and legibility and to improve public realm at the site edges, specifically along Westferry Road and Millharbour.

As set out in detail in the hearing report, the site also lies within a number of strategic views from Maritime Greenwich, Blackheath and London Bridge, in addition to appearing in the setting of the Maritime Greenwich World Heritage Site. This slide shows the application site in relation to local conservation areas, the closest being the Chapel House conservation area to the south of the Isle of Dogs. This is marked as number 3 on the image. There are no listed buildings within the application boundary. The closest listed building is the grade 2 listed former St Paul's Presbyterian Church some way to the south of the site along Westferry Road, as approximately marked on the slide.

I will now take you through a brief planning history of the application site. As previously mentioned, the existing printworks building was originally constructed in the mid-1980s. Since then a series of planning applications and temporary consents have been granted to extend the printworks and for additional Portakabin offices. In 2013, a certificate of lawful existing use or development was granted by the Council. Following extensive pre-planning application discussions with the Council and the GLA, the current application was formally validated by the Council in August 2015. The applicant submitted amendments to the application in December 2015 in order to respond to the consultation responses. The scheme amendments included a reduction in the number of residential units from 737 to 722 units, the revised tenure split for the affordable housing component and amendments to the residential layout in order to reduce the number of residential units sharing a core, the proportion of single-aspect units and to improve daylight and sunlight. In addition to the above, the basement was reduced in size, reducing the level of car parking by 130 spaces. The basement ventilation strategy was revised, as was the proposed service water drainage strategy and associated landscaping amendments. These amendments form the planning application being considered here today.

Having now provided some background and context to the application site, I will move on to the current proposal. The proposals involve the comprehensive redevelopment of the site, involving the demolition of the existing printworks to provide a residential-led mixed-use development ranging in height between four and 30 storeys, to provide 722 new homes, including 140 Affordable homes, which equates to 20% based on habitable rooms, approximately 2,200 square metres of flexible commercial floor space, 1,500 square metres of retail restaurant space and 950 square metres of community floor space for use as a community centre, crèche and health centre. The proposals will provide 1.95 hectares of

public open space, including three new parks, including formal and informal play spaces and the provision of a new dockside promenade, in addition to 253 car-parking spaces, cycle spaces and associated servicing and other public realm works.

This is a ground-floor plan depicting the different land uses proposed. The green marks the school site and the proposed layout, the yellow represents the new dockside restaurant uses, the pink represents the commercial floor space and the blue and purple spaces represent community uses. The orange areas identify the proposed residential entrances to the new units above. This slide provides an indicative view of the proposed ground floor uses and their relation to new public routes and public realm running through the site. You can see that the scheme integrates into the existing street layout, improving local permeability, and introduces a significant amount of commercial active frontages, as shown by the areas in blue, yellow and orange. This also clearly highlights the three new public open spaces referred to as West Plaza, Boulevard Gardens and East Park. This image illustrates the proposed massing of the development, which ranges from four to 30 storeys in height and the proposed appearance of the new buildings. This image shows an indicative pedestrian view from the main entrance to the site adjacent to the proposed community centre looking southeast across the West Plaza towards the dock and east along the new east to west route through the site.

We will now look at a summary of the responses to the consultation process. The full details of consultation responses and representations are included within the hearing report and addendum. In addition to the Council's statutory and public consultation, the Mayor also carried out a further consultation on new environmental information from 21 March to 13 April 2016. For the benefit of this presentation, all of the responses have been summarised under each group. I will begin with the Mayor's initial representations of 20 October 2015 in respect of the application. These concluded that given the site's context within the Isle of Dogs and South Opportunity Area, the site's local designation and the strategic priority afforded to housing, the principle of the housing-led redevelopment of the site was supported, furthermore that the school, public open space and community uses will ensure the delivery of key infrastructure within the Isle of Dogs that responds positively to strategic requirements and the priorities of the Council's site designation, and as such is strongly supported. A number of strategic planning issues were identified as needing to be addressed before the application could be recognised as being compliant with London Plan policies. As discussed previously, following these representations and other consultation responses, the application was amended in December 2015.

Here are the responses from statutory consultees. Historic England acknowledged that the proposed development would be visible from the Maritime Greenwich World Heritage site, from the grade 2 listed St Paul's Presbyterian Church and London View Management Framework (LVMF) viewpoint 11B.1 from London Bridge towards Tower Bridge, but it considered that the impact on these views would not be significant as to warrant concerns. Historic England Archaeology raised no objections but requested a condition to be included to address any archaeological impacts. The Environment Agency raised no objection due to the site's position being established behind established flood defences and was satisfied with the submitted flood risk assessment. Natural England raised no objection and set out that the application was not likely to result in significant impact on statutory designated conservation

sites or landscapes. The Port of London Authority made no objections but requested that further consideration be given to the use of the river bus and appropriate conditions be secured to require this. The Canals and River Trust made no objections but requested a small contribution towards dockside enhancements. They have also written to the Mayor supporting the provision of a new pontoon with the dock. The National Air Traffic Safeguarding and London City Airport made no objections subject to conditions requiring a crane management plan to be approved. Thames Water raised no objections subject to conditions regarding drainage strategy, water supply, infrastructure and impact piling. National Grid raised no objection, but advised that it had apparatus in the vicinity of the site. Network Rail in the Royal Borough of Greenwich raised no objections.

I will now summarise the representations from other organisations and groups. The Docklands Sailing and Watersports Centre will make verbal representations to the Deputy Mayor shortly after my presentation concludes. However, in summary, the Docklands Sailing and Watersports Centre object to the current design due to its potential significant impact on the sailing conditions in the dock. It would render sailing conditions difficult for novice sailors. The Docklands Sailing and Watersports Centre appreciate the socio-economic benefits of the scheme, but seeks revised design that has less impact on wind conditions, as demonstrated in updated wind modelling. Should the current scheme be approved, it would seek appropriate mitigation that would fund the physical and financial infrastructure to enable sailing and watersports to continue on the dock when conditions are difficult, in addition to compensation against lost revenue as a result of the reduced sailing quality so it can continue its charitable programmes. The Royal Yachting Association (RYA) generally supports the Docklands Sailing and Watersports Centre's objections and emphasised its role as a valuable inner city sailing and watersports venue that provides significant education, personal and health benefits through its charitable programmes. The RYA welcomed the updated wind assessments and recognised that significant realignment of the buildings would have much less impact on sailing conditions, although it was not clear how appropriate mitigation could be secured, given the analysis to date.

Councillor Dave Chesterton will make verbal representations to the Deputy Mayor shortly. Councillor Chesterton is concerned that development will have a significant negative and potentially terminal impact on the use of the dock for recreational watersports and the current development would make it difficult for novice sailing, prevent training and reduce the appeal of sailing at this location. This would in turn have impacts on revenue used for charitable programmes. He strongly encouraged further work to develop a design with less impact, as demonstrated in the most recent wind assessments, as he believes it is not possible for the Docklands Sailing and Watersports Centre to reconfigure its operations to counter the impact. He emphasised that the dock is a principal open space in the Isle of Dogs and that no development should diminish its use.

Councillor Wood will also make verbal representations to the Deputy Mayor shortly. He has also raised significant concerns over the potential impact on the sailing conditions in the dock, particularly on novice sailors, and has urged the Mayor to require a design that has no material impact. He has given support to the proposed massing of option 5 of the latest wind tunnel tests, which demonstrate significantly less impact compared to existing conditions. I

will discuss this option later on in my presentation. In addition to sailing impact, Councillor Wood has requested that the school times be staggered with the Arnhem Wharf Primary School opposite the site entrance, a link to Tiller Leisure Centre be provided, an increase in affordable housing onsite and that the community centre should be suitable for Muslim worship, in addition to raising some concerns over local transport impacts.

In response to the initial consultation, Tower Hamlets Council received 50 responses from members of the public and local residents. Forty-nine of these were in objection to the proposals and one was in support. Following the Mayor's decision to call in the application, a further consultation was undertaken on receipt of additional environmental information. A further eight responses were received, including two further comments of support. In addition, the Docklands Sailing and Watersports Centre submitted a petition to the Mayor of London raising its concerns with the impacts of the proposal on sailing conditions in the dock. At the time of preparing this presentation, the petition had gained 998 signatures.

A summary of the key points of objection from both stages of the consultation process is listed here on this slide and further detail is provided in the hearing report. They include concerns over the height and scale of the development, the impact on local views, daylight, sunlight and privacy, the level of affordable housing, the impact on sailing in the dock, traffic and congestion and strain on public transport. The key points raised in support were the provision of the new school is supported and the provision of a new community centre and other community facilities are welcomed as part of the development.

Moving on to Tower Hamlets' reasons for refusal, on 12 April 2016 the Tower Hamlets Strategic Development Control Committee considered the proposed scheme and subsequently advised the Mayor that were it able to determine the application itself, it would have refused the application on the following grounds. Full reasons are set out in the hearing report. Firstly, the Council considered that it had not been satisfactorily demonstrated that the proposed development would not place the important Docklands Sailing and Watersports Centre in jeopardy due to adverse effect on the wind climate in the northwest corner of the Millwall Outer Dock, with resultant conditions being unsuitable for young and novice sailors. Secondly, the affordable housing offer of 11% within the proposed development failed to meet the minimum requirement of Tower Hamlets' local plan, is not financially justified and would fail to provide an adequate amount of housing to meet targets. It is important to note that this reason for refusal was made prior to the increased affordable housing of 20%. However, as will be discussed later on, the Council, on the basis of its consultants' advice, still maintains objections to the revised affordable housing offer.

In light of the consultation comments and the Tower Hamlets Planning Committee's potential reasons for refusing the application, the Deputy Mayor should consider the following key issues: the proposed level of affordable housing, the design response to local context and existing residential amenity and the impact of the proposals on the sailing conditions in the Millwall Outer Dock. I will start with the affordable housing. The London Plan seeks the maximum reasonable amount of affordable housing and Tower Hamlets' core strategy requires 35% to 50% of new homes to be affordable, subject to viability. A detailed assessment of the affordable housing offer is set out within the hearing report. However, I

will attempt to summarise this assessment for the benefit of this hearing. The development originally proposed 11% affordable housing and a financial viability appraisal was submitted to support this offer. This was subjected to an independent review by Deloitte on behalf of the Council. This review challenged the assumptions within the assessment, particularly those regarding residential sales values, and subsequently advised the Council that the development could deliver a higher proportion of affordable housing, although it did not specify a specific quantum.

Following the December 2015 scheme amendments and the Mayor taking over the application, the applicant submitted an updated financial viability appraisal to the GLA. The GLA appointed Gerald Eve to carry out an independent review and to advise the Mayor on what level would equate to the maximum reasonable amount of affordable housing. The financial viability appraisal was also shared with the Council, who subsequently appointed BNP Paribas to carry out a further review on its behalf. The Council shared its advice in full with GLA officers and in turn has been considered in detail by Gerald Eve in its overall review of the viability position, in addition to the Council's initial advice from Deloitte. The Council's latest position is of the view that the scheme is capable of delivering 36% affordable housing, and this is based on a disagreement in approach with the applicant regarding site value, residential and commercial values and an appropriate level of developer return.

In its advice to the Mayor, Gerald Eve agreed that the residential and commercial sales values had been underestimated, but not to the extent to which BNP Paribas undervalues them. While the Council's advisers consider the private sales values to be more comparable to values in prime Canary Wharf locations, Gerald Eve considers that a more balanced approach to an increase in value should be adopted, but acknowledges the location of the development further south on the island, but also recognises the desirability of the dockside location, values of other comparable schemes and the intrinsic value that the scheme will generate. Gerald Eve agreed with the values adopted for the intermediate units presented by BNP Paribas and takes a balanced approach to the affordable housing values. The GLA agree with the approach to values set out by Gerald Eve. In addition, the applicant's approach to site value has been accepted and an alternative developer return was considered appropriate and justified for this site. On this basis, and following sensitivity testing by Gerald Eve, the Mayor was advised that the scheme could deliver at least 20% affordable housing and an appropriate review mechanism should be secured to capture any further uplift in sales values. Following further negotiations with the applicant on the basis of the advice just outlined, the applicant made a revised affordable housing offer of 20% affordable housing on a habitable room basis and agreed to a review mechanism to be included in the section 106 agreement. The Deputy Mayor is advised that the nature of the review mechanism is to be finalised in the detailed drafting of the section 106 agreement. Overall, in light of securing a satisfactory review mechanism and based on the independent advice provided to the GLA, the revised affordable housing offer is considered to be the maximum reasonable amount and is in accordance with London Plan policy 3.12.

As set out in the addendum report, the Council made late representations to the GLA yesterday, sharing a review of the GLA advice carried out by BNP Paribas. The review

considers the advice provided to the GLA from Gerald Eve deficient in the areas of private sales values, site values and the development programme, and that should these be addressed it would enhance the scheme value and capacity for further affordable housing. In response, the Deputy Mayor has advised that Gerald Eve has considered the advice from both the Council's independent advisers and their respective positions on the disputed areas in detail as part of its review. On this basis, GLA officers consider that the assessment carried out and used to inform its conclusions on the affordable housing component of the scheme robust. Furthermore, the provision of an appropriate review mechanism will capture any financial surplus above that identified in the current financial viability appraisal and secure it for additional affordable housing.

Moving on, I will now run through how the proposed design has responded to the site's existing context. This image shows the proposed building layout. The proposed development is structured on a legible and permeable street layout that knits in well with adjacent sites and the surrounding area, as demonstrated by the smaller image in the top right-hand corner. The layout will deliver a new principal east-west route through the centre of the site, linking Westferry Road to Millharbour, in addition to extending Millwall Dock Road south into the site and enabling a new link to Starboard Way, creating a further north-south link. The proposed street network ensures that the three major new public open spaces identified above, the school and the dockside will be easily accessible to existing as well as future residents, which is strongly supported. Three new public spaces are proposed to provide amenity to both future residents of the development and existing local residents. East Park, which is situated at the eastern site of the site, creates a large open space with play and leisure facilities that anchors Millharbour and will provide visual links to the dock, directing people to the waterfront and the new dockside promenade. Boulevard Gardens offers a public garden space that provides a green visual link through to the school's all-weather pitches and residential area beyond the northern site boundary. The West Plaza provides a large dockside green space relating to the proposed community centre, secondary school and the Docklands Sailing and Watersports Centre, and in addition to the East Park, forms one of a series of green spaces that front on to the dockside and promotes recreational use.

In summary, the proposed site layout would provide a significant contribution towards permeability and legibility in the area by replacing a monolithic impermeable four-storey building with a ground floor building layout that enables a series of new publicly-accessible north-south and east-west streets that would be of a human scale and would be activated by a range of uses that linked to the existing street networks. This aspect of the scheme would address the public realm design principles in the site allocation and London Plan urban design policy.

This image demonstrates the massing response to the existing and emerging development on the Isle of Dogs and a detailed assessment of the height and massing of the scheme is contained within the hearing report. The proposed development includes tall buildings, is located within an Opportunity Area and relates well to the existing street network, with the lower blocks providing good definition and enclosure of the public realm network and the higher blocks helping to mark the dockside, with its proposed increased leisure role and significantly improves legibility and permeability. The proposed massing strategy responds

appropriately to the surrounding lower-scale residential development to the west and north of the application site by stepping down in this part of the site, with the general height of the buildings rising to the southeastern corner of the site in order to relate to the scale of the approved development at Crossharbour District Centre and the Millwall Outer Dock.

While it is acknowledged that the proposal would introduce a number of tall buildings outside of a town centre, the form and massing of the proposals relates well to the form, proportions and scale of the existing surrounding context. The development will provide a significant number of community benefits through a mixture of ground floor uses, including a new community centre, a health centre, a site for a new secondary school and a mix of retail and restaurant uses that will activate the generous public realm proposed, ensuring that the buildings relate positively to the street level and provides a human scale of development.

With regards to the proposal's relationship with the lower-scale residential development to the south of the dock, while the tallest elements are significantly higher than the prevailing context here, they are some distance away from the existing four-storey buildings and separated by a large expanse of open water. As demonstrated in the views at the top of this slide, the positioning of the buildings would extend new views through the site and the new dockside promenade, with its landscaped public spaces at either end, will provide a significantly improved setting to the dock and the visual amenity it provides in this view. The townscape assessment submitted with the application demonstrates that the development would appear appropriate in its context when viewed in the context of wider townscape and the proposed and consented development to the north, and that it would appear as a high-quality new addition to the skyline. While it is acknowledged that the magnitude of change is significant in some of the closer views, a selection of which are shown on the slides at the bottom, particularly from Tiller Road, Millharbour and from the southern bank of Millwall Outer Dock, the development would not appear out of context with the existing and proposed form and scale of development in the area. Furthermore, in many of the close views, the replacement of the existing monolithic four-storey structure will contribute towards increased visual permeability and improved long-distance views. As a result, there would be no unacceptable visual impact.

Turning now to the consideration of tall buildings and impact on strategic views in the setting of the Greenwich Maritime World Heritage site, as set out in the beginning of this presentation, the application site sits within a number of strategic views from Maritime Greenwich, Blackheath and London Bridge. As detailed within the hearing report, the applicant has submitted a townscape, visual and built heritage impact assessment, which demonstrates that the development does not impact in any significant way on the views from Blackheath and London Bridge. With regard to the impact on the World Heritage site, as shown in the image, although the buildings will be visible in the Greenwich Park panorama, they do not impact on the axial view across Queen Mary's House and will not adversely impact on the universal value, integrity, authenticity or significance of these important heritage assets. The buildings, although positioned to the left of the main Canary Wharf cluster, they are of a lower scale of those in the emerging cluster, and by virtue of their step form help to provide further layering and variation in scale in this view. Overall, there would

be no harm to the setting of the World Heritage site or the London management framework views.

In conclusion, the site is located within an Opportunity Area in an accessible location and is part of a plan-led approach to tall building locations. The tall buildings are well-designed and integrated within the public realm and will make a positive contribution to the skyline. Having had regard to relevant national, regional and local design policy, it is considered that the design of the proposal is of the highest quality, both architecturally and in respect of its response to the site and local context, including the setting of the Maritime World Heritage site. Notwithstanding the microclimate issues regarding the development's impact on the sailing conditions in the dock, which are to be discussed in detail shortly, the proposed massing and scale of the development is supported.

A number of concerns have been raised by local residents with regards to impact on daylight and sunlight received at their properties. A detailed assessment of the development's impact on residential amenity is also provided within the hearing report. It is noted that the existing buildings on the site are very low scale, so therefore allow for very good levels of daylight and sunlight to neighbouring properties due to the current open nature of the site. It is noted that some of the residents of Claire Place have objected to the proposals on daylight and sunlight grounds. With regards to daylight, it has been demonstrated that the majority of the rooms tested will meet the Building Research Establishment (BRE) guidance for impact on vertical sky component and daylight distribution. However, a number of properties in Wateredge Close, Claire Place, Starboard Way and Omega Place have identified windows that will experience a reduction of daylight of more than 20% when compared to the existing situation. The impact on these properties is considered to be minor adverse, as the properties would still experience levels of vertical sky component that are considered good for an urban location and that the reductions are primarily a result of the existing open nature of the site in this location. Overall, the impact on daylight to surrounding properties as a result of the proposed massing is considered acceptable.

With regards to sunlight, all of those windows tested in surrounding properties would meet the BRE guidelines for annual sunlight and 99% will meet the winter criteria. The windows that do not meet the criteria are in the properties at 9 and 10 Starboard Way and 16 Claire Place. This is considered to be a minor adverse impact and the rooms affected will still maintain very good levels of annual sunlight. The assessment also identifies that 50 of the 52 open spaces surrounding the development will meet the BRE guidelines for sun on the ground or will experience no change in sunlight, and overall this is considered acceptable. Overall, it is considered that the changes to daylight and sunlight levels in the neighbouring properties would be minimal and would not detrimentally impact on neighbouring amenity. GLA officers are in agreement with the overall findings of the assessment and that the daylight and sunlight penetration is acceptable.

I will now address the microclimate issues. As already set out, while the overall design of the proposals are strongly supported, it is acknowledged that the proposed buildings will have a significant impact on the microclimate of the dock and it is therefore recognised that there is a degree of conflict with London Plan policy 7.7D and London Plan policy 7.30. I will now

discuss this impact in further detail and the assessment methodology used. During the consultation process, a number of significant concerns have been raised by the Council, two ward councillors, the Docklands Sailing and Watersports Centre and the RYA, in addition to a number of local residents, with regards to the potential impact of the development on the current wind conditions in the Millwall Outer Dock, in particular with regards to potential effects this would have on the current sailing conditions. As set out above, the Millwall Outer Dock is used by the Docklands Sailing and Watersports Centre for watersports activities, including sailing, windsurfing and kayaking as part of its charitable youth programme, adult tuition programmes and corporate activities. As set out earlier, should the Council have determined the application, it would have refused permission on these grounds.

The applicant has carried out extensive wind tunnel testing in order to assess the potential wind impacts of the development on the adjacent dock and this has been incorporated within the associated environmental statement. This was peer reviewed on behalf of the Council, which whilst raising some specific queries, set out that the analysis is comprehensive. The GLA has also carried out a peer review of the assessments to date and considers that the methodologies are generally robust and provide an adequate basis for assessment. It is important to note that there is no established methodology for assessing sailing quality, nor the significance of changes caused by the proposed developments. Furthermore, it should not be assumed that a change in wind conditions from the current situation is necessarily adverse for sailing. In light of this, the applicant, in consultation with the Council's experts, the Docklands Sailing and Watersports Centre and the RYA, developed a sailing criteria as a benchmark to assess the potential impacts. This slide outlines the agreed sailing quality criteria, ie the conditions required for sailing to be of an acceptable quality. These have been reviewed by the Building Research Establishment on behalf of the GLA as part of the peer review, and it is agreed that they are a stringent set of criteria that are appropriate to this dock location.

In response to representations made by the Docklands Sailing and Watersports Centre and at further request of GLA officers, the applicant has tested a number of alternative massing options in a wind tunnel in order to fully explore the change in conditions. The various massing options are described on this slide and were submitted as part of an addendum to the environmental statement, which was consulted on under the environmental impact assessment (EIA) regulations. It is important to acknowledge that the alternative massing scenarios were developed to test only the changes in wind impacts and were not developed with regards to wider urban design considerations. In order to understand the impact, the assessment has taken the wind speed and directional data from each of the wind tunnel tests and analysed it against the agreed sailing criteria to provide an indication of the percentage proportion of time during a relevant period that the wind conditions will meet the sailing quality criteria. The wind conditions have been simulated in the wind tunnel for each month annually and for the main sailing season, February to November. The images on the current slide show the percentage of time the criteria will be met in the existing wind conditions on the top left, the proposed development scenario, top right, and the relative change between the two at the bottom. In all images, the lighter blue colour represents a reduction in sailing quality at certain locations in the dock. The assessment demonstrates that the proposed development will have an impact on the sailing conditions in the dock, making it more difficult to sail in

certain locations at certain times, when winds blow with a northerly component, and in particular, this impact will be significant in the northwest corner, where the Docklands Sailing and Watersports Centre pontoon is located and where conditions would become challenging for novice sailors.

With regards to an assessment of the significance of this impact, in the absence of an established methodology, the applicant in its assessment has considered that a 20% reduction in the proportion of time that the sailing quality criteria are met should be considered as a significant impact. This was considered acceptable by the Council's consultants. However, BRE considered this level to be too high and that a lower threshold may be more appropriate. On this basis, through further discussions a more precautionary approach was accepted and it was agreed that a 15% significance threshold was reasonable. It is important to note that this 15% threshold relates to a reduction in the time the conditions are not met, but this does not necessarily preclude the ability to sail.

This image shows an example of option M5 of the alternative massing tests. The analysis that the alternative massing options presented in the environmental statement addendum demonstrates that minor alterations to the development would not have a materially significant effect on improving the sailing conditions in the northwest corner over the existing site, with the height of the proposals only having modest improvements. However, it is noted that radical alteration to the proposals in the form of redistributing the towers to the north and a significant realignment of the buildings on a northeast southwest axis, as shown in the option on this slide, would have the least impact on the sailing conditions in the dock when compared to the proposed development. However, option 5 does not consider the potential residential and urban design implications of such layout, including pedestrian wind comfort levels, and would be likely to raise a number of other planning policy concerns. As set out earlier in this presentation, the proposed layout has responded to the Council's site allocation key design principles in respect of its plan layout, has been the subject of significant development with the GLA and the Council and is considered to offer a high-quality and permeable residential environment that is well-integrated with the surrounding street pattern. Therefore a significantly revised layout would have considerable downsides in the wider planning balance of the scheme.

While the benefits of the proposed layout are recognised, it is accepted that the proposed development has a significant impact on the sailing quality in the northwest reaches of the dock and the facilities that Docklands Sailing and Watersports Centre provide. On this basis, it is recognised that the microclimate impact of the proposed buildings result in a conflict with London Plan's policy 7.30 and 7.7D and Tower Hamlets' Managing Development Document policy, DM 26, and that suitable proportionate mitigation is therefore required for the proposals to be acceptable in policy terms. In recognition of the impacts, the applicant has proposed a financial mitigation package to be paid to the Docklands Sailing and Watersports Centre via a planning obligation that could fund the construction of a new pontoon to the south of the dock that would allow boats to launch away from the worst-affected areas and to access calmer waters, in addition to the provision of new equipment, including boats. Since the publication of the hearing report, the applicant has increased the mitigation package to £546,000 in response to detailed costings provided by the Docklands Sailing and Watersports

Centre. While this increase has been welcomed, the centre continues to seek further financial mitigation to fund additional operational requirements and to compensate for lost revenue due to the altered conditions' impact on commercial sailing activities.

Notwithstanding this, GLA officers welcome the increased offer by the applicant, which would enable the delivery of the infrastructure required to provide an appropriate level of mitigation against the worst impacts of the development. Therefore, in light of the substantial mitigation package proposed, the significant planning benefits of the scheme in terms of housing provision, enabling the delivery of a new secondary school and the delivery of high-quality public open space, including a new dockside promenade, which accords with the London Plan policy 7.30, on balance and subject to the delivery of the mitigation package, the overall potential impacts on the sailing conditions of the dock are not sufficient to warrant the refusal of the scheme.

I will now take you through some of the other planning matters relevant to the application. A full assessment of all the relevant planning matters is contained within the hearing report.

As mentioned, the scheme would deliver important social infrastructure to serve the wider Opportunity Area and the local community, including the new school, a health centre and a crèche. With regards to the school, the development will deliver a serviced site to enable the delivery of a 1,200-pupil secondary school, including sixth form and sports facilities designed for community use outside of school hours. The proposed secondary school will meet an identified need and would help ensure that sufficient secondary school places are available to meet the requirements of the existing and proposed community in the Isle of Dogs Opportunity Area. A section 106 obligation is recommended to secure delivery of the school site. The scheme will also deliver 550,000 square metres of community floor space that is proposed for us as a health centre, a community centre and a crèche. This space will be delivered to shell and core. A section 106 obligation is also recommended to secure their delivery. Other planning issues relating to housing design, inclusive design, sustainable development, environmental issues and transport have all been addressed and are detailed at length in the relevant sections in the Representation Hearing report. All of these issues have been fully addressed.

In summary for the Deputy's Mayor reference, the agreed section 106 heads of terms, which are detailed in the hearing report, are as follows. Affordable housing is secured at 20% on a habitable room basis including a review mechanism. Social infrastructure will be delivered including the school site, community centre, health centre and crèche. Sailing wind mitigations will be secured and construction training initiatives, end use training initiatives and a local employment and training strategy. Public realm and highway works will be secured. A bus contribution of £300,000; a DLR station contribution of £420,000, contributions towards cycle hire and a commitment to submit and monitor travel plans. There will also be a commitment to continue to explore the feasibility of connecting to the Barkantine District Heat Network and a carbon off-setting contribution subject to this connection.

Having now covered the key issues associated with the case, all that remains is to make my recommendation that the Deputy Mayor agrees with the recommendation as set out in the officer's Representation Hearing report and then grants planning permission for the application at the Westferry Printworks site subject to the conditions and the reasons set out in the Representation Hearing report and subject to the prior completion of a section 106 agreement. Thank you, Deputy Mayor. That concludes the presentation.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you, Jonathan. The next speak is Paul Buckenham from Tower Hamlets. Paul, would you like to come over?

Paul Buckenham (Development Manager, Tower Hamlets Council): Thank you, Deputy Mayor. For the record, my name is Paul Buckenham and I am the Development Manager at Tower Hamlets Council.

Tower Hamlets supports the redevelopment of the Westferry Printworks and recognises the strategic significance of the site and the development being proposed. The Council invested substantial resources working with the developer at pre-application stage since 2014 and following submission of the application, so it is with some regret that we find ourselves in this position. However, the Council's Strategic Development Committee on the advice of its officers resolved unanimously to recommend the refusal of this particular application on two grounds: the failure to demonstrate that the development would not place the Docklands Sailing and Watersports Centre into jeopardy, and the affordable housing offer, which at the time was 11% and would fail to meet the minimum requirements of the Tower Hamlets local plan and is not financially justified.

The Sailing Centre is a unique community initiative established by the Government's London Docklands Development Corporation (LDDC). It is a crucially important asset in Tower Hamlets, the London borough with the highest housing targets, the fastest growth in youth population and identified by Sport England as the least well provided with sports facilities. Your officers acknowledge the proposed development would have significant adverse impacts on the sailing quality in the northwest corner of the dock, inconsistent with the London Plan and the Tower Hamlets local plan policies, but these are insufficient to warrant refusal, as you have heard in the recommendation to you, because of the wind mitigation contribution and the overall benefits of the scheme.

Throughout the pre-application discussions, the Council consistently urged the developer to properly test the wind conditions and the microclimate at an early stage and were asked to discuss the proposals with the Sailing Centre and agree mitigation at an early stage prior to discussing the planning applications. The applicant's environmental statement concludes that the impact on conditions for young and novice sailors would be significant and adverse and the BRE, commissioned by the GLA, goes further, advising that there would be an adverse effect across the whole of the dock. The 20% significance criteria is potentially a smokescreen that obscures the findings that sailing quality has worsened over the majority of the dock and the social impact and the potential safety issues have not been considered and relate directly to the London Plan policies to enhance recreational usage. The Sailing Centre themselves remain concerned that it is has not been established that the southwest area of the

dock would not suffer from an unacceptable degree of turbulence. However, an alternative design and configuration of the residential blocks is potentially possible and would lead to significantly less, if not tolerable, wind conditions.

The offer to fund mitigation by extending or repositioning pontoons was discussed between the applicant and the GLA on 14 April 2016 and the Sailing Centre, whilst not involved directly in discussions, did respond on 22 April that the pontoon options are neither fit for purpose on practical grounds nor adequate with respect to the financial needs of the Sailing Centre, too. Your officers suggest that the pontoon option is used purely as a basis to guide negotiations on what would be considered as a reasonable level of mitigation, not as an effective mitigation solution in itself. However, in your capacity as a planning authority, if you were to place any weight on these mitigation proposals, I would have expected the Sailing Centre to have at this point agreed a suggested scheme, but this is not the case. The proposed mitigation does not have planning permission and will require the agreement of the Canals and Rivers Trust. There is no certainty that the suggestion solution would result in the necessary conditions to enable the continued and safe operation of the Sailing Centre, but we are also concerned that the true cost of modifying their operations is well above the contribution being negotiated.

Deputy Mayor, this is not a question of planning balance. New housing, a school, public open space and pedestrian linkages could all be achieved by an alternative scheme and further wind tunnel investigation of alternative layouts, building heights and quantum of developments is required to determine a solution that will not place the Sailing Centre in jeopardy. The Sailing Centre, however, is spatially dependent on access to water and wind conditions that allow for safe sailing and teaching, so they simply do not benefit from the same flexibility that the developer would in designing an alternative scheme. To proceed on the basis recommended by your officers, I would suggest it is fraught with uncertainty and represents too great a risk. The proposal cannot be considered to be in general conformity with the development plan and therefore we feel this is a compelling reason for refusal.

Turning to the second reason around affordable housing, the applicants argue that the development could afford only 11% affordable housing. Following Gerald Eve's review for the GLA, the offer has increased to 20%. Whilst that is welcomed by the Council, this does remain significantly beneath our development plan targets. The Gerald Eve review was not available until 19 April; nevertheless, the Council has sought further independent advice from BNP Paribas and this was passed on to your officers. The BNP Paribas review questioned the approach taken by Gerald Eve and does not agree with him on three main areas: private sales values, the development programme and the site value. In short, the private sale values are below what could be achieved and has been achieved in similar schemes. The development programme is too long, delivering only 100 dwellings per annum. The site value is based on market value, contrary to the National Planning Policy Guidance (NPPG) and the Mayor of London's own Housing Supplementary Planning Guidance (SPG). So, in summary, we feel that you cannot rely on Gerald Eve's advice at this stage to ensure that the London Plan requirement for the maximum reasonable amount of affordable housing has been satisfied and because this is another compelling reason for refusal.

The two issues are serious but not unsurmountable and they just require a willingness to negotiate, test and amend the proposals. If you do not grant planning permission for this scheme, we can continue to work with your officers, the developer and the Sailing Centre to deliver a truly sustainable development of the Westferry Printworks. Thank you, Deputy Mayor.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you, Mr Buckenham. There are now three objectors who are going to speak. I am told Councillor Andrew Wood is the first one. Yes?

Andrew Wood (Ward Councillor, London Borough of Tower Hamlets): Good morning. My name is Andrew Wood. I am a Councillor for the Canary Wharf Ward, where this development is located. I live close to the site and pass it every day, like I did this morning.

I regret that I cannot speak in favour of this application, like I will do later today on Alpha Square. It is the fastest-growing ward in London with 7,000 more approved apartments and there is many more in the pipeline. A new school, community and greenspace on what is an unused brownfield site should be hugely welcome.

However, this development breaks a core principle of the National Planning Policy Framework (NPPF), which is sustainable development. As a brownfield site, there should be development here; that is not in doubt. What is in doubt is the chosen design of the developer and their unwillingness for more than two years now to deal with the wind issue onto the docks. I have attended all three of the public presentations since spring 2014 and have met the developers in person and have supported the detail of this application, but the wind issue has never been addressed in the design itself, despite several earlier changes to the scheme including repositioning of the towers in 2014/15. The developer has assumed that the long list of public benefits would outweigh the damage caused to a piece of public infrastructure which was delivered by the Margaret Thatcher/Michael Heseltine-inspired LDDC. The Sailing Centre was built under their watch. However, what is not acceptable is that the price of this development is to make materially more difficult the operation of what is the most important piece of public infrastructure that my residents have outside the transport connections at Canary Wharf and the Docklands Sailing Centre, which is of regional and even national importance. To quote from the NPPF, paragraph 9 says that the objective of planning is “improving the conditions in which people live, work, travel and take leisure” and paragraph 17 of the NPPF says that it is to “support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”. The developer has admitted that its scheme causes damage with the last-minute offer of an inadequate amount of money. Even its own wind tunnel testing confirms this damage. It does not provide sustainable development as it reduces the quality of life and sailing for existing and future residents that will use the Centre.

This is especially painful because of the knowledge that a better scheme does exist and could have been implemented before. I am talking about option M5. I disagree with what your officer said earlier. I know the area like the back of my hand. I know all of the other developments coming forward. I have been to all of the sales events in the area. I personally

think option M5 is actually a much better design. I will give you one example. I live close by on the eighth floor of an apartment. I have fantastic views of central London. Option M5 would deliver better views for future residents in the existing design and would also solve the wind issue as well. I definitely disagree with the idea that option M5 is somehow an inferior design. It is not. It is simply a failure of the developers to deal with this issue before.

I would ask you to approve phase 1, which includes a school, which we do need, but that you add a condition to phase 2 before construction starts that in order to materially reduce the wind flow damage caused by the building layout, which wind tunnel testing shows is possible, the buildings are moved. That would force the developer to do a little bit more work but should not delay the scheme because it allows phase 1 to continue. Failure to resolve this issue, like Enderby's Wharf, simply results in years of negative publicity. This issue will fester and fester and fester.

The speakers after me will provide more detail on the Docklands Sailing Centre. All I will say is that I fully agree with what they are about to tell you. Thank you.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you very much. I believe the next person is Councillor David Chesterton.

David Chesterton (Ward Councillor, London Borough of Tower Hamlets): Good morning. I am Councillor David Chesterton. I am also a trustee at the Docklands Sailing Centre. This project came about in the 1980s. It is a community initiative, one that the local people took to, the LDDC, and it was embraced by them. Margaret Thatcher and to a greater extent Michael Heseltine had a very clear vision for the island and that was a place that people could live, work and play. Having picked up the proposals from the local community, they then invested in the creation of the Sailing Centre. Not only did they pay for the facility that exists there today, but they also took the significant reductions in capital receipts both for the site that it sits on and also a number of the other sites that they owned around the dock. They took the Sailing Centre seriously. They regarded it as a key piece of infrastructure. Their approach to wind issues was that for every one of the schemes that came after the decision to proceed with the Sailing Centre, not only were there wind tunnel studies conducted and wind engineers were involved, but the process was open, transparent and involved the Sailing Centre. In 1989 the Sailing Centre opened. It is a community organisation, a local charity, run by local volunteers. There are 15,000 users a year, 8,000 of whom are young people. The RYA describes it as being their number one youth training centre in the entire country. It is a Big Society project that this Government should be very proud of and it is absolutely shameful that it has been so shabbily treated.

I will tell you about how it has been shabbily treated. In June 2014 was the first pre-application consultation event. A number of others that are involved in the Sailing Centre and I explained to the applicant the likely impact of the scheme and we pleaded with them to discuss with us the impact of the scheme and how that might be mitigated. We told them about the impact of the northeasterly winds and the effect that would have in the early part of the year. They absolutely refused all attempts to meet with us.

They did, however, in November 2014 invite us to go Rowan Williams Davies & Irwin (RWDI), their wind people that were in Dunstable, and it was absolutely clear from the initial results of those wind tunnel studies that there was going to be significant damage done to the Sailing Centre and its use of the dock, particularly between February and May. Again, we asked the applicant, “Please, will you meet with us? Can we discuss this with you? Can we see how this might be mitigated?” They refused. In fact, they told us that they would let us have a copy of the report that came from RWDI and they would not even provide it to us.

In August last year, 2015, we finally had a meeting with the applicant at which they gave us a copy of the Wolfson report that they had done at that time. It was quite clear from that that there were serious problems and we asked if it was possible for us, even at that late stage, to engage in how this might be addressed. Ten days later they submitted the application with absolutely no amendment. They have had no conversations at all with the Sailing Centre since.

Gordon Breeze in his report of 21 March was damning. It made it absolutely clear that all of the concerns that we have been raising for the last two years would indeed happen. He also did show that redesign was possible and that the situation need be nothing like as bad as it currently is.

Then, just ten days ago on 14 April, GLA officers met with Wolfson, BRE and the applicant and they put together a mitigation package. The Sailing Centre was not even asked about the mitigation package. There was no consultation at all with the Sailing Centre. What is being proposed is incompatible with what is currently there, it is unsafe and, quite frankly, it is a half-baked proposal. The GLA is currently in the process of putting together an OAPF for the island. The island is already short of quality leisure sport provision, particularly for the young. The OAPF is supposedly taking a strategic view of all of these things and to try to create the sustainable community that the LDDC’s vision had for the island about creating a place that people could live, work and play. I am absolutely shocked at the way in which such a thriving community organisation has been ridden roughshod over by an applicant and also by a process that has failed to engage us from the beginning. Had we done so, we would be in a very different place than we are today.

You, today, need to do the right thing. It is a very difficult situation that we are in, but you need to tell the applicant that they need to go away, they need to redesign this scheme, they need to do it in partnership with the Sailing Centre and they need to bring back a scheme that delivers all of the wonderful things that this scheme will deliver but does it in a way that is not going so prejudice this wonderful facility that has been created and has operated so well for the last 25 years. Thank you.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you very much. The third group of objectors are Martin Young and Leila Moore from the Docklands Sailing and Watersports Centre.

Martin Young (Chair, Docklands Sailing and Watersports Centre Trust): Thank you, Mr Deputy Mayor. My name is Martin Young and I chair the Docklands Sailing Centre

Trust. Ms Leila Moore will address you and I hope for longer than I will to take the rest of the time that is permitted for objectors.

I address you today as Chair of the Docklands Sailing Centre Trust, the charitable body that is responsible and holds the long-lease of the Centre. As Chair of the local housing association in Tower Hamlets, I am only too well aware of - and indeed have contributed to - the pressure on local planning authorities to provide more and better affordable housing. Likewise, as chair of the local primary school board of governors, I know the pressure on education provision in the borough.

However, you know, I am sure, from your wide experience that these pressures have to be set in the policy context, summarised so well on page 65, paragraph 341, of Mr Finch's report. He refers to London Plan policy 7.7D, which requires tall buildings not to adversely affect their surroundings in terms of microclimate, wind turbulence and overshadowing. He refers to London Plan policy 7.27, which I will not read out to save time, and also London Plan policy 7.30. All of those are not qualified on the basis that if suitable mitigation can be found, there can be such development which has a detrimental effect on the accessibility and promotion of the use of sites for water recreation.

That is important because the approach, with respect, taken by your officers is to say that if the mitigation is there, then this application which offends against those policies - and it does offend against those policies; of that there can be no doubt - then that could and should be a reason for you granting permission for the development. Sadly, we do not accept that the development cannot be designed in a different way. I will not repeat what has been said by Councillor Wood and Councillor Chesterton, particularly Councillor Wood, on that point.

I should say that I will express my gratitude to you for receiving the letters that have been coming in quite thick and fast in the last few days.

I want to turn now to Leila Moore, who not only is a user since the age of ten, five years ago, but is also an instructor. She can support the evidence that has been given in the letters that I have provided, latterly on 25 April, as to why any mitigation that is offered should not be at the rather parsimonious levels that the developer has put forward.

Leila Moore (on behalf of Docklands Sailing and Watersports Centre): My name is Leila Moore. I am 15. I started sailing in 2010, I was competing by early 2011 and I was in the zone squads by mid-2011. With the training from the Docklands Sailing Centre, I have managed to gain all seven titles in London. Without the training that Docklands provided, I would never have got into sailing.

Many people have become really good sailors like me. Charlie Stannard is currently doing the Round the World clipper race. He was a kid when I started and he went on to become an instructor. I am a volunteer as an instructor and, hopefully, I will be working there soon. It is great to watch the kids come up and progress.

When I started, if the wind was as bad as it is going to be, I definitely would have been put off because going out on the water and being blown all over the place is not enjoyable. I can promise you that.

The Sailing Centre provides so many things for so many different people, including sailing courses at levels 1 and 2. This is one of the reasons that the pontoon that is offered is probably not enough because levels 1 and 2 mainly consist of launching and rigging. Having these pontoons would make it really difficult for people to learn how to rig because getting them all the way down to the pontoon and then teaching them to rig on the water would be incredibly difficult. Especially when you have kids aged 8 to 11, it is quite difficult to get them to carry all of the equipment down. If there are loads of kids trying to carry heavy equipment down, there will need to be more staff and that will make it very difficult for the Centre. Also, if new boats are provided, which will need to happen if these pontoons go ahead, then children will not be able to compete because the boats provided will not be competing boats, which many of the boats at the Sailing Centre now are. That will make it very difficult for the Centre to continue having the reputation that it does with the people that come out of it.

Another great thing about the Centre is that it is very local. I cycle in most of the time and know that many other volunteers and instructors do. The nearest other centre is quite a long travel away, about an hour and a bit, which I know will be very exhausting for kids to travel all that way to go sailing.

The problem with the winds, which is the main problem, is that when you have a bunch of 8- and 9-year-olds ready to go sailing and all very exciting, when you get to a venue and you are told, "You cannot go sailing because the wind is dodgy", I know that it is the worst thing that I have experienced at other venues. It is really not nice to turn up and be told that you cannot go out. Thank you.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. Thank you both very much. Now we have one more speaker from the applicant, Jon Marginson from DP9.

Jonathan Marginson (Planning Director, DP9): Thank you, Deputy Mayor. I am Jonathan Marginson, Planning Director at DP9, and I have been asked to speak on behalf of the applicant.

Firstly, I would like to make the point that the principle of development has been agreed between the applicant, the GLA and the London Borough of Tower Hamlets in relation to a wide range of planning matters. These include design, density, transport, secondary school provision, public open space, energy, sustainability and the overall mix of uses. The only two matters of disagreement between the applicant, the GLA and Tower Hamlets relate to the quantum of affordable housing and the impact of the scheme upon the sailing conditions at the dock. I will address both of these shortly.

The site constitutes one of the largest brownfield sites in Tower Hamlets. Its local and strategic importance in meeting borough and London housing and infrastructure needs is

recognised by its allocation in the Tower Hamlets Managing Development Document. The Mayor himself recognises the strategic importance of this site by the Mayor's decision to call in the application for his determination.

Around a third of the total site area is dedicated to the provision of a new secondary school to accommodate 1,200 pupils and sixth form entry. Secondary schools are full and, indeed, full capacity was reached some two years ago. There is a pressing strategic requirement for a new secondary school to be provided on the former Westferry Printworks site to meet the growing demand for school places on the Isle of Dogs and South Poplar and to ensure that the future population growth on the island can be accommodated.

The proposed development will deliver 722 residential units, which will be of clear benefit to housing delivery not only for Tower Hamlets but for London as a whole. To put this into context, this represents 18% of the London Plan yearly target for Tower Hamlets. In terms of affordable housing, the applicant's original submission, as you heard, concluded that the development could provide 11% affordable housing. The lower than normal level of affordable housing provision is due to the fact that the applicant is delivering a fully remediated and serviced site for a secondary school and the significant enabling of infrastructure costs required across the site to deliver the development.

Following discussions with the Council and GLA advisers, the method of modelling the scheme for viability purposes has changed from a present-day basis to a growth one based on market forecasts. Allied to this, the applicant has accepted a higher risk profile and this has resulted in a significant increase in the affordable housing offer to 20%. However, the applicant accepts this increase as they are keen to move the development forward, particularly given the site's use ceased some four years ago and the applicant has had significant capital outlay to date.

In addition to a secondary school and housing, the development includes a community centre, crèche and healthcare uses. There is also a range of small business units for small and medium enterprises but which are proportional and will be offered at discount rent.

You have heard from your officer about the high quality of design, which both the GLA and the London Borough of Tower Hamlets support. The applicant has been determined to deliver a high-quality design that can transform this part of the island. The layout of the proposed development will allow the site to be opened up to the public for the first time in 30 years. The provision of four public spaces, including a 6,000-square-metre park, along with ground-floor active uses to the dock edge, will provide a genuine place and will benefit the local community.

The key planning issue which redevelopment of this site has had to address is the impact of the change in built form on sailing conditions on the dock. This is a matter the applicant has taken very seriously from the outset of the project. The applicant has continuously engaged with the Docklands Sailing and Watersports Centre since June 2014. The Centre has observed wind tunnel tests and the criteria to assess the impact on the dock for the purposes of the EIA were agreed with the Sailing Centre. The applicant acknowledges that the

development - and for that matter, as proven by alternative tests, any development - will change the wind conditions on the dock. The methodology of testing of methodology has been agreed with the GLA's wind expert. The costs of the infrastructure required to mitigate against the impact accord with the costs put forward by the Centre.

At a time of such significant growth in population on the Isle of Dogs and the pressure on physical and social infrastructure, it is clear that the development would undoubtedly make a genuine contribution to the island's needs which will benefit existing and future residents. We would therefore ask that the application is approved.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you very much. I have a few questions I want to ask and I will fire them in different directions as they arise.

Firstly, on the affordable housing issue, the 11% that then became 20% and the school, can anybody give me any information? What would happen if the school was not there? Would that actually take the percentage number closer to the target number? I do not know if somebody from either the developer or the ... I am really trying to get a quantification of what the value of the school is.

Jonathan Marginson (Planning Director, DP9): The costs associated with the school are associated with remediating the site and providing the services to the site. Those costs have formed part of the viability assessment. Clearly, if we had the opportunity to redevelop that site for housing, we could achieve higher levels of overall housing numbers, which is likely to have some impact in terms of the overall level of affordable housing that we could deliver.

Sir Edward Lister (Deputy Mayor for Policy and Planning): You cannot quantify it. Sorry, the Tower Hamlets person?

Paul Buckenham (Development Manager, Tower Hamlets Council): To add to that, Deputy Mayor, the starting point for the viability assessment should take into account the public policies for the site. The site has been a site allocation for some time in the local plan and so the development needed to deliver something with mixed land uses. It has been quite clear and in the public realm for some time and so that should be a starting point in any assumptions on the baseline land value, although we do accept that obviously there are additional costs around remediation and making the site serviceable.

The second point just to note is that in the Tower Hamlets examination into its Community Infrastructure Levy (CIL), this was one of four strategic sites in the borough where the examiner determined that the CIL rate should be zero and so there is no CIL impediment or cost, if you like, in the viability assessment. That is something else that should make the viability slightly more palatable for the developer in trying to deal with all of these different costs of the site.

I would just ask you take into account those two points, please, Deputy Mayor.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you very much.

Jonathan Marginson (Planning Director, DP9): Can I just say on the examination into CIL? It is worth pointing out that when the viability appraisals were undertaken for this site along with other strategic sites, this site was one of the sites where actually it was demonstrated by BNP Paribas, the Council's own advisers at the time, that this site would not be capable of meeting the 35% affordable housing target even with nil CIL liability. Even at that time, it was recognised that it was very likely that this site would not be able to meet the affordable housing target set by Tower Hamlets.

Sir Edward Lister (Deputy Mayor for Policy and Planning): All right. I want to move, actually, on to the Sailing Centre and a few questions. Just a point of information from somebody, please, is the northeasterly winds in the early part of the year. What percentage of the sailing time is that? How much of the time is actually a northeasterly wind?

David Chesterton (Ward Councillor, London Borough of Tower Hamlets): In this country, the prevailing winds are essentially from two directions. In the early part of the year the prevailing wind comes from the northeast and so it comes across this site from the northeast towards the Sailing Centre. That occurs until around a point, generally, most years, in early May. From the middle of May onwards, the prevailing wind is exactly the opposite direction, from the southwest and so it comes up from the bottom of the island across the water.

The concerns that there are here are about the impact it has particularly on the early part of the season. The season starts at the Sailing Centre in February. It runs right the way through Easter, beyond into the school summer term and into early May. For that period, it is affected by the northeasterly wind. The northeasterly wind at that time is the prevailing wind and it varies to the extent to which it does each year. This year it has been quite strong and in other years it will be different. I cannot tell you the exact percentage. What I can tell you is that the prevailing wind every single year, year on year over time, is from the northeast. This development will affect every year the beginning of the sailing season. The risk for the Sailing Centre is that if it cannot operate properly at the beginning of the season, there simply is not enough time for people to learn to sail when the wind conditions improve.

Martin Young (Chair, Docklands Sailing and Watersports Centre Trust): If I may add, Deputy Mayor, the importance of non-disruption to the activities cannot be underestimated or understated. Leila Moore made the point very well as far as I was concerned and I hope she did to do you, too. If we have young novice sailors coming in February hoping to sail, hoping to get on the water and then being turned away, which does not happen at the Docklands Sailing Centre but happens elsewhere, then that is a serious problem to overcome in maintaining their interest.

Finally, on the sailing "club" point, I am sure you do appreciate that we are an open-access organisation, not a membership club in that sense.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. Perhaps if I could go to our wind consultant?

Gordon Breeze (Principal Consultant, Building Research Establishment): My name is Gordon Breeze. I work for the BRE. I am a professional wind engineer, which usually raises a laugh. I exploit my name mercilessly. I was asked by the GLA to review all of the documents relating to sailing and sailing conditions. I wrote a report that has been referred to by the Docklands Sailing Centre and my name has been mentioned a few times in this discussion already.

With regards to the specific question that was asked, I have just **found(?)** the report with what are called “wind roses” and I would refer people to figure 17.3, which is a pictorial representation of the wind pattern and that shows prevailing wind directions by the area beneath these figures. I would just like to confirm what has just been said by the previous speaker that in two of the months the prevailing wind direction is from the northeast, specifically April and May. However, for all the remaining wind directions, the prevailing wind direction is from the southwest. To answer the specific question that was asked, more or less the percentage of time that the wind throughout the year blows from the northeast was about 15%, roughly.

Sir Edward Lister (Deputy Mayor for Policy and Planning): As I understand the proposed mitigation measure was originally, it was to be an extension to the existing pontoons and it is now a portable pontoon. That is my understanding of the report. How much does being able to move the pontoon around alleviate this problem, in your opinion?

Gordon Breeze (Principal Consultant, Building Research Establishment): In my opinion, it is likely to make a big difference. As I see it, the main place within the dock that wind conditions are going to be worsened is the northwest corner of the dock and I believe that the intention of adding the pontoon is to enable people to sail away from that worst-case scenario. If they can do that, then sailing becomes pleasant for a much greater period of time. Therefore, I believe that it is a significant improvement.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Could I come back to the semi-centre, perhaps, if you ...

David Chesterton (Ward Councillor, London Borough of Tower Hamlets): With the proposed pontoon, effectively, there is an acknowledgement that the wind conditions in the area around the Sailing Centre and its pontoons are so bad that it is not possible to sail to and from the existing pontoon to the Sailing Centre. The solution or the mitigation that is proposed is to put a very long pontoon to allow people to walk through the most disturbed air and then get onto the dock, with the practicalities of trying to arrange for children and their boats to be able to get from the existing pontoons along a long pontoon in very blustery conditions and then try to access the dock from further out into Millwall Outer Dock. That is why I described it in the terms that I did. I think that it is half-baked.

The reason that it would need to move is that it is such an unsatisfactory way of trying to run sailing on the dock that you would only use it when you had to. Therefore, for the early part of the season, if there is absolutely no alternative and if there are sufficient staff available and

if the right craft can be purchased and if we can get a pontoon that is compatible with the existing pontoons, you would have to use it. However, the moment the wind conditions changed and the prevailing wind came from the southwest, you would move it out of the way. That is why it would need to be moved.

As I said, it is a rather ham-fisted way of trying to get around an insurmountable problem in the early part of the year. It is nonsensical and it will damage the Sailing Centre if that is the way it has to operate.

Martin Young (Chair, Docklands Sailing and Watersports Centre Trust): I would just like to refer you, Deputy Mayor, to paragraph 2 on the second page of my letter of 25 April 2016 where we have set out the analysis of the additional staffing costs. I also mention the letter of 18 April 2016.

These are not figures that have been plucked out of the air. They have been worked on with the assistance of our Water Operations Manager, Benjamin Davis, who is in the public gallery today. We would be glad to provide any further information on that.

Leila Moore could also tell you about the likely difficulties in getting out onto a longer pontoon. I think she wants to do that, if she may.

Leila Moore (on behalf of Docklands Sailing and Watersports Centre): The main problem with trying to get out on the water with such a long pontoon is the fact that it takes up quite a lot of the sailing space and the children like to stay near the club when they first start because it is where they feel safe. By putting that pontoon there, if it were not able to be moved, it would make a problem the entire year round. In the beginning of the year when it will be there, it will make it difficult for the children to get out on the water and to feel safe while doing it. That is quite an important thing to consider.

Sir Edward Lister (Deputy Mayor for Policy and Planning): This is your letter, if I could come back to the Chair of the Sailing Centre. That is the difference. That is your estimate of the mitigation costs, £1,266,000 being the mitigation sum that you identify, assuming that this scheme were to go ahead in its current form?

Martin Young (Chair, Docklands Sailing and Watersports Centre Trust): Deputy Mayor, yes, £1,266,000 is the total. We are in broad agreement with the applicant with respect to the infrastructure costs. Where we depart is the additional revenue costs and the loss of revenue as a result of the impact on our commercial sailing operation. That is what I have sought to analyse and set out in those letters.

Sir Edward Lister (Deputy Mayor for Policy and Planning): This is the difference, basically, between the £500 million - or whatever figure it is - and this figure.

Martin Young (Chair, Docklands Sailing and Watersports Centre Trust): Exactly so.

David Chesterton (Ward Councillor, London Borough of Tower Hamlets): Deputy Mayor, may I just add something to that? The commercial operations that are referred to are the means by which the Sailing Centre at almost no cost the sailing opportunities for children. The Sailing Centre does not receive public funding. It operates by being able to raise money through commercial activities including teambuilding activities with the big corporates on Canary Wharf. The money that it generates through that it then uses entirely to subsidise the provision of children's activities on the dock. It costs kids £1 to go out on the dock. If the Sailing Centre is unable to generate the income through those activities in order to provide the subsidy, then that will have a material impact on the Sailing Centre's ability to deliver the programmes that it does for children.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. I have just been reminded, quite rightly, that I need to also ask for your comments on this.

Jonathan Marginson (Planning Director, DP9): Fine. The first thing I would say is that in terms of the northeast winds, Mr Breeze is correct that the northeast winds are only for about 15% of the year and it actually is a very limited period of time. This is for the April to May period. The testing and analysis that we have undertaken clearly shows that the most significant impact is in the northwest corner of the dock.

We have had engagement through correspondence with the Sailing Centre to try to reach some agreement in terms of mitigating directly the harm caused by this development through the provision of additional pontoons. We recently wrote back to the Sailing Centre agreeing to the infrastructure and equipment requests that it had set out in its letter, which was of 18 April 2016, and we have agreed to the full amount of £546,000.

Where we differ is in relation to the revenue and loss of revenue, which the Sailing Centre also set out in its 18 April letter. It is not possible for us to agree to those figures on the basis of the evidence that has been provided to us. There is no substantial justification for those figures and, in our view, limited material weight can be placed on that in the determination of this application.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. My understanding from these various letters was from one of the original letters somewhere when the estimation of the costs of the pontoon was at a lower level. I do not pretend to understand. I think that was when it was going to be fixed rather than portable.

Jonathan Marginson (Planning Director, DP9): That is right.

Sir Edward Lister (Deputy Mayor for Policy and Planning): There was also an almost "compensation" amount that was put in there of about £200,000. It is in one of these documents somewhere.

Jonathan Marginson (Planning Director, DP9): Yes. Following the meeting we had with Mr Breeze where we discussed some options for fixed pontoons, there were two options. One

was extending the existing pontoon and one was providing a new pontoon to the south of the existing one.

We engaged cost consultants to provide us with cost estimates for providing a particular type of pontoon and, from that, we then wrote to the Sailing Centre providing a cost for that and offering to pay for the new pontoon. The Sailing Centre came back and said that a fixed pontoon was probably not the best option and that a portable option was preferable, along with a request for various other contributions towards equipment. We then wrote back and said that we were grateful for the fact that it had clarified what was required and we agreed to the sum, which was £546,000.

Sir Edward Lister (Deputy Mayor for Policy and Planning): All right. Thank you for clarifying that for me. Can we just change a moment? I would like to come back to Mr Breeze, if I may, on the comments that have been made by various people that a redesign of this site would mitigate the effect of the wind. Is that your belief as well? Could you just give us a little bit more information about that?

Gordon Breeze (Principal Consultant, Building Research Establishment): The answer is a plain yes. If you look at one of the configurations that was tested - in other words, the M5 configuration - that configuration had a virtually negligible effect upon the wind conditions over the dock.

The issue that I believe you need to wrestle with is to balance the needs of the Sailing Centre against other design requirements; for example, sunlight, daylight and the wind microclimate around the site. The answer is that, yes, there are mitigation measures or mitigation schemes that can deliver roughly the same sailing wind conditions as exist now, but they have other ramifications that I believe have not been reviewed or considered to the level of detail that this proposed scheme has been developed.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. Do you want to comment on that at all?

Jonathan Marginson (Planning Director, DP9): Yes. I suppose the first thing to say is that we went through a very long process in designing this scheme and the starting point for that was the site allocation within the Tower Hamlets Managing Development Document. The principles of the layout of this site in terms of the north-south/east-west connections reflect the site allocation and they were the defining principles to take this scheme forward.

We then looked at what was appropriate in terms of height and massing on the site. Clearly, it is quite a varied built context around the site with small-scale residential development to the north of two-to-four storeys and then the wide dock to the south of the side. Aligned with the fact that we wanted to maximise the density on the site as appropriate to its public transport accessibility, the scale of development is as we have proposed. We have sought to keep the height of the buildings along the dock edge away from the smaller-scale residential to the north, to position the tower away from the Docklands Sailing Centre and also, in broader

townscape terms, to position the tower so that it is aligned along the harbour, where we are aware that there are also proposals for taller buildings as well.

In terms of assessing alternative options, we went through an exercise, which was agreed with your officers, of looking at different massing and layout options. What is quite clear is that it is not so much the height of buildings that affects the impact on the dock. It is much more about the layout of the buildings. The M5 scenario, where the buildings are angled at 45 degrees, does have a more beneficial effect than the proposal that we are putting forward, but we actually need to put that into context. It improves the sailing quality time by only around 14% compared to the proposal. It is not significant.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Sorry. Can you explain that? That is 14% of what?

Jonathan Marginson (Planning Director, DP9): There would be an improvement of sailing quality time by 14% compared with the existing. Maybe I should ask Martin, actually. Do you mind if I ask Martyn Prince to explain that for us? He is the expert.

Sir Edward Lister (Deputy Mayor for Policy and Planning): No. Please do.

Martyn Prince (Wolfson Unit, University of Southampton): I am Martyn Prince of the Wolfson Unit. The improvement would be of 14% of the total available time sailing.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Of the whole year, this would be, yes? Sorry. I am getting a bit ...

Martyn Prince (Wolfson Unit, University of Southampton): Sorry, let me just get my notes. The difference with M5 ...

Sir Edward Lister (Deputy Mayor for Policy and Planning): Sorry. Am I comparing the 14% with the 15%? Is that basically what you are saying? Sorry.

Martyn Prince (Wolfson Unit, University of Southampton): Averaged over the year, in the western dock area, there would be approximately 10% more availability of good sailing conditions with the M5 condition over the proposed development.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Okay. That is a bit clearer. Your argument, basically, as I understand it, is that if you went for the M5 option and angled the buildings and stuck to the same kind of height and massing, you would therefore transfer quite a bit of height and massing to the rear of the site away from the dock edge?

Jonathan Marginson (Planning Director, DP9): It would be to the north of the site. There are urban design implications with that. There are likely to be implications in terms of the impact on daylight and sunlight to surrounding properties. It is questionable whether the arrangement that we have shown on M5 could actually deliver a high-quality residential scheme for the occupants themselves. It would also have significant implications in terms of

delivering public health and space on the site. We have not gone into a great detail of detail on this --

Sir Edward Lister (Deputy Mayor for Policy and Planning): I appreciate that.

Jonathan Marginson (Planning Director, DP9): -- but we share the same view as your officers that we would have concerns about the M5 proposal.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. I noticed Tower Hamlets wants to come in.

Paul Buckenham (Development Manager, Tower Hamlets Council): Thank you, Deputy Mayor. I just want to come back on the testing of different options. The M5 option is a very indicative option. It is not a detailed proposal.

The testing of options has come very late in the planning process. This is EIA development and the point of EIA development is to be able to properly test and understand environmental impacts. Part of that testing is the consideration of alternatives. If the alternatives had been considered at a much earlier stage in the design process, then the EIA would have been far more embedded into the planning decision-making process rather than, in a way, looking at it right at the end and saying, "It is a *fait accompli* and there are too many unknowns and we are going to simply proceed with one design".

Also, the M5 option is a broad option that was tested but, arguably, if there was detailed design work, there may be further options that could be explored. There may be hybrids of the different options. All sorts of things could be looked at that could still deliver the same overall quantum and the same overall public benefits of development on this site.

In a way, it feels like the options testing (a) has come very late in the process and (b) is almost being argued as a *fait accompli* without actually looking at what an alternative development really could bring forward on this site. Those are the points I wanted to make, Deputy Mayor. Thank you.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you.

David Chesterton (Ward Councillor, London Borough of Tower Hamlets): Just to really reinforce what Mr Buckenham said, what Mr Breeze describes is a process that we went through at the Sailing Centre with every one of the developments around the dock that had not been consented at the point that the LDDC supported the creation of the Centre. The Sailing Centre worked with the developers of those schemes in the wind tunnel and experimented with different schemes in order to try to get up the best possible compromise that would do the least damage to the Sailing Centre and provide the greatest level of development and the greatest level of housing. All of those things were put in the mix and so what Mr Breeze is quite right and there will be other implications. Clearly, there will be.

An engaged developer that is seeking to work through to a solution that is going to be the best is something that we have been asking this applicant to be for two years and it has absolutely refused. It is a great shame that we find ourselves with some alternative options coming very late in the day. It refused to do this during the period that Tower Hamlets Council was overseeing this. It has arisen only at the time of the GLA. Since you became involved, it has finally agreed to have some alternative models tested but has been absolutely resistant to doing that.

The suggestion that I heard earlier that there has been engagement with the Sailing Centre is simply not true. The point at which there was an agreement on the criteria against which this should be assessed did not even take place until after the application had been submitted last August. We did not end up with agreed criteria until last autumn. That is the reality of the situation.

You also have to be very careful when you look at the percentages. As you might imagine, from the developer's point of view, it is very useful to average out impact over a 12-month period. When they talk about a percentage impact, if they are talking about a 12-month period, which generally they are, what that misses and fails to pick up is that for the crucial months of the year when the prevailing wind is coming from that direction, we are not talking about 10% or 20%. We are talking about very significant impacts for particular periods of time. Do not get caught up in looking at averages across 12 months. You need to look at the impact during the period that we are talking about, which is the early part of the sailing system.

Martin Young (Chair, Docklands Sailing and Watersports Centre Trust): I just should make clear that there have been discussions in recent months between the Sailing Centre Trust and the London & Regional Properties concerning potential financial mitigation. I would not want it to be thought that there have not been any discussions at all. What there have not been, of course, are discussions in any detail about the possibility of a redesign such as proposal M5.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you.
Councillor Wood?

Andrew Wood (Ward Councillor, London Borough of Tower Hamlets): I just want to make a quick observation. We are all happy and fine with the green buildings, which is phase 1. We are agreed that demolition can go ahead. We are agreed that phase 1 construction can go ahead. The issue is phase 2 and what happens with phase 2. That construction is not going to happen for years from today, even if everything is agreed. Therefore, what we are simply asking for is a relook at the options for phase 2 and look at option 5.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Thank you. Did you want to comment on that?

Jonathan Marginson (Planning Director, DP9): I can comment on that and I suppose, very simply, the application before you is a full planning application. There are not two planning applications that you are considering at the moment. There is no possibility for you to make a decision that you will grant the secondary school and then you will condition in some way the design of the remainder of the site. That is not an option that is open to you.

In terms of the options that we tested, there clearly are an infinite number of options that we could look at. This is a big site. We could look at a whole range of different options: repositioning buildings on the site, different heights, different scales. The approach we took was to test some key principles and they revolved around the layout of the buildings and the different heights and massing of the buildings in different locations so that we could understand some fundamental principles about how the height, massing and layout do affect the wind conditions on the dock. The options we have tested, we believe, do that. I am sure that there are other options that we could test. There is an infinite number, as I have said. However, I actually do not think that the results are going to be substantially different than the options that we have tested to date.

Sir Edward Lister (Deputy Mayor for Policy and Planning): I do not think I have anything else. Sorry, Mr Breeze, please?

Gordon Breeze (Principal Consultant, Building Research Establishment): I would just like to amplify some of the points that have been made by the Sailing Centre with regards to the time periods. It is important that we all here recognise that we are dealing here with a very complex situation. We are dealing with a situation where for some periods of time you will have better conditions and some periods of time you will have worse conditions, but the net overall impact is that you will get worse conditions.

The point that they are making is that for certain periods of time, particularly in May and April, you are likely to have worse conditions for quite a long period of time. However, that is only part of the story. What we are trying to do as wind engineers is to give a picture of both the local time conditions and the global time conditions as well. It is difficult to do because they are conflicting and they are different at different times on different parts of the dock. We are trying to give you an overall picture. When these percentage values are being bandied around, they are quite right that you have to look at two things: you have to look at the local effect and at the global effect and you have to look at both. That is a point I really wanted to make, too.

Sir Edward Lister (Deputy Mayor for Policy and Planning): Your point is, really, that other parts of the dock are substantially unaffected by this development and, therefore, the issue really does centre on the April/May period when the boats are being launched?

Gordon Breeze (Principal Consultant, Building Research Establishment): Precisely.

Sir Edward Lister (Deputy Mayor for Policy and Planning): That is really what we are talking about? I appreciate that there will be other times, but that is the main period?

Gordon Breeze (Principal Consultant, Building Research Establishment): That seems to be the problem period. Are the mitigation measures appropriate to deal with that problem?

Sir Edward Lister (Deputy Mayor for Policy and Planning): All right. I have asked all I want to ask. Thank you very much. I want to adjourn for a few minutes and I will come back to you as soon as I can. Thank you.

(Adjournment)

Sir Edward Lister (Deputy Mayor for Policy and Planning): I am sorry to have kept you waiting slightly longer than I had hoped. Firstly, I want to thank all of you for the presentations today, which have been extremely helpful.

I do recognise in weighing up this whole scheme that there are enormous benefits to Tower Hamlets with the provision of a secondary school, the affordable housing and bringing forward a long-disused site. I recognise all of these benefits. Therefore, I do want to approve this application, subject to section 106 agreements being put in place.

However, I want to draw attention to the wind mitigation issues that have come up - and we spent quite a bit of time discussing them - and the practical difficulties. I was particularly taken by Leila Moore's description of trying to deal with young children out on those pontoons. Therefore, I will delegate the authority to the Director of Planning and the Assistant Director of Planning to enter into some discussions between the Sailing Centre and the developer to try to find some mitigating monies that can assist in that. I would expect that to be sorted out within the next 24 hours. Thank you.

Overall, subject to all of that, the scheme is approved. Thank you.