Wood Wharf, Isle of Dogs
in the London Borough of Tower Hamlets
planning application no. PA/11/02174

<table>
<thead>
<tr>
<th>Strategic planning application stage 1 referral (new powers)</th>
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<tr>
<th>The proposal</th>
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<tr>
<td>The extension of time for the implementation of a hybrid application for comprehensive mixed use redevelopment of Wood Wharf comprising outline application (all matters reserved, save for access and layout) for demolition of dwellings at Lovegrove Walk, commercial floorspace, retail floorspace and up to 1,668 residential units (PDU/2208c); full application for associated infrastructure, including the creation of structures in Blackwall Basin, South Dock (PDU/2208a); partial demolition of a small section of the southern dock wall to Blackwall Basin, the creation of a new canal between South Dock and Blackwall Basin, and the introduction of piled foundations to anchor structures within the Basin (PDU/2208c) and connected Listed Building applications.</td>
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<th>The applicant</th>
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<td>The applicant is <strong>Wood Wharf (General Partner) Ltd.</strong> (a partnership of British Waterways, the Canary Wharf Group and Ballymore Properties Ltd.) and the architect is <strong>Rogers Stirk Harbour + Partners</strong> and the landscape architect is <strong>Martha Schwartz Partners</strong>.</td>
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<th>Strategic issues</th>
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<td>The principle of the redevelopment of this currently under-utilised site for residential, commercial and retail uses is supported and was established through the extant permission for this site. The application for renewal of planning permission has been assessed against policy which has changed since grant of the extant permission. As such the application has been assessed in relation to housing quality, impact on the world heritage site, air quality, energy and transport. Provided the conditions set out in the report below are included on the draft decision notice the application complies with the London Plan.</td>
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<th>Recommendation</th>
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<td>That Tower Hamlets Council be advised that, provided the conditions set out in the body of the report below are included on the draft decision notice and there are no changes to the section 106 agreement which impact on compliance with the London Plan, the application complies with the London Plan, for the reasons set out in paragraph 46 of this report, and does not need to be referred back to the Mayor.</td>
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Context

1 On 17 October 2011 the Mayor of London received documents from Tower Hamlets Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses and on 19 December 2011 additional information was received. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 29 January 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Category 1A, 1B and 1C of the Schedule of the Order 2008: 1A “Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.” 1B “Development which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 sq.m.” 1C “Development which comprises or includes the erection of a building more than 30 metres high outside the City of London”.

3 Once Tower Hamlets Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

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

Site description

6 The Wood Wharf site is 13.34 hectares and is in the north-east of the Isle of Dogs. It lies immediately to the east of Canary Wharf and to the west of Preston’s Road. Blackwall Basin defines the northern boundary of the site, with the River Thames locks and South Dock forming the southern boundary.

7 The site is in a moderately accessible location with a public transport accessibility level (PTAL) of 4 where 1 represents the lowest accessibility level and 6 the highest. Canary Wharf station on the Jubilee Line is located approximately 460 metres from the eastern boundary of the site. There are also three DLR stations within walking distance of the site: Blackwall to the north, Heron Quays and Canary Wharf to the west. There are four bus routes close to the site: D6, D8 and 277. The nearest bus stops are located either at Trafalgar Way, Cartier Circle or Preston’s Road.

8 Currently the only vehicular access to Wood Wharf is via Prestons Road, which is a borough road. The nearest part of the Transport for London road network is the A1261 Aspen Way, 450 metres to the north of the site and connected to Preston’s Road by a major roundabout. To the east of Wood Wharf a cycle route runs along Preston’s Road and there are a series of informal cycle routes through the Canary Wharf estate. Cycle superhighway route 3 (CS3) runs 300 metres to the north along Poplar High Street and Navel Row.

9 By 2018 Crossrail will be operational and the Isle of Dogs station will be located at North Quay, some 400 metres to the north-west of Wood Wharf with access from Trafalgar Way.
10 The site comprises a number of vacant low-rise, poor quality, light industrial, office and warehouse units. The following uses are currently accommodated on the site: a Cable and Wireless telecommunications hub; Fulton’s umbrella warehouse; large shed-style buildings accommodating paintball and five-a-side football activities; a small amount of office space and a data centre; and residential properties along Lovegrove Walk.

11 The site contains a number of features which are considered to be of historical importance: Blackwall Basin is Grade I listed; part of the former West India Dock walls is Grade I listed; three cranes which were relocated from elsewhere on the Isle of Dogs, front onto the lock on the south-east corner of the application site.

12 Wood Wharf is surrounded by a number of conservation areas. The Coldharbour Conservation Area is immediately to the east. A number of listed buildings are present in this conservation area and are generally located on the Thames waterfront. The area is generally of mixed character with new development sitting alongside remaining historic elements. The West India Dock Conservation Area is located approximately 1 kilometre to the north-west of the site and was designated to protect the remaining buildings and spaces of the West India Docks.

13 The site is currently accessed on foot from the north via steps leading down from Cartier Circle. Vehicular access is via a private estate road to the east of the site from Preston’s Road. At present there are no direct vehicular links with the Canary Wharf estate and the pedestrian steps are narrow and poorly lit. The residential area to the north-east of the site is accessed by vehicle and foot from a private road leading off Preston’s Road.

**Details of the proposal**

14 The hybrid application consists of two components: an outline planning application for a mixed-use development, with layout and access for approval; and a full planning application for the provision of a new canal, measuring 5,134 sq.m., and other engineering infrastructure.
The proposal comprises high density mixed-use development in a series of buildings of varying height, which will provide up to 1,668 residential units, including 141 intermediate units and 299 social rented units, as well as over 450,000 sq.m. of commercial floorspace, 19,488 sq.m. of retail floorspace, 4,984 sq.m. of community uses and a hotel (26,325 sq.m. or 120 rooms). The scheme includes ten tall buildings. The heights of these tall buildings have not yet been fixed and are subject to a series of ‘scale parameters’ that are proposed by the applicant. Under these scale parameters the maximum heights of the ten tall buildings are: 134.45 m., 194.25 m., 141.85 m., 125.05 m., 199.90 m., 134.45 m., 206.02 m., 160.25 m., 119.30 m., and 124.55 m. A further residential building is up to 69.45 m. tall. A new canal is proposed linking Blackwall Basin and the dock. The six office buildings and the hotel are located to the west of the canal together with two of the residential buildings which are built out into the dock. A further three residential buildings and a community park are located to the east of the canal. The social rented units, as well as some market units, are located to the east of the canal, close to the park. Market and intermediate units are located to the west of the canal.

15 The proposal also includes approximately 55,500 sq.m. of landscaped area comprising a community park, a boardwalk along the dock edge and themed islands within the docks.

16 A total of 829 car parking spaces are proposed, 159 motorcycle spaces and 2,231 cycle parking spaces.

**Case history**

5 The extant planning permission was seen by the Mayor at Stage II in November 2008 (PDU reference 2208) and Tower Hamlets issued the decision notice on 19 May 2009. Since then a number of reserved matters applications and discharge of condition applications have been submitted to Tower Hamlets as follows:

- Details of scale, appearance and landscaping of building W01 (approved 8 July 2009)
Details of the scale and appearance of building envelopes W12A (parts thereof) and W22 (parts thereof) (approved 8 July 2009)

Details of scale, appearance and landscaping of buildings W02 and W03 (approved 16 July 2009)

Non material amendment to include additional scale parameter plans

None of these applications were referable to the GLA. These do not constitute implementation of the outline consent in its entirety and as such this renewal application is being submitted.

Strategic planning issues and relevant policies and guidance

The relevant issues and corresponding policies are as follows:

- **Urban design**  
  London Plan; PPS1

- **Transport**  
  London Plan; the Mayor’s Transport Strategy; PPG13

- **Crossrail**  
  London Plan; draft Mayoral Community Infrastructure Levy; Crossrail SPG

- **Parking**  
  London Plan; Assembly draft Early Minor Alteration to the London Plan; the Mayor’s Transport Strategy; PPG13

- **Tall buildings/views**  
  London Plan; Revised View Management Framework SPG; revised draft View Management Framework

- **Sustainable development**  
  London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; Mayor’s Climate Change Mitigation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy; Sustainable Design and Construction SPG

- **Heritage**  
  London Plan; Circular 07/2009; PPS5;

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Tower Hamlets Core Strategy, the Unitary Development Plan and the 2011 London Plan.

The following are also relevant material considerations:

- The Early Minor Alteration to the London Plan
- The Tower Hamlets Development Management Policies DPD which will shortly going out to pre-submission consultation

Renewal of extant planning permissions

On 1 October 2009 a new temporary procedure was introduced to allow applicants to apply to extend a planning permission by seeking a new planning permission to replace an existing one, which is in danger of lapsing. The Department of Communities and Local Government published ‘Greater flexibility for planning permission: guidance’ in October 2010 to help planning authorities and developers use this new procedure. It states that development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date and planning authorities should, in making their decision, focus their attention on policy and other material considerations which may have changed significantly since the original permission was granted.
The Mayors Stage II decision on this application was issued in November 2008. Tower Hamlets issued the decision notice on this application on 18 May 2009.

As such in this case the relevant matters to be considered are housing quality, impact on the world heritage site, air quality, energy and transport together with any changes proposed to the section 106 agreement.

It is understood that the applicant proposes to carry forward the section 106 agreement. The Council should keep GLA officers informed of any changes that are negotiated with the applicant in response to its concerns.

**Housing quality**

London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3. To address these the Mayor is currently consulting on a new draft Housing SPG on the implementation of Policy 3.5 for all housing tenures, drawing on his Housing Design Guide for affordable housing.

Some illustrative block layouts were provided with the original application and the applicant seeks to rely on these for the renewal of this permission. The level of information provided is not sufficient to demonstrate compliance with the London Plan Policy 3.5. Whilst it is disappointing that further layouts have not been submitted, as requested by the GLA, this position is acceptable on the basis that the application is conditioned such that all the units in the reserved matters applications will meet the minimum space standards set out in table 3.3, that there will be no single aspect units in areas that fall within noise category NEC C or D and that the proposals will meet the other Housing Design Guide standards as far as is practicable. In addition the application should be conditioned such that the GLA are consulted on the reserved matters applications.

**World Heritage Sites**

The proposed development site is located opposite the Greenwich World Heritage Site. In July 2009 the Government published a Circular on the Protection of World Heritage Sites (07/2009). The Circular establishes the Government’s objective to protect each World Heritage Site through conservation and preservation of its outstanding universal value. It sets out that World Heritage Sites and their settings, including any buffer zone should be protected from inappropriate development. The Circular identifies the setting of a World Heritage Site as the area around it (including any buffer zone) in which change or development is capable of having an adverse impact on the World Heritage Site, including an impact on views to or from the site.

PPS5, Planning for the Historic Environment, published in 2010, includes World Heritage Sites in the definition of Designated Heritage Assets. Policy HE10, which deals with applications for development affecting the setting of a designated heritage asset states that authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.

The London Plan (2011) also has a number of new and enhanced policies in relation to World Heritage Sites. Particularly 7.10 ‘World Heritage Sites’ which states that “Development should not cause adverse impacts on World Heritage Sites or their settings (including any buffer zone). In particular, it should not compromise a viewer’s ability to appreciate its Outstanding
19 The proposed development will appear in the background of views of the World Heritage site. It will form an extension to an established cluster of tall buildings on the Isle of Dogs. Given its distance from the World Heritage Site and in particular its separation from the World Heritage Site by the river it will not adversely impact on the ability to recognise and appreciate the World Heritage Site and the various elements within it in the foreground of the views and it will improve the Docklands backdrop to the view by consolidating the cluster. English Heritage has set out that it feels that the impact of the proposed Wood Wharf development on the setting of the World Heritage Site is acceptable. It would not impact adversely on the visual integrity of the World Heritage Site or its Outstanding Universal Value. As such the development complies with London Plan policy in this regard.

Air Quality

20 London Plan policy 7.14 sets out that development proposals should be at least air quality neutral and not lead to further deterioration of existing poor air quality.

21 The application broadly complies with the London Plan policies on air quality. However the air quality impact of the combined heat and power plant proposed has not been assessed. The extant permission includes planning conditions requiring a site-wide air quality strategy to be approved prior to the commencement of development and air quality plans per phase assessing the operation of that particular phase. These should be carried forward to the new consent.

Energy

22 The London Plan climate change policies set out in Chapter 5 collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.2 ‘minimising carbon dioxide emissions’ sets out an energy hierarchy for assessing applications, London Plan Policy 5.3 ‘Sustainable design and construction’ ensures future developments meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support effective adaptation to climate change. Further detailed policies on climate change mitigation and adaptation are found throughout Chapter 5 and supplementary guidance is also given in the London Plan sustainable design and construction SPG

Energy efficiency standards

23 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include energy efficient lighting and mechanical ventilation with low specific fan power. The demand for cooling will be minimised through high performance facades with optimised levels of solar shading and solar control.

24 The applicant sets out that the development will exceed 2010 Building Regulations compliance through energy efficiency alone and this will be conditioned.
District heating

25    The applicant has carried out an investigation and there are no existing district heating networks within the vicinity of the proposed development. However, the energy assessment indicates that Wood Wharf is identified as one of the most westerly connections for the planned London Thames Gateway Heat Network. The applicant has provided a commitment to ensure that the development is designed to allow future connection to a district heating network should one become available. This should be conditioned.

26    The energy assessment identifies the possibility to take cold water from the adjacent docks and use this, in conjunction with chillers, to provide very low carbon active cooling to buildings on the development, before returning the warmer water to the dock. This is welcomed and should be pursued. In some cases, there may also be additional opportunities to extract heat from the return water before it goes back into the dock.

Combined Heat and Power

27    The applicant is planning to install gas fired CHP plant as the lead heat source for the baseload demands provided by the residential units and hotels elements of the development.

28    The indicative total CHP capacity for the residential networks is 600-800 kWe although the exact sizing and corresponding emissions savings will be confirmed at the detailed design stage. The extant permission included a potential option for the inclusion of fuel cell technology if technically feasible and this is carried forward and would be subject to viability.

29    The extant permission has two residential networks, with links to the hotel and other uses, with each office block having its own network. The stage II report for the extant permission set out that ‘Given the scale and complexity of the proposed development GLA officers are now satisfied that the energy strategy complies with the energy hierarchy in the London Plan and that no further carbon savings could be gained from a single heat network for the office buildings.’ This approach is carried forward in the current application. The condition included in the extant permission to ensure that the two residential networks, including links to the hotel and other uses, are developed as agreed should be carried forward.

Renewable energy technologies

30    The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install photovoltaic panels (PV). The extant permission proposed 4,000 sq.m. of PV panels and this is carried forward and should be conditioned as a minimum.

31    Large heat pumps using heat in the water being returned to the dock (see reference above) as their heat source may also be used to supply heat to the site heat network infrastructure. In this instance, the site heat network infrastructure will be designed to operate at very low temperature to optimise performance.

Overall carbon savings

32    Overall the development will achieve a minimum of a 25% improvement (4150 tonnes of carbon dioxide) over a 2010 Building Regulations compliant building.

Summary

33    The energy strategy complies with the London Plan provided the application is conditioned such that the development will exceed 2010 Building Regulations through energy efficiency alone,
Transport

34 TfL welcomes the applicant’s commitment to provide both active and passive electric charging points in accordance with London Plan policy 6.13 which requires 10% of for retail parking and 20% for residential parking. Policy 6.13 of the London Plan 2011 requires that one coach parking space per 50 rooms is supplied for hotels, which equates to 6-7 spaces within the proposed scheme. However as the previously consented scheme did not provide any coach parking, TfL considers that a coach pick up and drop off area would be sufficient, located close to the hotel entrance and capable of accommodating a 12-15 metre coach. Given the scale and nature of the proposed uses, TfL consider the development would benefit from a taxi rank, in addition to the set down/pick up for private hire vehicles already secured. The layout and location of a taxi rank can, however, be reviewed as part of a reserved matters application and does not require any alterations to the current scheme.

35 TfL welcomes the developer’s continued commitment to contribute £250,000 towards cycle hire docking stations within the area. Since the original section 106 agreement was completed in 2009 however, the schedule of sites detailed in the obligation is no longer appropriate as many of the sites are no longer available. Should there be any revision to the section 106 agreement, it would be expedient to alter the obligation to remove specific reference to particular cycle hire locations, retaining only the financial commitment to deliver an appropriate number of docking stations on or close to the site. TfL Cycle Hire will endeavour to agree sites with Wood Wharf and ensure the contribution is spent on locations within the site where possible or alternatively adjacent to the site.

36 TfL welcomes the applicant’s continued commitment to provide £100 million overall towards Crossrail. As with obligations towards cycle hire, should broader changes to the section 106 be proposed to be undertaken, it would be prudent to update the clauses relating to Crossrail to reflect the now adopted Crossrail SPG. TfL is not insisting that this element of the section 106 agreement should be revisited, however.

37 Conditions attached to the original permission relating to car and cycle parking and the requirement for a construction logistics plan and service and delivery plan should be reflected in any subsequent decision.

Community Infrastructure Levy

38 In accordance with London Plan policy 8.3, and following consultation on both a preliminary draft and then a draft charging schedule, the Mayor of London submitted the charging schedule and supporting evidence which was considered at an Examination in Public in late November/early December 2011 Application of the CIL charge could commence in Spring 2012 and will be paid by most new development in Greater London.

39 The Mayor is proposing to arrange boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floorspace respectively (see table, below). The proposed development is within the London Borough of Tower Hamlets where the proposed Mayoral charge is £35 per square metre. More details are available via the GLA website http://london.gov.uk/
Crossrail payments required via the July 2010 Supplementary Planning Guidance (SPG) will continue to run in tandem with the Mayoral CIL. However, the Mayor will treat CIL payments as a credit towards any payment sought under the section 106 policy (SPG) should the former be less than the latter, and not to seek a contribution at all should the obverse be the case.

You should be aware that within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time (January 2012), borough CIL charges for Redbridge, Wandsworth, Croydon and Brent are the most advanced.

The Mayor’s CIL will contribute towards the funding of Crossrail. The developer should, therefore, be aware that transport infrastructure necessary to mitigate the impacts of development will be secured via the conventional section 106 mechanism.

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

The local planning authority are due to take this application to committee in February.

Legal considerations

Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

There are no financial considerations at this stage.
Conclusion

46 London Plan policies on housing quality, world heritage sites, energy and transport are relevant to this application. In general, the application complies with these policies, for the following reasons:

- **Housing quality**: The information currently submitted is not sufficient to ensure that the residential units will meet the London Housing Design Guide standards. Whilst it is disappointing that further layouts have not been submitted as requested by the GLA this position is acceptable on the basis that the application is conditioned such that all the units in the reserved matters applications will meet the minimum space standards set out in table 3.3 and will meet the other Housing Design Guide standards as far as is practicable. In addition the application should be conditioned such that the GLA are consulted on the reserved matters applications.

- **World heritage sites**: The development would not impact adversely on the visual integrity of the World Heritage Site or its Outstanding Universal Value. As such the development complies with London Plan policy in this regard.

- **Energy**: The energy strategy complies with the London Plan provided the application is conditioned such that the development will exceed 2010 Building Regulations through energy efficiency alone, that the development will be designed to allow future connection to a district heating network; the condition included in the extant permission to ensure that the two residential networks, including links to the hotel and other uses, are developed as agreed is carried forward; and that a minimum of 4000 sq.m. of PV panels will be provided.

- **Transport**: Provided the conditions attached to the extant permission relating to transport are carried forward the application complies with the London Plan.

47 Provided the conditions set out in the body of the report below are included on the draft decision notice, and there are no changes to the section 106 agreement which impact on compliance with the London Plan, the Mayor does not need to be consulted again on this application.

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for further information, contact Planning Decisions Unit:

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