

**Plot N24, Zone 3, Stratford****Olympic Delivery Authority (in the London Borough of Newham)****planning application no. 10/90285/FUMODA****Strategic planning application stage II referral (new powers)**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

**The proposal**

Full planning application for a **Mixed use** scheme: Erection of a 42-storey building comprising a hotel at ground to the 6<sup>th</sup> floor with between 145 and 155 bedrooms, a restaurant (Class A3) at 7<sup>th</sup> floor level, 248 residential units at 8<sup>th</sup> to 41<sup>st</sup> floor and flexible Class A1-A4 floor space at ground floor, together with associated amenity space, landscaping, plant and ancillary works.

**The applicant**

The applicants are **London & Continental Railway** and **Stratford Heights Investment Ltd** and the architect is **SOM**.

**Strategic issues**

All outstanding issues related to inclusive design, climate change mitigation, housing, noise, employment and training, and transport are satisfactorily resolved.

**The Olympic Delivery's decisions**

In this instance the Olympic Delivery Authority has resolved to grant permission but giving delegated authority for officers to refuse permission if the Section 106 agreement is not signed within a specified date.

**Recommendation**

That the Olympic Delivery Authority be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

**Context**

1 On 15 July 2010 the Mayor of London received documents from Newham Council, on behalf of the Olympic Delivery Authority (ODA) notifying him of a planning application of potential strategic importance to develop the above site for the above uses. An alternative application for a mixed-use hotel and residential scheme, and a hotel only proposal was submitted at the same time. As the outstanding issues related to the mixed-use proposal were being negotiated, the Mayor considered separately stage 2 referral for the hotel only proposal (PDU reference 2578) on 25

November 2010. Therefore, this report now deals with the remaining element of the alternative application i.e. the mixed use proposal (PDU reference 2578a).

2 The mixed-use application is referable under Categories 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 (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings...outside Central London and with a total floor space of more than 15,000 square metres”.*
- 1C *“Development which comprises or includes the erection of a building of one or more of the following descriptions...the building is more than 30 metres high and is outside the City of London”.*

3 On 25 August 2010 the Mayor considered planning report PDU/2578 & 2578a/01, and subsequently advised the Authority that the application did not comply with the London Plan, for the reasons set out in paragraphs 133 and 136 of the above-mentioned report; but that the possible remedies set out in paragraphs 135 and 138 of that report could address these deficiencies.

4 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 9 November 2010 the ODA decided that it was minded to grant planning permission but giving delegated authority for officers to refuse permission if the Section 106 agreement is not signed within a specified date, for the revised application, and on 19 November 2010 it advised the Mayor of this decision. However the details of the section 106 agreement and conditions were not received until 13 December 2010. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged or direct the ODA under Article 6 to refuse the application. The Mayor has until 26 December 2010 to notify the ODA of his decision and to issue any direction.

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

6 The decision on this case and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## **Update**

7 Since the Stage I report the application has been amended and the design of the ground floor and the 7<sup>th</sup> floor has been reconfigured. The restaurant element of the scheme would be located on the 7<sup>th</sup> floor instead of the ground floor lobby with its own dedicated lift access. The provision of restaurant at this level will offer better views which will be available for the public to enjoy and it is therefore a welcome amenity. The original scheme proposed an area of outside seating in the public realm between the hotel and the international station to serve a proposed restaurant or café. Following objections to this design from Officers and Newham Highways regarding the impeding pedestrian flows, this has now been omitted.

8 The quantum of the residential units has now been reduced to 248 units instead of 253 in order to accommodate improved space standards; studio flats (minimum floor space of 45sq.m, 1 bedroom flats 55-70sqm, 2-bedroom units 62-91sqm, and 3-bedroom units 115-137sqm). Approximately 25% of the units would be 'loft style' i.e. split level.

9 At the consultation stage the Authority was advised that the application did not comply with the London Plan, for the reasons set out in paragraphs 136 of the above-mentioned report; but that the possible remedies set out in paragraphs 138 of that report could address these deficiencies:

### **Affordable housing**

10 The Stage I report set out that the viability assessment suggests that the scheme can viably support a payment of £1 million to Newham Council (taking into account market growth assumptions), which could either be provided as a "developer subsidy" towards intermediate provision onsite or via a commuted sum to support intermediate provision off-site or a mixed tenure off-site solution. This payment would fund between six and seven intermediate units on site or 23 intermediate units off-site.

11 The Stage I report also set out that the London Plan Housing SPG states that affordable housing provision should normally be provided as an integral element of a residential development except where exceptional circumstances justify provision offsite. It also states that consideration will normally only be given to offsite provision where an alternative site (or sites) has been identified which would enable the required offsite affordable housing provision, as justified by the exceptional circumstances, to be delivered prior to the on-site market development being completed. The rationale that social rented units are not provided on-site is accepted given that a commuted payment would allow for the provision of off-site family units which are in greater need locally.

12 Following the Stage I report the applicant has submitted information to support their argument that a larger number of units could be provided off-site rather than on-site, that the level of service charge envisaged for this scheme would limit affordability of on-site units and that housing providers are less willing to manage schemes with low levels of intermediate housing. The applicant also sets out that 1,057 intermediate units will be provided at Stratford City through the masterplan and Newham considered that there is therefore sufficient intermediate housing in the immediate vicinity. As such on balance this approach is accepted as being an exceptional circumstance that justifies the non-provision of on site affordable housing.

13 The viability appraisal has been independently verified and has confirmed that if this approach was accepted at the present time £1 million (taking into account market growth assumptions) is the maximum reasonable contribution that could be expected from this proposal. Newham and the ODA decided that, given that the development would not be built out until some time after the Olympics, a review mechanism would be more appropriate than agreeing a contribution up front. Consequently the applicant has agreed to a review mechanism that would allow for review of the level of contribution at commencement of marketing of the residential element but no later than 12 months from the commencement date of the residential element. The fixed elements of the review are that the developer's priority return is fixed at 20%, surplus funds above this 20% will be split 70% to the affordable housing contribution and 30% to the developer and the maximum contribution is capped at £8.7 million (£100,000 per unit for 35% of the total number of dwellings, i.e. 87 units). 40% of the affordable housing contribution will be paid on the sales completion of the first residential dwelling and 60% on the sales completion of the 125th residential dwelling. As such the affordable housing payment will be received prior to completion of the development. Given that the development will not be built out for some time this approach is acceptable.

14 The London Plan sets out if an off-site affordable housing contribution is agreed that in order to comply with London Plan policy a site should be identified for the provision of affordable

housing. The section 106 agreement will set out that the contribution will be ringfenced for the delivery of affordable housing and that the money will be allocated to and spent on affordable housing schemes with the following descending order of priority. For the first three years the provision of new affordable rented units of three or more bedrooms; in the second instance the provision of new affordable rented units of two or more bedrooms and in the third instance the provision of new additional affordable units. The applicant and Newham council have agreed to a clause which sets out that *'Prior to the allocation of funds in accordance with the priorities set out the Council will notify the GLA in writing of the scheme or schemes to which funding will be allocated and the amount of each allocation. Subject to the Council undertaking to use reasonable endeavours to initially allocate the money to schemes in the highest priority category and upon notifying the GLA in accordance with the above the funds will be spent on affordable housing schemes in strict accordance with the descending order of priority.'*

### **Inclusive access**

15 The stage I report identified that 8% of all hotel rooms were wheelchair accessible and that as the rooms are larger than usual there was the opportunity for additional rooms to be wheelchair accessible with minor changes to the fit out. The applicant has agreed to a condition to review the potential of these larger rooms once a hotel operator has signed up and the detailed design of the hotel layout comes forward. The Stage I report also asked for an accessibility management plan to be conditioned and this is conditioned.

16 The stage 1 report also set out that the corridor widths adjacent to the accessible rooms are narrower than other corridor widths in the hotel and these rooms should be sited closer to the lifts. The applicant has subsequently advised that such a layout would not be possible within the structure of the building. The applicant has also set out that the location of these rooms will have their entrance doors located between 4m and 12m from the lift lobbies and turning spaces along corridors are provided at regular intervals. This justification is accepted.

17 As a result, the scheme now complies with inclusive design policies of the London Plan.

### **Climate change mitigation & adaptation**

18 The Stage 1 report set out that carbon dioxide savings from energy efficiency alone were very modest at 8%. The applicant was asked to explore opportunities for securing significant additional savings through energy efficiency alone. In addition the applicant was asked to provide evidence of correspondence with Cofely to support their energy strategy, to confirm that all uses, including space heating for the hotel bedrooms and residential units, will be provided through district heating if this option goes forward and that all uses will be connected to the combined cooling heat and power (CCHP) plant.

19 The applicant has now made a commitment to achieving 12% carbon dioxide savings through energy efficiency alone, correspondence with Cofely has been provided and the applicant has confirmed that in the district heating option all uses will be connected to the district network and otherwise they will be connected to the CCHP. The following condition will be included in the decision notice:

*"Within 6 months from commencement (or any longer period agreed in writing by the local planning authority) the applicant shall submit to the local planning authority for approval in writing modelling which demonstrates how the development will achieve a 12% emissions improvement compared to a 2006 Building Regulations compliant development through energy efficiency measures alone. The study shall identify all energy efficiency measures which will be incorporated, all of which shall be installed prior to first occupation of the hotel."*

20 As such the application now complies with the London Plan in this regard.

## **Noise**

21 The stage I report set out that the proposed noise mitigation measures should be conditioned.

22 Appropriate conditions on the proposed noise mitigation measures during construction and minimising the noise from CTRL (such as ground borne noise from the railway tracks to hotel rooms not to exceed 40dBLAmax(s)) or 35dBLA max(s) to the residential units are included in the draft decision notice. In addition, meeting the standard of BS4142 noise rating of 0 (control of noise from plant attached to buildings) is also conditioned.

23 As a result, the scheme now complies with the noise policies of the London Plan.

## **Employment and training**

24 The Stage I report advised that the measures identified in the employment report should be conditioned. In addition a section 106 clause/condition was requested requiring the applicant's commitment to provide on-site training, or contribute to the cost of training in construction work.

25 The applicant has agreed to a contribution of £218,000 as part of the section 106 agreement which is considered acceptable by Newham Council. Payment of the contribution would be phased as follows: £47,600 on commencement of the development (for hotel construction work training); £20,400 payable six months prior to opening of the hotel (for end user training) and £150,000 on commencement of the residential development (for construction skills training). These are secured by condition.

26 As a result the scheme now complies with the London Plan in this regard.

## **Transport**

27 At consultation stage, TfL requested that the applicant identifies disabled and coach parking facilities to serve this site. TfL also suggested that this development should contribute towards the Stratford City Development transport fund in light of the cumulative impact posed by this proposal and other developments that may come forward. A travel plan, construction logistics plan and a delivery and servicing plan were also required to be secured as part of an appropriate planning condition. More information was also required regarding the nature and security of the cycle parking proposed.

28 The applicant has confirmed that they will provide CCTV coverage of the cycle parking areas to deal with TfL's security concerns, ensuring compliance with London Plan policy 3C.22 'Walking' and draft London Plan policy 6.9 'Cycling'.

29 It is noted that the applicant is currently negotiating with the owner of the Plot N25 car park, to accommodate disabled parking for this development. A planning application to permit this arrangement is currently under consideration by Newham Council, a clause will be included in the S106 agreement to prevent commencement of works on site until the disabled parking spaces have been secured for use by this development.

30 The applicant has confirmed that no coach parking spaces are proposed as part of this application as not considered necessary due to the expected luxury nature of the hotel and the availability of approved coach parking spaces along North Road. However the applicant should note that possible grant of permission relates to land use and not whether the occupier will be a luxury hotel or not. Given the likely demand for these approved spaces by other committed developments and the possibility of relocation of one of these bays, TfL remains concerned whether there would be sufficient facilities to serve this development. TfL however supports the approach to secure by section 106 a coach parking strategy which shall include measures for relocating the approved spaces and agreeing on the level of provision to satisfy the coach parking demand from this hotel. This again will need to be agreed prior to the implementation of the scheme.

31 With regard to taxis, it is disappointing that the problem of vehicles dropping off and potentially being hailed outside the site has not been addressed. TfL however supports the applicant's commitment to include a measure in the travel plan to provide customers with promotional material providing clear guidance on the location of the assembly points and to also secure a taxi drop off strategy by section 106 agreement.

32 A construction logistics plan and a delivery and servicing plan are to be secured by use of a planning condition. This is welcomed by TfL and is in compliance with London Plan Policy 3C.25 'Freight Strategy' and draft London Plan policy 6.14 'Freight'. Finally, a travel plan is to be secured through the section 106 agreement, which is acceptable.

33 This development sits outside the Stratford City approval, any additional contribution towards supporting the public transport network that it fundamentally relies on has subsequently been rejected by the applicant, which is disappointing. The applicant argues that there will be adequate capacity provided at Stratford City to accommodate the development hence no impact to mitigate and therefore no obligation required. Whilst this argument is understood and although there is no pooling strategy as such in place for other developments to contribute to supporting Stratford City transport infrastructure, this development is nevertheless heavily dependent on the public transport network and is only coming forward as a result of the investment made by others. This approach does not take account of the cumulative impact of this and other developments that may come forward in the future which will be placing additional demands on the existing transport system, which is therefore a concern.

## **Response to consultation**

34 Consultation on the application has been undertaken and the responses received are set out below:

35 Local Resident objection: One email has been received from a Hackney resident stating that the location of the development is not clear and querying why the development is called 'Manhattan Loft Gardens' when the proposed erection is not in Manhattan, that only the top floor can really be a loft, and that none of the accommodation will have a garden. The matters that are planning issues have been dealt with in the Stage I report.

36 Lee Valley Regional Park Authority: Raises no material considerations regarding the application subject to conditions being added to ensure that bird boxes and green or brown roofs are provided. These are conditioned.

37 Department for Transport: The building and surrounding area provides part of the high security cordon for the international station and high containment bollards (or similar) should be provided between the building and the station. Restrictions will be required for the window openings on the south, east and west faces of the building. Agreement should be sought for the design and construction for the piling operations. The amenity area should be enclosed in or approval sought from Network Rail (CTRL) for an alternative arrangement. Details of a maintenance strategy for the south, east and west facades should be secured. Any external lighting or telecommunications equipment should not affect the safe operation of the railway. Some of these are conditioned and the others highlighted in the Informatives.

38 Channel Tunnel Rail Link: Repeat the same comments as DfT above.

39 Crossrail have confirmed that they have no objection.

40 Environment Agency: The scheme is considered acceptable subject to a condition requiring the submission of a scheme to dispose of surface water. This is conditioned.

41 London Fire and Emergency Planning Authority: The Brigade is satisfied with the proposals.

42 Thames Water: The applicant should incorporate a non-return valve or similar to avoid the risk of backflow of waste. The applicant should make provision for surface water drainage to ground, water courses or a suitable sewer. No impact piling should take place without prior approval. A fat trap is recommended for all catering premises. A drainage strategy should be secured by condition. This is conditioned.

43 Metropolitan Police Service: The applicant should be required to achieve Secure by Design accreditation. In particular an assessment should be made on the likelihood that parents/carers may allow children unsupervised access to the communal amenity space which may result in an increased level of anti-social behaviour. The site is adjacent to a crowded place and therefore safety and security are of prime importance. Following a meeting with the applicant the MPS have confirmed that they are satisfied that a condition be attached for the applicant to achieve Secure by Design Accreditation. This is conditioned.

44 Civil Aviation Authority: Provided that statutory procedures are followed there is no need for the CAA to comment on the application.

45 London City Airport have confirmed that they are satisfied with the proposed Condition 50 which requires the approval of the crane construction methodology in consultation with LCA.

46 Stratford City Consultative Access Group: Satisfied that the proposal meets the general requirements of the Masterplan Access Strategy and is confident that the following outstanding issues can be resolved. The proposal makes no provision for dedicated parking for disabled residents (hotel or residential) and consequently the group takes the view that approval should be conditional on the applicant identifying appropriate and adequate Blue Badge parking provision prior to occupation. Similarly concerned about the absence of adequate 'drop-off' provision and takes the view it is incumbent on the applicant to clarify how such provision is to be made available. SCCAG is interested to note the proposed use of sliding doors in some locations – whilst such arrangements are acknowledged as being capable of providing significant advantages in some situations, where such provision is to be introduced an early commitment is felt necessary to the use of tracks which operate on high quality roller bearings, i.e. sliding doors that are at risk of presenting increased resistance due to excessive friction are unacceptable to many disabled and frail users/visitors – (all such arrangement should also have adequate provision for long-term track maintenance). These issues are conditioned and will further be secured through s106 agreement.

47 English Heritage have confirmed that they have no objection.

## **Legal considerations**

48 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction. The Mayor must also have regard to the guidance set out in GOL circular 1/2008 when deciding whether or not to issue a direction under Articles 6 or 7.

## Financial considerations

49 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*'Costs Awards in Appeals and Other Planning Proceedings'*) emphasises that parties usually pay their own expenses arising from an appeal.

50 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

## Conclusion

51 The outstanding issues relating to affordable housing, inclusive access, climate change mitigation, noise, employment and training and transport have been resolved and the application now complies with the London Plan.

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planning report PDU/2578 & 2578a/01

25 August 2010

## Plot N24, Zone 3, Stratford

Olympic Delivery Authority

(in the London Borough of Newham)

planning application no.10/90282 & 10/90258/FUMODA

### Strategic planning application stage 1 referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

### The proposal

Full planning application for alternative proposals:

**Proposal 1:** *Hotel only:* Erection of a 7-storey building comprising a 149 bedroom hotel (Class C1) of 10,657sqm floor space (including ancillary restaurant, fitness centre and function rooms) together with associated amenity space, landscaping, plant and ancillary works.

**Proposal 2:** *Mixed use:* Erection of a 42-storey building comprising a 150 bedroom hotel (Class C1) at ground to 7th floor (12,884sqm), 253 residential units at 8th floor to 42nd floor (26,376sqm) and 300sqm of flexible Class A1-A5 floor space at ground floor, together with associated amenity space, landscaping, plant and ancillary works.

### The applicant

The applicant is **Manhattan Loft Corporation** and the architect is **SOM**.

### Strategic issues

**Land use principle, regeneration, mix of uses, hotel, housing, children's play space, density, tall buildings/views, design, inclusive design & access, climate change mitigation & adaptation, noise, employment and transport** are relevant strategic issues.

### Recommendation

That Newham Council, on behalf of the Olympic Delivery Authority, be advised that the application for alternative proposals does not comply with the London Plan, for the reasons set out in paragraphs 133 and 136 of this report; but that the possible remedies set out in paragraphs 135 and 138 of this report could address these deficiencies. The application does not need to be referred back to the Mayor if the Authority resolves to refuse permission, but it must be referred back if the Authority resolves to grant permission.

## Context

1 On 15 July 2010 the Mayor of London received documents from Newham Council, on behalf of the Olympic Delivery Authority (ODA) notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 25 August 2010 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.

### **Hotel only proposal**

2 The hotel only proposal is referable under Paragraph 2 of the Schedule of the Order 2008, being an application that forms part of a more substantial proposed development on the same or adjacent land that is referable under Category 1A, 1B and 1C of the Schedule of the Order 2008: The application is referable under the following categories of the Schedule of the Order 2000: Category 1A *"development which comprises or includes the provision of more than 150 houses, flats, or houses and flats"*; Category 1B(c) *"development which comprises or includes the erection of a building or buildings with a total floor space of more than 15,000 square metres"* and Category 1C *"development which comprises buildings which is more than 30 metres high and outside the City of London."*

### **Mixed-use proposal**

3 The mixed use application is referable under Categories 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 (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings...outside Central London and with a total floor space of more than 15,000 square metres"*.
- 1C *"Development which comprises or includes the erection of a building of one or more of the following descriptions...the building is more than 30 metres high and is outside the City of London"*.

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

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

6 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

7 The application site known as Plot N24 is located within the London Borough of Newham; however the Olympic Delivery Authority (ODA) is the Local Planning Authority for the purposes of this application, as the application site falls wholly within the area administered by the ODA, for the purposes of preparing and delivering land uses to support the London 2012 Olympic Games and its Legacy. It is also located within Zone 3 of Stratford City and is bounded to the north by North Loop Road (currently under construction), beyond which are vacant Plots N20 and N21.

8 The site is generally rectangular in shape and is approximately 0.25 hectares in area. It is currently being used as a storage area associated with ongoing construction works within the Athletes' Village. The site will eventually be cleared in preparation for construction works associated with the N24 development. Within the adopted Newham UDP (2001), the application site falls within the Stratford and Olympics Major Development (MOZ 1), a wider area allocated as one of fifteen Major Opportunity Zones (MOZs).

9 The site as shown in Figure 1 overlooks the 150,000sqm Westfield scheme in Zone 1 to the south (currently under construction and due to open in 2011). Once open, and in combination with the existing parts of Stratford Town Centre, it will act as a Metropolitan Centre with a full range of retail, leisure and cultural facilities.

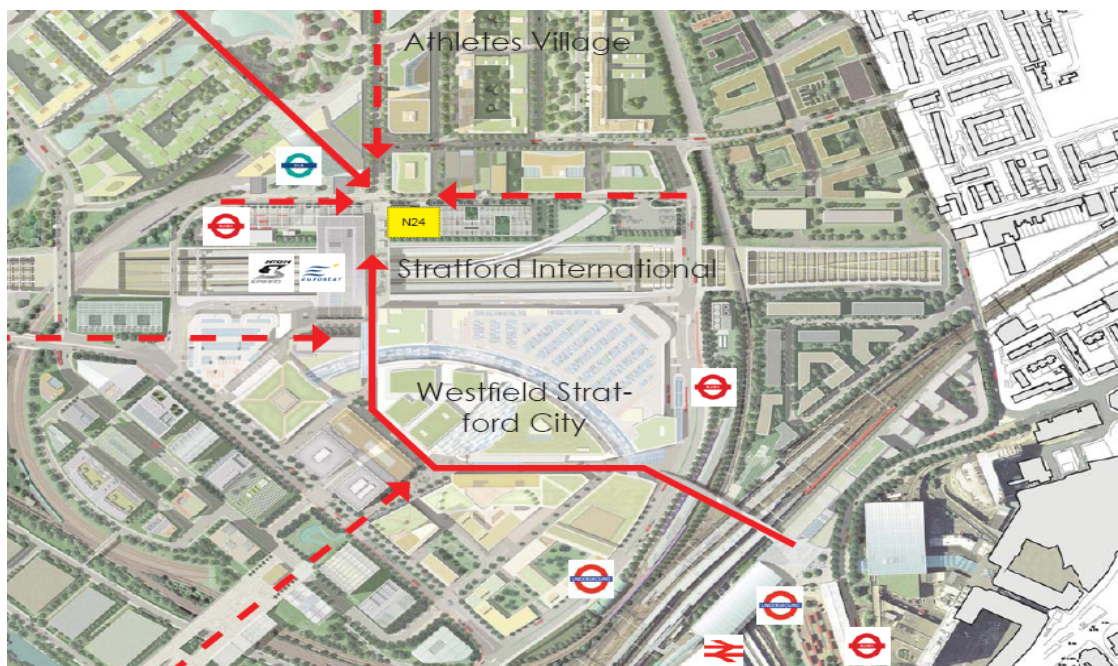


Figure 1: the application site Plot N24 (Source: applicant's planning statement)

10 In the long term, the land immediately abutting the site to the north and west will be developed in accordance with the consented Stratford City Streetscape (08/90364/REMODA) and Public Realm (09/90395/REMODA) schemes for Zones 3 – 6. The pedestrian walkway that links Zone 1 to Zone 3 via the International Rail Station was approved at the same time as the International Station, with the approved plans showing decking in this area.

11 To the east is Plot N25 where construction has recently started on a 6 & 7 storey, 850 space car park associated with users of the International Rail Station.

12 Situated to the west are the Stratford International Station (Rail), the Docklands Light Railway (DLR) Stations and the International Station Bus Interchange. To the south is the Channel Tunnel Rail Link (CTRL) Box which includes a rail safeguarded 5m 'no build' zone that extends

northwards towards the plot. The CTRL Box separates Zone 1 (to the south) and Zone 3. A bridge link and pedestrian walkway runs adjacent to the western perimeter of the plot and connects Zones 1 and 3 over the CTRL Box.

13 Once the first phase of the Stratford City development is completed and the site is opened to the public after the 2012 Olympic Games, the application site will be well connected by a pedestrian network (being brought forward under the consented Streetscape and Public Realm proposals) to a range of public transport nodes, including Stratford International Station, a new Docklands Light Railway Station and a number of bus routes that operate within the immediate vicinity. In addition, Stratford Tube and Rail Stations are less than a 10 minute walk from the application site providing quick services into Canary Wharf, central London and east London, Essex and beyond via the tube and rail networks. The applicant has undertaken a manual calculation of the future public transport accessibility level (PTAL) of the site and worked out that the site will have a PTAL of 6b, an excellent level of accessibility (based on these findings the applicant argues that the current PTAL of 2 does not properly reflect the future accessibility of the site). Although the argument seems acceptable, Transport for London needs to confirm this (see details in the TfL's comments section).

## Details of the proposals

14 The alternative applications for the site seek full planning permission for a hotel only proposal and mixed use proposal. The proposed hotel only scheme is an alternative to the larger, mixed-use scheme that is submitted concurrently. The scheme is considered to have its own merits, and has been submitted to provide the applicant with options going forward. The hotel only proposal facilitates the building of the mixed use proposal on top of it and in both proposals the hotel design is practically identical.

15 **Hotel only proposal:** It is proposed to provide a 7-storey hotel (with a height of 33m AOD) comprising 149 bedrooms of 10,657sqm (including associated retail, conference and banqueting and leisure facilities) together with associated amenity space, landscaping, plant and ancillary works. The hotel will be accessed directly from the west, adjacent to the public walkway that links Zones 1 and Zone 3 across the CTRL Box. Landscaped communal amenity areas have been designed into the scheme adjacent to the public realm to support the ground floor uses.

16 **Mixed use proposal:** It is proposed to erect a 42-storey building comprising a 150 bedroom hotel (Class C1) at ground to 7th floor (12,884sqm), 253 residential units at 8th floor to 42nd floor (26,376sqm) and 300sqm of flexible Class A1-A5 floor space at ground floor, together with associated amenity space, landscaping, plant and ancillary works.

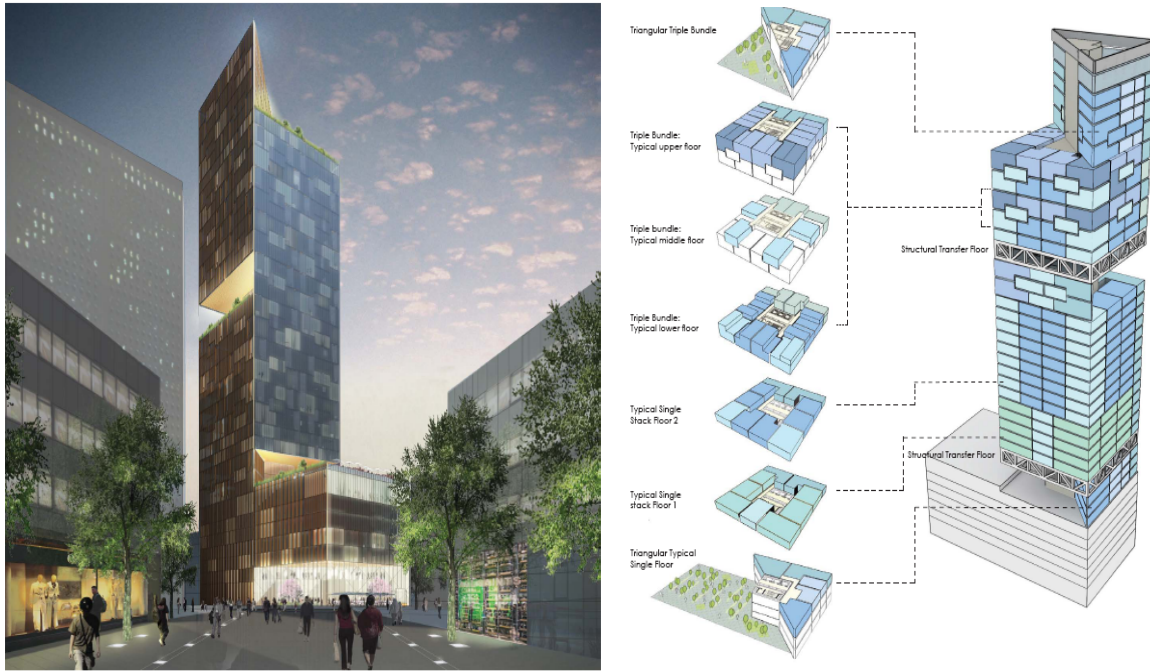


Figure 2: the proposed mixed-use building and its phase-by- phase programmatic arrangement (Source: applicant's design and access statement).

17 **Phasing:** The applicant currently anticipates that the scheme will be developed in two main phases – the hotel development potentially taking place prior to 2012, with the residential development likely to commence immediately after the games period. It has stated that the design of the wider development has envisaged a two-stage process from the outset, due to the timeframe inherent with the development of a residential tower of the size proposed. Accordingly, (as shown in Figure 2) the hotel roof space is said to be designed to be capable of accommodating required plant and materials associated with the second phase of development.

## Case history

18 The applicant argues that Plot N24 application will be separate from the Outline Consent for the Stratford City scheme issued in 2007 which established the principle of the Athletes' Village in Zones 3-6 and the Westfield Shopping Centre in Zone 1. It is considered, however, that the parameters set out in the Zonal Masterplan and Site-Wide Strategies relating to the development of Zones 3 – 6 should be afforded significant weight in the determination of the application and established the principle of a high density hotel and residential development in this location and also the schemes wider context.

19 The ZMP illustrative Ground Floor Plan Zone 3-6 (Drawing ref: FRA-XXXXX-SW-20-GRD-ZMP-103 Rev F) shows the proposed land use for Plot N24 as a Hotel. Parameter Plan 7 (Drawing No.S-98-007 / FPA-XXXXX-SW-20-GRD-PP-007 Rev F) and the ZMP (Masterplan Drawing Development Heights Drawing ref FPA-XXXXX-SW-20-GRD-ZMP-124 Rev G and Figure 2.3D) defines the maximum height for the plots. In respect of Plot N24, a height of up to 120m AOD was consented.

20 A pre-application meeting was held at City Hall in February 2010 with the applicant and its consultants including officers from the GLA , TfL and DfL. A further follow up meeting was also held in early August 2010 including the applicant and its consultants and officers from the GLA.

## Strategic planning issues and relevant policies and guidance

21 The relevant issues and corresponding policies are as follows:

- Land use principle *London Plan*
- Regeneration *London Plan; the Mayor's Economic Development Strategy; draft replacement Economic Development Strategy*
- Mix of uses *London Plan*
- Tourism/leisure *London Plan; Good Practice Guide on Planning for Tourism (DCLG)*
- Housing *London Plan; PPS3; Housing SPG; Housing Strategy; revised interim Housing SPG; Draft London Housing Design Guide*
- Affordable housing *London Plan; PPS3; Housing SPG, Housing Strategy; revised interim Housing SPG; Draft London Housing Design Guide*
- Density *London Plan; PPS3; Housing SPG; Housing Strategy; revised interim Housing SPG; Draft London Housing Design Guide*
- Children's play space *London Plan; Providing for Children and Young People's Play and Informal Recreation SPG*
- Tall buildings/views *London Plan; RPG3A, View Management Framework SPG, draft Revised View Management Framework SPG*
- Urban design *London Plan; PPS1*
- Inclusive design and access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Climate Change *London Plan; PPS1, PPS3; PPG13; PPS22; the Energy Strategy; Sustainable Design and Construction SPG*
- Noise *London Plan; the Mayor's Ambient Noise Strategy; PPG24*
- Employment *London Plan*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13*

22 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 2001Newham Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

23 The following are also relevant material considerations:

- The draft replacement London Plan, published in October 2009 for consultation (which is now at EiP stage), and
- The Lower Lea Valley Opportunity Area Planning Framework (LLVOAPF) and the emerging Olympic Legacy SPG (OLSPG).

### Land use principle & regeneration

24 Stratford lies in the North East London sub-region (Policies 5C.1-3). It is currently identified as a Major Centre in the London Plan but is recognised as an emerging Metropolitan Centre (policies 2A.8, 3D.1-3D.3) in the draft London Plan. It also lies within the Lower Lea Valley Opportunity Area (Policy 2A.5) and is designated as an Area for Regeneration (Policy 2A.7) in the London Plan.

### Hotel only proposal

25 The proposed 149 bedroom hotel development is a 7 storey building with 10,657sqm floor space (including associated retail, conference and banqueting and leisure facilities) together with associated amenity space, landscaping, plant and ancillary works.

26 The draft replacement London Plan identifies that Stratford is likely to grow from a Major to a Metropolitan town centre over the plan period (policies 2.15, 4.7-4.9). In the draft replacement London Plan Stratford lies in the East sub-region (Policy 2.5), on the fringe of the 2012 Olympic Park (Policy 2.4) and is identified as an Opportunity Area (Policy 2A.13) and an Area for Regeneration (Policy 2.14). The plot in Zone 3 is also designated within the adopted Newham UDP and the Stratford City Zonal Masterplan for hotel development.

27 Policy 3D.7 of the London Plan seeks to improve the quality, variety and distribution of visitor accommodation. Outside the Central Activities Zone new visitor facilities should be located in town centres and other locations such as opportunity areas and areas with good public transport access to central London and international and national transport termini. The site is located in the Stratford town centre and is within the indicative boundary of the Olympic Site/Lower Lea Valley Opportunity area. These Opportunity Areas include some of the strategically important clusters of hotels and related development around the Olympic Site which need to be enhanced and extended. As such this site is appropriate for hotel development.

28 The Mayor's Tourism Vision seeks to ensure that London expands as a global tourism destination; develops a broader visitor base; and spreads the benefits of tourism throughout the capital. The Mayor's Hotel Demand Study (2006) sets a baseline of 40,000 additional hotel bedrooms up to 2026, but concludes that actual demand will be in the range of 20,000 to 82,000 net extra hotel rooms, the demand range being relevant to the legacy impact of the London 2012 Olympic and Paralympic Games.

29 PPS6 directs town centre uses such as hotels towards existing centres. The site is within Stratford town centre and also within the Olympic Site/Lower Lea Valley Opportunity area and it is considered a specialised centre for Olympic 2012 uses including hotels. Given the proximity of the site to the Olympic stadium, the principle of a hotel use at this location is welcomed.

30 A 149 bedroom hotel (as shown in Figure 3) will provide much needed accommodation during the Olympic Games and afterwards. It is ideally positioned adjacent to Stratford International Station and planned office and other development at Stratford City. The hotel on Plot N24 is in a much more prominent location and will provide a full range of facilities which will help to support local businesses and the wider community by providing a venue for conferences, exhibitions and weddings.



Figure 3: the proposed hotel 3D view (Source: applicant's design and access statement)

31 The proposed hotel rooms will go towards meeting the additional estimated requirement of 1,250 net extra hotel rooms within LB Newham in the period to 2026, as set out in Table 8.2 of the Mayor's Hotel Demand Study. In addition, the provision of high quality and accessible accommodation is further considered to meet a range of demands associated not only with the Olympic and Paralympic games period and legacy, but also long term UK and International visitor forecasts.

32 The proposed hotel on this site is consistent with policies of the London Plan, the LLVOAPF and the sites designation in the Newham UDP and the precedent set by the Stratford City Permission.

### **Mixed use proposal**

33 There are numerous cross-cutting strategic policies in the London Plan in regard to the proposed land use on the site. The achievement of sustainable development, social inclusion and regeneration are themes that are at the core of the London Plan. By way of broader policy issues, Map 2.A.1: Opportunity Areas and Areas for Intensification, identifies the Lower Lea Valley including Stratford as an Opportunity Area. Policy 2A.5, which governs such locations, states that they "have been identified on the basis that they are capable of accommodating substantial new jobs or homes and their potential should be maximized". Map 2A.2: Areas of Regeneration of the London Plan, identifies the London Borough of Newham as an 'Area for Regeneration' (i.e. within 20% most deprived wards in London). Policy 2A.7: The Spatial Strategy for Development, states that within such areas, the Mayor will work with strategic partners to achieve their sustained renewal by prioritising them for action and investment.

34 In respect of land use, the emerging London Plan identifies that Stratford lies in the East sub region (Policy 2.5), on the fringe of the 2012 Olympic Park (Policy 2.4) and is identified as an Opportunity Area (Policy 2.13) and an Area for Regeneration (Policy 2.14). It also recognises the likelihood that Stratford is likely to grow from a Major to a Metropolitan town centre over the plan period (policies 2.15, 4.7 – 4.9). The plot in Zone 3 is also designated within the adopted Newham UDP and the Stratford City Zonal Masterplan for hotel development.

35 In summary, the proposed mixed use tower building accommodating hotel use and residential development on the site is acceptable and it is in accordance with Policy 3A.7 of the



London Plan and the LLVOAPF that encourage a mix of uses for a development proposal of this type.

## Housing

36 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

37 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' housing viability toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

38 Policy 3.13 of the draft replacement London Plan establishes the approach to negotiating affordable housing on site, and states that *"The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes"* taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development, and viability.

39 Where borough councils have not yet set overall targets as required by Policy 3A.9, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination. Newham Council has yet to set an overall affordable housing target and the affordable housing policies in the Newham UDP (2001) were not saved by the Secretary of State. Therefore, the Olympic Delivery Authority should have regard to the London Plan targets.

## Affordable housing/housing tenure

40 The applicant has undertaken an affordable housing economic viability appraisal to confirm how much affordable housing provision the scheme can subsidise taking into account other costs including s106 obligations. The viability assessment suggests that the scheme can viably support a payment of £1,000,000 to the LB of Newham, which could either be provided as a "developer subsidy" towards intermediate provision onsite or via a commuted sum to support intermediate provision off-site or a mixed tenure off-site solution. The applicant has set out that if intermediate units were provided on-site between six and seven units could be delivered depending on the discount rate; alternatively 23 intermediate units could be provided off-site or ten social rented and seven intermediate units. That said, currently an independent consultant is reviewing the applicant's "open book" financial appraisal.

41 The London Plan Housing SPG states that affordable housing provision should normally be provided as an integral element of a residential development except where exceptional circumstances justify provision offsite. It also states that consideration will normally only be given to offsite provision where an alternative site (or sites) has been identified which would enable the

required offsite affordable housing provision, as justified by the exceptional circumstances, to be delivered prior to the on-site market development being completed. The rationale that social rented units are not provided on-site is accepted given that a commuted payment would allow for the provision of off-site family units which are in greater need locally. Following the receipt of the toolkit appraisal assessment the possibility of providing intermediate units on-site should be revisited. LB Newham should confirm where the payment would be spent and that it would pay for additional units if an off-site contribution is accepted. The toolkit appraisal should take account of increased sales values that would be generated in a scenario where all affordable housing is provided off-site. The applicant should consider a review mechanism in the s106 agreement.

42 In summary, subject to the verification of the financial appraisal an off-site contribution for affordable housing may be acceptable. However, at this time the application is not consistent with London Plan policies 3A.9 and 3A.10.

### **Housing choice/housing mix**

43 London Plan Policy 3A.5 and the Housing Supplementary Planning Guidance (2005) seeks a balanced mix of unit sizes in new developments with an overall London wide target of 32% one-bed, 38% two & three-bed and 30% four bed or larger units and a market housing specific target of 25% one-bed, 75% two and three-bed units. This may be subject to justified local variation owing to identified local housing needs. Policy 3.8 of the draft replacement London Plan also promotes housing choice in proposed developments.

44 The application proposes a unit mix of 63% one-bed (including 6% studios), 37% two-bed and three-bed units and no larger units. The skew towards smaller units reflects the location of the scheme at Stratford town centre and the site circumstances. It is acknowledged that this does not offer a good site for the provision of larger family housing units. The proposed offsite social/intermediate housing contribution would allow for the development of larger units suitable for families in appropriate locations in the local area and as such this mix is accepted.

45 The applicant has stated that all residential units will be designed to comply with 'Lifetime Homes' standards and that ten percent of residential units are designed to be easily adaptable for occupation by wheelchair users. The local planning authority should verify and enforce this by planning condition. In summary, the proposal is broadly consistent with London Plan Policy 3A.5.

### **Density**

46 London Plan Policy 3A.3 requires development proposals to achieve the maximum intensity of use compatible with the local context, the design principles of Policy 4B.1 and with public transport capacity. Table 3A.2 provides density guidelines in support of this.

47 The applicant has undertaken a manual calculation of the future public transport accessibility level (PTAL) of the site and worked out that the site will have a PTAL of 6b, an excellent level of accessibility (based on this findings the applicant argues that the current PTAL of 2 does not properly reflect the future accessibility of the site). Based on this calculation that assumes a PTAL of 6b, the applicant has proposed a residential density of 1,012 units per hectare (circa.2,408 habitable rooms per hectare). However, it would be more appropriate to calculate it using the "plot ratio method" as set out in paragraph 3.35 of the Interim Housing Strategy.

48 The proposed development, with a total of 39,560sqm on the 0.25 hectare site would have a plot ratio of 16:1. Para 4.105 of the London Plan suggests that plot ratios nearer to 5:1 are appropriate in Opportunity Areas. In this instance as the site has been identified suitable for a

tall building of this scale, has an excellent transport accessibility level and can provide a high quality residential environment the proposed density is acceptable.

### **Children's play space**

49 Policy 3D .13 of the London Plan sets out that "the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 17 children within the development. The guidance sets a benchmark of 10sqm of useable child play space to be provided per child, with under-5 child play space provided onsite. As such the development should make provision for 170sqm of play space. The corresponding policy in the draft replacement London Plan is policy 3.6, which cross-references to the Mayor's Supplementary Planning Guidance 'Providing for Children and Young People's Play and Informal Recreation'.

50 The applicant has included 170sqm of enclosed play space, as part of the 1,126sqm communal space on level 7 roof terrace of the tower, thereby allowing the development to accord with the policy requirements as set out above. It is also noted that shared roof spaces are provided on level 25 (285sqm) and on level 36 (339sqm).

### **Urban design and tall buildings**

51 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained in Chapter 4B. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other policies in Chapter 4B and elsewhere in the London Plan set out design requirements relating to specific issues. London Plan policies 4B.9 and 4B.10, which set out specific design requirements for tall and large-scale buildings, are applicable to the residential tower proposal. Chapter 7 of the draft replacement London Plan sets out design related policies.

52 The applicant has submitted a full design and access statement in support of the proposals and this includes an appropriate urban design analysis. This correctly identifies the prominence of the site within this emerging area and its importance to legibility and way finding in the locality.

### **Hotel only proposal**

53 The western end of the hotel building lies at an important intersection of five routes within the emerging neighbourhood and opposite the International and DLR stations. The design of the ground floor has been amended in response to GLA pre-application advice and would now effectively engage with this situation and extensive surrounding public realm. The entrance lobby and hotel bar/restaurant, together with associated outside eating areas, would provide animation and passive surveillance to these public spaces, which is welcomed.

54 The scale, massing and form of the hotel would reflect that of neighbouring blocks along North Loop Road and adequately enclose and define the surrounding streets and spaces. It would not though attain the scale envisaged for this plot in the consented Stratford City masterplan. This conceived of a tall building of up to 120 metres AOD to identify, along with tall buildings on nearby plots, the heart of the neighbourhood and transport interchange. As well as fulfilling this role in the wider townscape the increased densities also reflect the increased accessibility of this location and its position closer to the emerging town centre. Notwithstanding this the proposed

scale, massing and form of the hotel would not be unacceptable in design terms in its own right. The proposal materials and detailing of the facade would be of the high quality demanded by the location. The hotel proposal would be consistent with the design policies of the London Plan.

### **Hotel and residential tower proposal**

55 The design of the ground floor would follow the same principles as that for the hotel proposal but varies in that it would offer a more generous and striking entrance lobby encompassing associated hotel functions. The lobby would also provide access to the residential lift core.

56 The scale, massing and form of the hotel element would be as proposed above but would form a podium with the residential tower rising out of the eastern end of the hotel block. The tower would have a very distinctive form being square but with three asymmetrically cut voids where it meets the hotel building, half way up and at the upper levels. These voids, together with the hotel roof, would provide external and sheltered communal amenity space for residents. This distinctive shape is appropriate given the role the building would have as a marker of the town centre and transport interchange within the wider townscape.



*Figure 4: Views looking south east North Loop Road and looking north along the railway bridge, (Source: applicant's design and access statement)*

57 The proposed tall building (as shown in Figure 4) would be approximately ten metres taller than the extant consent for the site of up to 120 metres (AOD). This highly accessible central site is suitable for a tall building and the small increase in height does not raise concern given that consented in the masterplan for Stratford City. The associated microclimatic issues with a tall building in this location have been duly considered and do not raise any concerns. The facade of the tower would harmonise with that of the hotel, using glass panels in a saw-tooth arrangement with terracotta mullions to manage solar gain whilst also creating depth and interest in the facade. The varied arrangement of the residential units behind would be suitably expressed through the balcony voids and result in the building appearing residential rather than commercial.

The overall architectural approach to the tower, in conjunction with the hotel, is of the high quality demanded by the London Plan design policies.

58 The extensive consideration given to residential design quality is evident in many aspects of the design, notably the additional height (1.5 storeys) to living areas in some split-level units. The units would, with the exception of the studio units, meet and generally significantly exceed the internal space standards in the emerging London Plan, which is welcome. The studio units would be between 5 and 9 square metres smaller than the emerging standard for one-bed units. The internal arrangement of the units would incorporate well-proportioned rooms, internal storage space and flexible space for study or additional storage. The plan of the tower would ensure that a reasonable proportion of units would be dual aspect, i.e. all corner units. Some, but not all, units would have Juliet balconies, which is partly due to the unsuitability of conventional balconies at the upper levels of residential towers of this nature. The design would though compensate for this by providing all residents with easy and direct access to extensive and well designed communal amenity areas at different levels of the building. All units would comply with lifetime homes standards. The proposals would, as a whole, attain an excellent level of residential design quality.

59 In summary, the hotel and residential tower proposal would be consistent with the design policies of the London Plan, notably policies 4B.1, 4B.9 and 4B.10.

## **Inclusive design and access**

60 Policy 4B.5 of the London Plan expects all future development to meet the highest standard of accessibility and inclusion. This, together with the Mayor's Supplementary Planning Guidance 'Accessible London: achieving an inclusive environment', underpins the principles of inclusive design and aims to achieve an accessible and inclusive environment across London. Policy 7.2 of the draft replacement London Plan reinforces the principles of inclusive access.

61 Policy 3A.5 of the London Plan requires all new housing to be built to 'Lifetime Homes' standards and 10% of all new housing to be designed to be wheelchair accessible or easily adaptable for such use in order to meet the full range of housing needs.

## **Hotel only proposal**

62 Policy 4.5 of the emerging London Plan recommends 10% of hotel rooms to be wheelchair accessible. Part M of the Building Regulations 2004, provides current mandatory minimum standards for provision of wheelchair accessible hotel rooms. As detailed in Section 4 of the Access Statement, the design has the capacity to achieve a 10% provision. Layout plans also highlight that 8% accessible room provision is in-built into the floorplate. The development includes level, step-free pedestrian approaches to the hotel entrance and roof garden level to ensure that all users of the development can move freely in and around the public and private communal spaces. The roof gardens at level five will provide 955sqm of open space. Step-free access from the lift and stair core is provided to ensure that the open space is fully inclusive, which is welcome.

63 However, having studied in detail the plans for the Stratford Hotel (levels 1 - 4 plan numbers DPA - H -103 to 106) i.e. the scheme with the hotel only, the accessible rooms are shown beside the narrowest point in the corridor. It would be much better if these rooms were located immediately beside the lift where there is a very generous corridor width making it easier for people to get in and out of their rooms. The proposal at the moment only provides 8% of rooms as wheelchair accessible but, 10% could be achieved if the larger standard suites were provided with a more inclusively designed bathroom and mobile hoists are provided, for example

with a level access shower or were designed as wet rooms with reinforced walls for the provision of grab rails if needed. The design of the designated wheelchair accessible rooms looks very functional compared to the other standard rooms - despite the need to provide accessible fittings these rooms should be designed to the same high standard of finishes and fittings as the non accessible rooms (for example the design of the sink units should still be generous with shelf/vanity unit space). The local planning authority is encouraged to condition the submission of an Accessibility Management Plan that helps to ensure that the accessible provision detailed in the Access Statement and on the plans is implemented and that the future fit out and management of the hotel provides accessible facilities and services to disabled people (further advice on AMPs is provided in the research report and proposed draft best practice guide by Grant Thornton called Accessible Hotels in London published by the GLA in May 2010).

64 In summary, the access statement in regard to the hotel proposal needs to be revisited and address the concerns above in order to comply with policy 4B.5 of London Plan and policy 4.5 of the emerging London Plan.

### **Mixed-use proposal**

65 The comments above on the accessibility of the hotel also apply to the mixed-use proposal.

66 The access statement for the mixed use proposal demonstrates that all residential units will be designed to comply with 'Lifetime Homes' standards and that ten percent of residential units are designed to be easily adaptable for occupation by wheelchair users.

67 In summary, the access statement for the mixed-use proposal needs to be revised and incorporate all the advice given above in order that it would be consistent with London Plan policies 3A.5 and 4B.5 and with policy 4.5 of the emerging London Plan.

### **Climate change mitigation and adaptation**

68 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise carbon dioxide emissions (Policy 4A.1). Chapter 5 of the draft replacement London Plan sets out the approach to climate change and requires developments to make the fullest contribution to minimising carbon dioxide emissions.

#### **Climate change mitigation**

69 London Plan policies 4A.4-11 focus on mitigation of climate change and require a reduction in a development's carbon dioxide emissions through the use of passive design, energy efficiency and renewable energy measures. The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures and prioritising decentralised energy, including renewables.

70 Draft replacement London Plan policy 5.2 provides a comprehensive framework for minimising carbon dioxide emissions, and sets targets for carbon dioxide emissions reductions for residential and non-residential buildings over the plan period.

### **Hotel only proposal**

#### Baseline carbon dioxide emissions

71 The baseline has been calculated using benchmarks for commercial floor space. The total baseline emissions, on a whole energy basis, are estimated to be approximately 900 tonnes of carbon dioxide per annum. Given that this is a detailed application, energy modelling using building regulations compliance modelling software should be provided and used as the basis for carbon emissions estimates. Estimates should be based on a 2006 Building Regulations compliant development, including an allowance for unregulated emissions.

72 The total emissions at each stage of the energy hierarchy should be provided in tabular form, as figures provided in bar charts do not provide the required clarity.

## BE LEAN

### Energy efficiency standards

73 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 requirements set by building regulations. Other features include minimisation of thermal bridging, energy efficient lighting and appliances.

74 The development is estimated to emit around 880 tonnes of carbon dioxide emissions per annum after the application of passive design and energy efficiency measures. A small reduction in carbon dioxide emissions of around 2% will be achieved through this first element of the energy hierarchy. This level of saving is very modest and the applicant should explore opportunities for securing significant additional savings through energy efficiency alone.

## BE CLEAN

### District heating

75 The proposed development is within the vicinity of the Stratford City North District Heating Network operated by Cofely. It is proposed to connect the development to the heating infrastructure. There is an option to be supplied with cooling from the district cooling network; however this is less likely to be available prior to the anticipated development's operational timescales.

76 The development is estimated to emit approximately 760 tonnes of carbon dioxide emissions per annum based on the proposed connection to the network. A reduction in carbon dioxide emissions of approximately 14% will be achieved through this second part of the energy hierarchy.

77 The applicant should provide evidence of correspondence with Cofely to support their energy strategy. Additionally, the applicant should confirm that all uses, including space heating for the hotel bedrooms, will be provided through district heating.

78 The applicant should continue to prioritise the connection to the Cofely district heating network. A back up strategy based around site wide CHP should, however, be put forward should connection to the Cofely network prove unviable for any reason.

### Cooling

79 The applicant proposes a range of passive and active cooling for the proposed development. The applicant states that the hotel will be designed to limit the use of active cooling systems by optimising the external solar facade design. The hotel bedrooms would be provided with individually controlled fan coil units for cooling.

## BE GREEN

### Renewable energy technologies

80 The applicant has proposed installing 290sqm of photovoltaic modules on the roof as well as on the bicycle parking canopy at ground level which provides a 1.4% carbon dioxide emissions reduction.

81 The applicant states that the external district heating network will incorporate biofuels to provide 2% of the energy of the development, which equates to around a 1.2% carbon dioxide emissions reduction.

82 The development is estimated to emit 740 tonnes of total carbon dioxide emissions per annum after the application of renewable energy (photovoltaic plus bio-fuel). A reduction in carbon dioxide emissions of around 3% will be achieved through this third element of the energy hierarchy.

83 In summary, the cumulative effect of energy efficiency measures, connection to district heating and renewable energy is a reduction of 17% compared to the baseline emissions. The applicant has broadly followed the energy hierarchy in Policy 4A.1. Sufficient information has been provided to understand the proposals as a whole. However, further information is required before the carbon savings can be verified.

### **Climate change adaptation**

84 London Plan policy 4A.3 seeks to ensure future developments meet the highest standards of sustainable design and construction, and policy 4A.9 identifies five principles to promote and support the most effective adaptation to climate change. These are to minimise overheating and urban heat island effects; minimise solar gain in summer; incorporate sustainable drainage systems; minimise water use; and protect and enhance green infrastructure.

### **Surface water drainage**

85 The applicant is also referred to specific policies relating to overheating (4A.10), living roofs and walls (4A.11) and sustainable drainage (4A.14). Additional guidance is provided in the London Plan Sustainable Design and Construction SPG.

86 **Water-use:** The sustainability statement confirms that sustainability and environmental performance are being considered from the outset – the scheme will be highly energy efficient, reduce water consumption and will seek opportunities to enhance biodiversity. The applicant has committed to address materials selection and waste management throughout the design process and sustainable construction techniques will be reviewed. Overall the development will target at least a BREEAM rating of Very Good. Five credits are targeted in the water category on the pathway to a 'Very Good' rating. As a result the bathrooms in the hotel will seek to incorporate water efficiency sanitary fittings, including: (4/2.6 litre dual flush WCs; taps with low flow regulators; proximity infra-red detection urinals (if relevant); and shower with a nominal flow rate the same as or less than 9 litres per minute at 1.5 bar pressure). Furthermore, the inclusion of a water meter with a pulsed output and a major leak detection system for the proposed hotel will help building managers to monitor demand patterns on water systems and encourage more efficient use of water, with the associated potential cost savings. There is a commitment to minimise water course pollution by reducing the potential for silt, heavy metals, chemicals or oil pollution to enter natural watercourses via surface water run-off from buildings and hard surfaces.



87 In summary, whilst various measures are considered to meet the requirements of climate change mitigation and adaptation, further information is required in order to assess the scheme is fully compliant with London Plan policies 4A.1, 4A.5, 4A.6, and 4A.7. The applicant should provide the further information and commitments are sought towards green roofs and walls, to the satisfaction of GLA officers, in order to confirm compliance with the requirements of these policies.

### **Mixed-use proposal**

#### Baseline carbon dioxide emissions

88 The baseline has been calculated using a sample set of dwellings and commercial floor space. The total baseline emissions, on a whole energy basis, are estimated to be approximately 1,600 tonnes of carbon dioxide per annum. Given that this is a detailed application, energy modelling using building regulations compliance modelling software should be provided and used as the basis for carbon emissions estimates. The total emissions at each stage of the energy hierarchy should be provided in tabular form, as the figures provided in the bar charts require clarifying.

#### BE LEAN

##### Energy efficiency standards

89 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 requirements set by building regulations. Other features include minimisation of thermal bridging, energy efficient lighting and appliances.

90 The development is estimated to emit around 1,480 tonnes of carbon dioxide emissions per annum after the application of passive design and energy efficiency measures. A reduction in carbon dioxide emissions of around 8% compared to a 2006 Building Regulations compliant development, including unregulated emissions, will be achieved through this first element of the energy hierarchy. However, this level of saving is modest and the applicant should explore opportunities for securing additional savings through energy efficiency alone.

#### BE CLEAN

##### District heating

91 The proposed development is within the vicinity of the Stratford City North District Heating Network operated by Cofely. It is proposed to connect the development to the heating infrastructure. There is an option to be supplied with cooling from the district cooling network; however this is less likely to be available prior to the anticipated development's operational timescales.

92 The development is estimated to emit approximately 1,300 tonnes of carbon dioxide emissions per annum based on the proposed connection to the network. A further reduction in carbon dioxide emissions of 12% will be achieved through this second part of the energy hierarchy.

93 The applicant should provide evidence of correspondence with Cofely to support their energy strategy. Additionally, the applicant should confirm that all buildings and uses, including space heating for the hotel bedrooms, will be provided through district heating.

94 The applicant should continue to prioritise the connection to the Cofely district heating network. A back up strategy based around site wide CHP should, however, be put forward should connection to the Cofely network prove unviable for any reason.

### Cooling

95 The applicant proposes a range of passive and active cooling for the proposed development.

96 The applicant states that the hotel will be designed to limit the use of active cooling systems by optimising the external solar facade design. The use of A-rated appliances will reduce internal heat gains within the spaces which help to reduce the cooling load.

97 The hotel bedrooms would be provided with an individually controlled fan coil units for cooling.

### BE GREEN

#### Renewable energy technologies

98 The applicant has proposed installing photovoltaic modules on the roof as well as on the bicycle parking canopy at ground level. The applicant also states that the external district heating network will incorporate biofuels to provide a proportion of the energy of the development.

99 The development is estimated to emit 1,280 tonnes of total carbon dioxide emissions per annum after the application of renewable energy (photovoltaic plus bio-fuel). A reduction in carbon dioxide emissions of 1.5% will be achieved through this third element of the energy hierarchy.

100 In summary, the cumulative effect of energy efficiency measures, connection to district heating and renewable energy is a reduction of 21% compared to the baseline emissions. The applicant has broadly followed the energy hierarchy in Policy 4A.1. Sufficient information has been provided to understand the proposals as a whole. However, further information is required before the carbon savings can be verified.

### **Surface water drainage**

101 The applicant is also referred to specific policies relating to overheating (4A.10), living roofs and walls (4A.11) and sustainable drainage (4A.14). Additional guidance is provided in the London Plan Sustainable Design and Construction SPG.

102 **Water-use:** The applicant in its sustainability statement has demonstrated that it is committed to efficient use of water and stated that its design team is committed to achieve a CSH Level 4 rating, which requires the residential elements to achieve an average water use of less than 105 litres/person/day. The statement reiterates that in order to achieve the CSH credits and meet the essential standards of the SPG, the following water efficiency measures will be considered and incorporated as appropriate within the scheme in terms of use of grey water for WC flush, taps with flow regulators; shower with regulated flow rate, small bath with (approx 50 litre capacity), best practice dishwasher (less than 20 litres/cycle); and best practice washing machine (less than 20 litres/cycle). As a result, these measures will meet the essential standard, but they should be secured through appropriate conditions.

103 **Living roof and walls:** The proposed development will provide both public and private open spaces in the form of three roof gardens integrated into the proposed development at podium, middle and upper levels. The first roof garden will be situated above the hotel building and there will also be two further roof garden areas available to residents which will provide both social and tranquil spaces that will contribute to the health and wellbeing of the building users. It is considered that the inclusion of soft landscaping within the proposed roof gardens will reduce the development's contribution towards the urban heat island and will also allow for increased attenuation of surface water run-off compared to using hard standing in these areas.

104 **Sustainable drainage system:** The sustainability statement states that the proposed development is located in an area considered at a low risk of flooding according to the EA, and the drainage strategy for the whole of the Stratford City site, which N24 falls within, and is controlled by the Environment Agency. Nevertheless, the proposed development aims to maximise the benefits from surface water management techniques by taking a holistic approach to ecology and landscaping. The statement confirms that the landscaping strategy for the planned open spaces at roof level will therefore be designed to maximise attenuation of surface water run-off as far as is practicably possible.

105 In summary, whilst various measures are considered to meet the requirements of climate change mitigation and adaptation, further information is required in order to assess the scheme is fully compliant with London Plan policies 4A.1, 4A.5, 4A.6, and 4A.7. The applicant should provide the further information and commitments sought, to the satisfaction of GLA officers, in order to confirm compliance the requirements of these policies.

## **Noise**

106 Policy 4A.20 (Reducing noise and enhancing soundscapes) of the London Plan states that the Mayor will reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals. The Mayor will also support new technologies and improved practices to reduce noise at source, especially in road, rail and air transport. Policy 7.15 of the draft replacement London Plan reinforces these aims.

## **Hotel use proposal**

107 An assessment of the impact of noise and vibration on the N24 development has been submitted. The assessment has considered the impact of existing noise and vibration sources on the development.

108 The report states that the site is approximately 10m from the edge of the CTRL box and will be potentially affected by noise and vibration to the south by domestic and international train services. The north facade of the site is bounded by the North Loop Road which will be affected by road traffic noise. It is also noted that the High Meads Line runs to the north west of the site and also the Temple Mills Chord which links the CTRL with the Lea Valley Line runs to the east of the site. The survey sets out that the site and adjacent plots are currently being redeveloped as part of the 2012 Athletes' village and as such the current ambient noise climate is unlikely to represent the likely ambient noise climate when the project is complete. As such a baseline logging noise survey has not been done. Reference has been made to the site wide acoustic model of the initial legacy model noise exposure prepared by Arup Acoustics. Detailed noise and vibration measurements of Eurostar noise from the CTRL have been undertaken given this is the primary noise and vibration source at the site. The noise assessment has been carried out in accordance with PPG24 and noise levels will fall within NEC (C), although not strictly applicable to hotel development, this gives an indication of the level of noise expected.

109 In any case, the applicant has committed to ensuring that appropriate measures will be taken to mitigate the noise from the CTRL using measures such as triple glazing, sound insulation and a high performance facade. The applicant has stated that as the design progresses a more detailed assessment of the facade sound insulation requirement variations will be presented and it also confirmed that there will be no noise impact resulting from the proposed development on nearby sensitive receptors as appropriate noise attenuation measures will be incorporated in the scheme. All the proposed measures should be secured by condition.

### **Mixed use proposal**

110 The report states that key acoustic issues that are considered are:

- Noise break in to the development from environmental sources mainly rail and road traffic;
- Vibration from rail traffic affecting the proposed development;
- Noise break out from the development from sources such as building services plant.

111 The noise assessment report for the mixed use states that the orientation of the tower development is such that the noise levels at the worst affected residential facades will be within Noise Exposure Category (NEC) C as defined by PPG24. PPG24 says planning permission not normally be granted, but where it is considered that permission should be granted conditions should be imposed.

112 The noise assessment concludes that a high performance facade will be required to meet acceptable internal noise limits in the building. Vibration levels from CTRL will produce reradiated noise levels within acceptable limits in the residential areas and hotel areas.

113 The applicant proposes to replicate the planning conditions of the Outline Consent in relation to vibration and as such these are expected to be as follows.

#### Condition 08

*'Subject to Condition 09, groundborne noise from any railway tracks to residential units provided pursuant to the development shall not exceed 35dB LAmax(s).*

#### Condition 09

*'In some circumstances, the Local Planning Authority may allow the building of residential properties in areas that do not meet the criteria set out in Condition 08. In considering such applications, the Local Planning Authority will have regard to the availability of alternative sites, the nature of the building and the degree to which the noise standard is exceeded. Any application to the Local Planning Authority pursuant to this condition shall include details of mitigation measures to be employed using best practicable means to reduce noise exposure to the lowest practicable level (which shall include, without limitation, where appropriate, design of foundations, building structure, set backs of buildings and internal layout). Where the Local Planning Authority permits the building of residential properties which do not meet the criteria set out in Condition 08, the approved mitigation measures shall be carried out prior to occupation of the residential properties in question.'*

114 The applicant argues that the limit of 35dB LAmax(s) is onerous when compared to the formal groundborne noise commitments that have recently been required of Crossrail, CTRL, Thameslink 2000 and the Jubilee Line Extension, which all have limits of 40dB LAmax(s). Crossrail and the JLE also refer to lower levels where reasonable and practicable for particularly sensitive buildings. Crossrail Information Paper, D10 – Groundborne Noise and Vibration, Version 4, 3 April 2008, lists operational groundborne noise criteria and confirms that the limit of 40dB LAmax(s) applies to Residential Buildings, Offices, Hotels, Schools, Hospitals and Libraries. The applicant argues that to be compatible with the current standards being met adjacent to other rail lines it is suggested that the planning condition could be revised to a limit of 40dB LAmax(s). The Local Planning Authority should confirm whether the applicant's argument is acceptable or not.

115 Having said that, the applicant confirms that appropriate measures will be taken to mitigate the noise from the CTRL using measures such as (triple glazing, sound insulation and a high performance facade. These relate to the acoustic performance to be achieved by all building envelope elements combined (i.e. triple glazing, cladding, doors, façade and ventilation). The applicant has stated that as the design progresses, a more detailed assessment of the facade sound insulation requirement variations will be presented and it also confirmed that there will be no noise impact resulting from the proposed development on nearby sensitive receptors as appropriate noise attenuation measures will be incorporated in the scheme. The proposed measures must be secured by conditions.

## **Employment and training**

116 The applicant's employment report states that employment generating capability of the hotel falls to be considered under 3 headings:

- Direct employment created by the development once in operation;
- Construction jobs generated during the development phase; and
- Spin off employment surrounding businesses in Zone 3 and beyond.

117 In respect of direct employment, it is estimated that a range of managerial specialist skilled and unskilled roles will be developed to allow the efficient operation of the hotel facility. The applicant has stated that it is likely that the majority of the workforce will be sourced from within the local area and discussions will be held with the Local Planning Authority with regards to relevant employment and training conditions that will form part of the s106 Agreement supporting this application.

118 The construction phase of the development will also generate a large number of jobs across a diverse skills base. Construction workers of various disciplines will be required to construct, fit out and carry out the internal fitting of the hotel development. Again the applicant has stated that it is likely that local labour will be employed where this is practicable.

119 The employment report demonstrates that the development will generate further spin off employment that will arise as a result of the spending generated by the hotel, leisure, restaurants and the services provided by local firms. The development of a hotel on Plot N24, Zone 3 will, therefore, generate a large number of jobs across a wide skill base with a significant proportion of these vacancies likely to be taken up by local people in line with PPS14, and policies 3B.1 and 3B.11 of the London Plan, and B4 of the LLVOAPF.

120 That said as good practice, the GLA encourages Newham Council to secure with appropriate conditions the applicant's commitment to provide onsite training, or contribute to the

cost of training in construction work as part of the s106 agreement. These initiatives will allow the development to conform to the London Plan policies 3B.1 and 3B.11 and ensure that Black, Asian and Minority Ethnic (BAME) people and other disadvantaged groups and businesses can benefit from the scheme.

## **Transport for London's comments**

121 There are five proposed bus services which are expected to be located within an acceptable walking distance of the site, and negotiations are ongoing with the LB Newham regarding the final routing and frequency of these services. The new DLR station, Stratford International, will operate ten DLR services per hour in each direction to Woolwich Arsenal and Beckton. The new International Station will offer frequent rail services to St Pancras and Ebbsfleet on the Channel Tunnel Rail Link shuttle service. The existing public transport accessibility level is estimated at 2, but following the implementation of the above transport improvements, the future PTAL of the site is expected to be 6, on a scale of 1-6, where 6 is the highest.

122 In recognition of the site's high future accessibility and the availability of car parking spaces in the neighbouring Plot N25, TfL supports the proposals for a car free development. TfL would however recommend that at least one disabled parking space is provided on site. Whilst not ideal, if the disabled car parking spaces provided in Plot N25 must be relied on to serve this particular development plot (as currently suggested by the applicant), this will however need to be covered through an agreed management arrangement between the applicant and the car park operators; this requirement should be secured either by condition or through a s106 agreement. Similarly, TfL supports the proposal to disallow the eligibility of residents of the proposed scheme for residential parking permits.

123 TfL does not support the current proposal to locate a coach stop in front of a loading bay as this has the potential to cause conflict between coaches and servicing vehicles. TfL does however support the ongoing negotiations to relocate this stop and would further recommend that the new location remains in the vicinity of the site. TfL would also advise the applicant to consider how to address the accommodation of any unscheduled coach trips which may well occur. In line with the coach parking standards in the draft replacement London Plan which require 1 coach space for every 50 bedrooms in a hotel, TfL requires the applicant to identify the appropriate coach parking arrangements for the hotel in line with London Plan policy 3C.23 'Parking Strategy' and the draft replacement London Plan policy 6.13 'Parking'.

124 Although there is a taxi set down point in a designated lay-by (approximately 50 meters from the development site) on North Loop Road, TfL is concerned that taxis travelling to the proposed hotel, are likely to drop off passengers and be hailed directly outside the site, which is not ideal given the close proximity to a signalised junction. TfL would therefore advise the applicant to provide information on how this situation will be managed to address this eventuality.

125 Cycle parking is being proposed in accordance with TfL's cycle parking standards for both developments, and is therefore considered acceptable. The level of staffing at the hotel should however be monitored through the travel plan, to ensure that additional spaces continue to be provided in line with TfL's cycle parking standards, should staff numbers increase. TfL supports the applicant's proposal to provide showers, lockers and changing facilities within the building for the staff of the hotel, as compliant with London Plan policy 3C.22 'Improving conditions for cycling' and the guidance found in the consultation draft replacement London Plan policy 6.9 'Cycling'. TfL would further recommend that the location of these facilities is identified on a plan, and that the cycle parking areas are covered by CCTV as an additional security measure.

126 TfL supports the applicant's commitment to producing a construction logistics plan and a delivery and servicing plan in line with London Plan policy 3C.25 'Freight strategy' and the draft replacement London Plan policy 6.14 'Freight'. TfL can advise on the content of these plans which should identify efficiency and sustainability measures to be undertaken both during construction and once a development is operational. Both plans should be secured either by condition or through a section 106 agreement.

127 While both of the travel plans have positively passed their assessment, some improvements are still required before they can be considered to be acceptable, in line with TfL best practice guidance as referred to in London Plan policy 3C.2 'Matching development to transport capacity' and the draft replacement London Plan policy 6.3 'Assessing transport capacity'. TfL expects the applicant to include an expected mode share baseline against which the travel plan targets can be set, and both 3 and 5-year targets should be Specific, Measurable, Achievable, Realistic and Timed. The stated baseline mode share and targets should be ratified with the local authority against the results of the initial travel survey to ensure that they are site-specific and suitable. The revised travel plans should be secured, enforced, funded, monitored and reviewed as part of the section 106 agreement.

128 As the applications are outside the parameters of the approved Stratford City planning permissions, TfL considers that the proposed developments should make an appropriate additional contribution to the Stratford City Transport Fund. Any contribution secured will help support the significant improvements to the transport infrastructure, being delivered at the Stratford City Development site. Based on the original transport contribution of £15,354,000 for the Stratford City development as a whole; which measures some 1.4 million sq.m (GEA), a charge of £10.96 per sq.m. (GEA) is recommended as a reasonable contribution for this development to provide. This figure is based on the original transport contribution and, any agreement should however, index link any future contributions. For the mixed use proposal measuring some 39,560sqm (GEA), a minimum contribution of £433,577.60 is recommended; whereas for the hotel only which measures 10,657sqm (GEA), a minimum contribution of £116,800.72 is recommended.

129 In summary, TfL will recommend the applicant to propose an appropriate coach and disabled car parking arrangement and to show how taxis serving the development will be managed. The travel plan requires further work and the delivery and servicing plan and the construction logistics plan should be secured by planning condition. As Plot N24 is outside the scope of the outline planning permission and its associated obligations, undertakings and covenants of the Stratford City Development masterplan area, a minimum charge of £10.96 per sq.m. (GEA) is recommended as a reasonable contribution to the Stratford City Transport Fund. Provided these matters are satisfactorily dealt with, TfL considers the application could conform to the transport policies of the London Plan.

## **Local planning authority's position**

130 Newham Council and the Olympic Delivery Authority have yet to confirm their position on this planning application.

## **Legal considerations**

131 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 Authority 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 Authority under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

132 There are no financial considerations at this stage.

## Conclusion

### Hotel only proposal

133 London Plan policies on land use principle, regeneration, hotel, design, inclusive design & access, climate change mitigation & adaptation, noise, employment and training, and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Land use principle & regeneration:** the proposed hotel development is acceptable and is consistent with London Plan policies 2A.5, 2A.7, 2A.8, 3D.1-3D.3 and 5C.1-5C.3 of the London Plan
- **Hotel:** the proposed hotel on the site is consistent with policy 3D.7 of the London Plan.
- **Design:** the hotel proposal would be consistent with the design policies of the London Plan, notably policies 4B.1 and 4B.10.
- **Inclusive design & access:** the access statement needs to be revised and incorporate all the advice given above in order that it would be consistent with London Plan policies 3A.5 and 4B.5 and with policy 4.5 of the emerging London Plan.
- **Climate change mitigation & adaptation:** further information is required before the carbon savings can be verified and other issues raised in the report should be addressed in order that the proposal complies with energy policies of the London Plan.
- **Noise:** the proposed measures should be conditioned.
- **Employment and training:** the employment report needs to be conditioned.
- **Transport:** clarification is required on coach parking and taxis arrangement, cycle parking area should be covered by CCTV, travel plans need to accommodate estimated mode share, developer should agree to the financial contributions as suggested in TfL's comments, the construction logistics plan and a delivery and servicing plan must be secured through conditions, and compliance to the requirements of the Traffic Management Act 2004 is required should this application is granted planning permission.

134 Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan.

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

- **Inclusive access:** address the concerns raised in the report for the proposal.
- **Climate change mitigation & adaptation:** address the concerns raised for the proposal as detailed in the report.



- **Noise:** agree to appropriate conditions.
- **Employment and training:** agree to appropriate conditions.
- **Transport:** Agree to address TfL's concerns as summarised above and detailed in the report.

### **Mixed-use proposal**

136 London Plan policies on land use principle, regeneration, hotel, design, inclusive design & access, climate change mitigation & adaptation, noise, employment and training, and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Land use principle & regeneration:** the proposed mixed use development is acceptable and is consistent with London Plan polices 2A.5, 2A.7, 2A.8, 3D.1-3D.3 and 5C.1-5C.3.of the London Plan.
- **Mix of uses:** the proposed alternative development (for hotel only and/or mixed-use) is acceptable and is in line with policies of the London Plan.
- **Hotel:** the proposed hotel on the site is consistent with policy 3D.7 of the London Plan.
- **Housing mix:** the proposal is consistent with London Plan polices 3A.3, 3A.5, 3A.9 and 3A.10.
- **Affordable housing:** subject to the verification of the financial appraisal and an off-site contribution for affordable housing may be acceptable. However, at this time the application is not consistent with London Plan policies 3A.9 and 3A.10.
- **Children's play space:** the proposal is consistent with London Plan Policy 3D.13.
- **Density:** the proposed density would be consistent with Policy 3A.3, given the fact that the site would have excellent transport accessibility level, and that it is suitable for a tall building of this scale and the scheme provides a high quality residential environment.
- **Urban design and tall buildings:** the proposal would be consistent with the design policies of the London Plan, notably policies 4B.1, 4B.9 and 4B.10.
- **Inclusive design & access:** the access statement needs to be revised and incorporate all the advice given above in order that it would be consistent with London Plan policies 3A.5 and 4B.5 and with policy 4.5 of the emerging London Plan.
- **Climate change mitigation & adaptation:** further information is required before the carbon savings can be verified and other issues raised in the report should be addressed in order the proposals comply with energy policies of the London Plan.
- **Noise:** the proposed measures should be conditioned.
- **Employment and training:** the employment report needs to be conditioned.
- **Transport:** clarification is required on coach parking and taxis arrangement, cycle parking area should be covered by CCTV, travel plans need to accommodate estimated mode share, developer should agree to the financial contributions as suggested in TfL's comments, the construction logistics plan and a delivery and servicing plan must be secured through conditions, and compliance to the requirements of the Traffic Management Act 2004 is required should this application is granted planning permission.

137 Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan.

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

- **Affordable housing:** verify the financial appraisal and depending on the outcome agree for the provision of on-site or off-site contribution for affordable housing.
- **Inclusive access:** address the concerns raised in the report for both of the proposals.
- **Climate change mitigation & adaptation:** address the concerns raised for both the hotel only and mixed use proposals as detailed in the report.
- **Noise:** agree to appropriate conditions.
- **Employment and training:** agree to appropriate conditions.
- **Transport:** agree to address TfL's concerns as summarised above and detailed in the report.

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