

30 November 2015

304 – 312 Stratford High Street, E15

in the London Borough of Newham, (London Legacy Development Corporation)

planning application no. 15/00515/FUL

Strategic planning application Stage 1 referral

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

The proposal

Erection of a part 13 and part 33 storey building comprising 7,692 sq.m. shared-living floorspace (223 rooms/330 bedspaces - Use Class Sui Generis), 7,024 sq.m. apart-hotel floorspace (214 rooms/300 bedspaces - Use Class C1), 648 sq.m. of business workspace (Use Class B1), and 345 sq.m. restaurant floorspace (Use Class A3); together with associated public realm, servicing, basement level, roof level and access works.

The applicant

The applicant is **The Collective Stratford** and the architect is **PLP Architecture**.

Strategic issues

The application raises strategic planning issues in respect of **mix of uses**, the **2012 Games and their Legacy, housing and affordable housing, urban design, inclusive design, sustainable development, flood risk, energy and transport**.

Recommendation

That the London Legacy Development Corporation be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 87 of this report; but that the possible remedies set out in this paragraph could address these deficiencies. The application does not need to be referred back to the Mayor if the Corporation resolves to refuse permission, but it must be referred back if the Corporation resolves to grant permission.

Context

1 On the 23 October 2015 the Mayor of London received documents from the London Legacy Development Corporation 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 is required to provide the London Legacy Development Corporation with a statement setting out whether he considers that the application complies with the London Plan and his reasons for taking that view.

2 This report sets out information for the Mayor's use in deciding what decision to make.

3 The application is referable under Category 1C.ca building more than 30 metres high outside the City of London) of the Schedule to the Order 2008.

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

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

Site description

6 The application site fronts Stratford High Street and is currently occupied by a series of low rise buildings, comprising the Builders Arms Public House, the (Locally Listed) West Ham Labour Party building and two 2/3 storey commercial buildings. Whilst not in a Conservation area, these buildings are considered by the LLDC to contribute to the setting of the nearby St Johns Conservation Area, both in scale and aesthetic value. The site faces Stratford High Street DLR Station and converted warehouse buildings on Burford Road.

7 The site is located on A118 Stratford High Street, which forms part of the Strategic Road Network (SRN). The nearest section of the Transport for London Road Network (TLRN) is the A11/A12 Bow Roundabout, 1.2km south west of the site. The site is adjacent to London Underground Jubilee and Dockland Light Railway lines. The site benefits from excellent transport links, with Stratford High Street DLR station located opposite the site and Stratford Regional station located 500m north east of the site. Stratford Regional station is a major public transport interchange, served by the Central and Jubilee lines on the London Underground, London Overground, two branches of DLR and National Rail services to north east London and East Anglia. The station will also be served by Crossrail services in future.

8 Stratford International station is located 1km away and is served by High Speed train services from London St Pancras to Kent. Four bus services and one night bus service are available from the nearest bus stops on Stratford High Street, and a total of 18 services and three night bus services stop at either or both of the bus stations in Stratford. As such, the site records a high public transport accessibility level (PTAL) of 6b on a scale of 1-6, where 6 is the highest.

9 The site falls within the LLDC's 2015 Local Plan Site Allocation SA 3.4 'Greater Carpenters District', which sets out the authority's development principles for the wider area that looks to optimise the residential capacity of the area and to promote mixed use development that includes business, commercial, education and community uses. The site also falls within the LLDC's Stratford High Street policy area identified, where policy 3.1 states that development here should generally not exceed 27m AOD in height (around 10 storeys).

Details of the proposal

10 Erection of a part 13 and part 33 storey building comprising 223 rooms (330 bedspaces) of shared-living floorspace (Use Class Sui Generis), a 214 bedroom (300 bedspace) apart-hotel (Use Class C1), business workspace (Use Class B1), and a restaurant (Use Class A3); together with associated public realm, servicing, basement level, roof level and access works. The following sections provide additional detail on the proposed uses.

Housing

11 The applicant is proposing 7,692 sq.m. of residential accommodation by “upscaling” a housing product it operates from other properties it owns and manages across London. Specifically it is proposing 223 privately rented non self-contained (co-living) units that would provide 330 bed spaces. This use would have fallen within the former “hostel” Use Class, though as set out above, would now be a *sui-generis* housing use in planning terms:- i.e. a housing use not falling within the current Use Classes Order.

12 The following unit mix is proposed for this element:

Unit Mix	No. of Units	% of Total Units	No. of Beds	% of Total Beds
Ensuite	86	39	86	26
Studio	7	3	7	2
Premium Ensuite*	23	10	23	7
Two-dio	107	48	214	65
Total	223	100	330	100

13 The applicant has also indicated that it would impose a minimum length of stay of three months and a maximum length of stay of three years on residents and limit occupation to people aged between 18 and 35 and that it would enforce a “no children” policy. It is also proposing to require occupants to be in paid employment on a salary below £66,000 per annum (increasing annually by RPI + 0.5%), and envisages up to 20% of the residents being in full time post-graduate education unless “local planning policy supports student housing”, in which case “those studying full time would be able to qualify”.

Aparthotel

14 This element of the application proposes 214 “serviced apartments” providing 300 bedspaces within the lower (10 storey) element of the building comprising a mixture of studio, ensuite, two and three bedroom units that would be used as short term lets. The means to differentiate and enforce a distinction between these aparthotel suites and permanent C3 accommodation has been requested, but not yet confirmed, however local planning authorities usually require a 3 month occupation limit be applied to any approval.

Business (B1)

15 The applicant is proposing 648 sq.m. of B1 (office) floorspace at a ground floor and ground floor mezzanine levels. This would provide managed business workspace aimed at local businesses and start-ups, desk space for rent on a monthly basis and ground floor community “cultural space” which it is envisaged would be used for meetings, surgeries and local exhibitions.

Restaurant

16 The applicant is proposing 345 sq.m. of restaurant (A3) floorspace at level 22 that would open to members of the public as well as residents and occupiers of the building.

Planning history

17 A number of pre-planning application meetings were held with GLA officers between April 2014 and August 2015 as the scheme evolved where the following matters were discussed and advice offered over this period:

The proposed sui-generis housing use

- The applicant confirmed that its proposed principal residential use would be a *Licensable Home in Multiple Occupation* (HMO) under the terms of the 2004 Housing Act; and be aimed at young people and professionals who either chose to share facilities, or who were not in a position to afford conventional private rented or market sale housing.
- It was agreed that this use would not be a HMO in planning terms as Class C4 of the current Use Classes Order is generally applied to small houses occupied by between three and six unrelated individuals who shared common facilities such as kitchens or bathrooms.
- The proposed principal residential use would therefore be sui-generis in planning terms, i.e. housing not falling within the current Use Classes Order.
- GLA officers offered support for this use as it could increase housing choice and had the potential to relieve pressure within the non self-contained rented sector.
- Stratford High Street was seen as a suitable location for such a form of housing given its proximity to public transport and town centre facilities. The applicant was however advised to show that its proposals would not compromise the delivery of conventional housing and clearly demonstrate how they would meet identified housing needs.
- GLA officers saw the provision of very good quality shared facilities, generous amenity spaces and effective support and management as being critical to the success of the proposed use at the scale proposed, and advised that these matters should be developed, refined and confirmed as the scheme progressed.
- If planning permission were granted by the LLDC for the proposed sui-generis residential use, then the scheme should not be capable of being used as student accommodation, or as a hotel, or as temporary homeless accommodation without the need for further planning approval.

Affordable housing

- Whilst the envisaged rental levels would be below market levels for self-contained housing (by virtue of it being a different housing type), the proposed sui generis housing use (non self-contained market housing) would not fall within current national or London Plan definitions of affordable housing.
- The possible inclusion of an element of non self-contained discounted accommodation was discussed with the applicant, and whilst a formal reduction in market rental levels would be welcome, such an arrangement would similarly not meet current national or London Plan definitions of affordable housing.
- The scheme would therefore need to comply with London Plan policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), which establishes the strategic approach to affordable housing across London and confirms that the maximum reasonable amount of affordable housing should be sought by local planning authorities when negotiating on individual private residential and mixed use schemes such as that proposed. This policy applies to all new private housing, not just C3 housing - for example it explicitly also applies to (sui-generis) student accommodation - which is the form of housing the proposed use most closely aligns with.

- The scheme should therefore provide or facilitate the delivery of the maximum reasonable amount of affordable housing it could support; and a full viability assessment should therefore be prepared and submitted with any application, which in turn should be independently assessed by the LLDC.
- GLA officers saw the simplest approach to affordable housing being an off-site financial contribution. However, they would also welcome an on-site affordable housing model or approach that would demonstrably meet adopted affordable housing definitions.

Student housing

- The applicant acknowledged at the pre-application stage that students might be attracted to the type of accommodation it was proposing - and have now explicitly identified students as a target client group within the application. GLA officers therefore advised that effective restrictions would be expected within any planning permission to ensure that the residential element it was proposing would not evolve into formal or informal student accommodation without the need for further planning approval.

The aparthotel

- Officers confirmed that established planning policy looks to focus large scale hotels within town centres where public transport facilities and connectivity would best support them. The site is not in such a town centre, hence a full transport assessment would be required which should also show how visitors would access central London tourist attractions. The applicant should also assess and justify its out of town centre location against all relevant planning policy.
- As with student accommodation, effective means to differentiate and control potential future changes between the hotel and housing uses should be identified and incorporated into any approval.

Design

- Whilst the scale and form of the proposed building, (which was slightly larger at that time), was indicated as not raising specific strategic planning concerns, it was confirmed that architectural quality and details would need to be of a very high standard given the scheme's height and prominence.
- The applicant was also advised to ensure that a satisfactory quality of residential accommodation would be provided that would meet all relevant housing standards and requirements. It was suggested that this might be achieved by clear benchmarking against the 2004 Housing Act and the Mayor's housing SPG, as well as all other relevant standards.

Strategic planning issues and relevant policies and guidance

18 The relevant issues and corresponding policies are as follows:

- Proposed uses *London Plan;*
- The 2012 Games & Legacy *London Plan;*
- Housing *London Plan; Housing SPG; Draft Interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Children And Young People's Play And Informal Recreation SPG;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*

- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy;*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG.*

19 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 2015 LLDC Local Plan and the 2015 London Plan.

20 The following are also relevant material considerations:

- The National Planning Policy Framework and associated Technical Guide.
- The Mayor's Olympic Legacy Supplementary Planning Guidance, (OLSPG), July 2012.
- Draft Minor Alterations to the London Plan (MALP), May 2015.
- Newham Core Strategy, January 2012.
- Stratford Metropolitan Masterplan, February 2011.

Principle of development

21 The principle of a mixed use redevelopment of this site incorporating an appropriate mix of residential and commercial uses is supported in strategic planning terms, although as set out in this report, the proposed sui-generis HMO housing use and aspects of the proposed aparthotel do raise as yet unresolved policy concerns.

The 2012 Games and their legacy

22 The London Plan sets out the Mayor's vision for the sustainable development of the capital and paragraph 1.54 confirms that he will apply the Plan's objectives and principles to the new and existing neighbourhoods in the Lea Valley associated with the 2012 Games. Policy 1.1 confirms that the development of east London will be a priority for the Mayor and reinforces his objective to promote social and economic convergence between east London and other parts of the city.

23 Policy 2.4 of the London Plan commits the Mayor's to work with and through the LLDC to promote and deliver physical social economic and environmental change within east London and to close the deprivation gap between the Olympic Host Boroughs and the rest of London. This is known as convergence.

24 The application site is within the area covered by the Mayor's OLSPG, which provides advice on how he wishes his strategic planning priorities to be applied to the area it covers. The OLSPG sets out an overall vision for the area, which includes making it one of the best places to live and work in London, improving connectivity across and into the new Queen Elizabeth Olympic Park, and creating new family housing and schools. It then includes a series of development principles that are expected to be applied to planning applications and includes more detailed guidance for each of its 5 sub areas.

25 The OLSPG's core development principle addresses convergence and states that planning applications in the OLSPG area should demonstrate how they will help close the deprivation gap between the Olympic host boroughs and the rest of London and that one way this can be done is for planning applications in the OLSPG area that propose more than 100 residential units or 1,000 sq.m. of new floorspace or uses to include a statement setting out how they will help achieve convergence outcomes. The applicant has commissioned and submitted such a statement which is welcomed and supported.

Housing

The proposed sui-generis housing use

26 The proposed "non conventional" shared housing use is supported in principle by GLA officers as it would increase housing supply and has the potential to relieve pressure within the private rented sector, which London Plan policy 3.8 (Housing choice) now recognises and supports. Stratford High Street is also seen as a suitable location for this form of housing given its proximity to public transport and town centre facilities. The proposed use would also increase housing choice by meeting the housing needs of a distinct age group.

27 The applicant was asked at the pre application stage to address a number of important matters within its application material so that the quality of the proposed units and the scheme's potential impacts could be fully understood as set out above.

28 In response, the applicant has produced an "Operational Management Plan" that sets out its anticipated day to day tenancy, management, staffing and security arrangements that appears appropriate and proportionate and should be carried forward by the LLDC into any planning permission to ensure that the scheme would be of the highest quality, would enhance London's residential environment and attractiveness and would demonstrate compliance with lifetime neighbourhood principles in accordance with London Plan policies 3.5 (Quality and design of housing developments) and 7.1 (Lifetime neighbourhoods).

29 The applicant also contends that as the site has not been specifically allocated for a C3 use, then it would not compromise the delivery of such housing. This is accepted by GLA officers subject to the views of the LLDC in light of its local housing delivery assumptions.

Affordable housing

30 The applicant has submitted a viability assessment to the LLDC that it is currently assessing and which contends that the scheme: "cannot viably support any affordable housing or planning contributions on a current day basis".

31 The LLDC should therefore complete its assessment of the applicant's viability submission to test whether this is a reasonable conclusion and hence whether the scheme as currently put forward would provide the maximum reasonable level of affordable housing it could. The LLDC's assessment should also explore the implications of any increase in values and whether the scheme would be able to make an affordable housing contribution if this were to happen. These assessments should be shared with the GLA before the scheme is referred back to the Mayor at Stage 2.

Residential standards and quality

32 One of the Mayor's key planning priority to improve the quality and design of new housing and to ensure it is fit for purpose, comfortable, accessible and sufficiently spacious - as set out in section 2.1.6 of his Draft Interim Housing SPG.

33 The applicant has therefore produced and submitted a “compliance matrix” as part of its application that compares its proposals to the housing standards in this SPG – notwithstanding that the standards are designed to be applied to new dwellings and not to HMO or student accommodation (paragraph 2.1.20). Nevertheless, this is welcomed and provides a good general overview of the applicant’s intentions against Mayoral standards as far as they are compatible.

34 The applicant was also asked to provide an accommodation schedule that included internal room sizes for each of the different types of sui-generis and aparthotel units it was proposing. The applicant has confirmed that no single occupancy “bedroom” would be below 7.5 sq.m. in size. However this benchmark is derived from the Government’s national technical housing standards for dwellings, i.e. it is not intended as a benchmark for rooms that also provide cooking and wc facilities. It should also be borne in mind that the Government’s technical standards require single bedrooms to be at least 2.15m wide and that double or twin bedrooms should have minimum floor areas of 11.5 sq.m. and be 2.75m or 2.55m wide respectively.

35 The applicant has also confirmed “typical” room sizes for the different types of unit it is proposing, but has not produced a schedule that confirms their actual sizes. This is important so officers can properly understand the quality of the units that are being proposed; so that assumptions in the applicant’s viability assessment can be cross referenced and validated; and as set out below, officers can be satisfied that the number and sizes of the accessible units would meet relevant inclusive design policy requirements and standards.

36 The applicant should therefore provide scaled and annotated plans of all of its proposed sui-generis housing units so that officers and the Mayor can reach an informed view on their quality and whether they would be of the highest internal quality as required by London Plan policy 3.4 (Quality and design of housing developments)

Children’s play space

37 The applicant is proposing to not allow residents with children to live within its scheme, hence has not made any provision for children’s play space.

The aparthotel

38 London Plan policy 4.5 (London’s visitor infrastructure), confirms that the Mayor will seek to achieve 40,000 net additional hotel bedrooms by 2036, of which at least 10 percent should be wheelchair accessible. It also seeks to ensure that this new visitor accommodation is in appropriate locations and that beyond the Central Activities Zone (CAZ), “this accommodation should be focussed in town centres and opportunity areas.... where there is good public transport access to central London and international and national transport termini”. The application site offers such a location hence the proposed use is acceptable, though a maximum stay period of 3 months should be agreed and be enforceable within any approval to ensure that the use remains within the C1 (Hotels) Use Class.

Business and restaurant accommodation

39 These uses are welcomed in strategic planning terms and would bring benefits to the overall scheme and to this part of Stratford High Street.

Urban design

40 The applicant has held a number of pre-application meetings with GLA officers and the scheme has been subject to a number of design iterations. The current proposals are generally well thought out. The ground floor layout has been designed to utilise the existing service yard and includes cycle storage and vehicular access to the basement level which enables the majority of the Stratford High Street frontage to be given over to a double height glazed foyer space.

41 The applicant has also worked to introduce a detailed public realm strategy which includes optimising the amount of public realm along the high street through setting back the ground floor building line from the back of pavement; the provision of a pedestrian link to a riverside 'garden' to the rear of the site and proposed upgrades to the junction of Stratford High Street/Lett Street. The applicant should confirm that the link to the rear can be secured out of hours to ensure pedestrian safety and avoid any risk of anti-social behaviour. Subject to confirming this, the above design principles are supported.

42 The site is currently occupied by a terrace of two storey buildings of varying architectural styles, with numbers 304 and 306 being locally listed buildings, the latter being the oldest building occupying the site and dating from the 1930s. A mock Tudor style locally listed pub adjoins the southern end of the terrace and sits immediately outside of the site area and is to be retained.

43 While the contribution these buildings bring to the immediate townscape context of the High Street in terms of scale, proportions and architectural character is acknowledged, their removal raises no specific strategic concern as the scale and proportions of the proposal's two storey foyer frontage is broadly aligned with that of the retained pub and this results in a consistent sense of enclosure along the Stratford High Street edge of the site, as perceived from street level. The open and transparent design of the foyer space also provides a clear contrast with the distinct character of the neighbouring pub which provides the potential to achieve a successful balance of old and new elements while also enabling views through to the 'garden' to rear of the site. Notwithstanding this, the Council is encouraged to secure key details of the foyer's double height glazing system to ensure that an appropriately high quality and clean-lined appearance is built through.

44 The applicant's submitted material depicts a two storey "crown" to the main tower – which would add further height, massing and prominence to the scheme. It is currently not clear how this element relates architecturally to the main tower, so at the moment it is not possible to reach an informed view on its impact and acceptability. This should be clarified and material prepared that clearly shows what is proposed at this level and how it would be perceived from the identified local and long distance views.

45 The internal organisation of the building is broadly supported and is arranged into two wings which are orientated to align with the high street and the DLR/LU corridor. The depth of each wing provides an efficient floorplate depth to enable potential for good levels of daylight/sunlight penetration to both serviced apartments and internal amenity spaces. In addition, circulation areas including lift lobbies and corridors are designed to enable means of natural daylighting and cross ventilation, this is welcomed and will assist in alleviating the potential negative effects of long double-loaded corridor spaces.

46 The Design and Access statement includes details on internal layouts of the varying unit types which appear to offer acceptable arrangements of accommodation, including inset private amenity spaces. The applicant should however confirm the individual floor areas for each type of accommodation to ensure that a sufficiently high quality of short stay accommodation is secured. As requested at pre-application stage, the applicant has submitted material that shows how the proposed sui-generis housing could be converted to a conventional (C3) residential use should this be sought in the future. This is welcomed, but as set out below, this should also show how any such C3 units would meet relevant inclusive design standards.

47 The proposed form and massing arrangement has been subject to a number of iterations throughout the pre-application process and as discussed at pre-application stage, a tall building can be supported in principle from a strategic perspective in this well connected location on the edge of Stratford town centre. This is however subject to the proposals demonstrating the highest standards of place-making at ground floor as well as responding successfully to the scale and character of the established and emerging context in terms of both building height/proportions and the quality of architecture.

48 The part-33/part-13 storey massing provides clear distinction between each element, with the lower 13-storey element mediating between the high-rise scale of development further to the south along the high street and the lower-scale within the conservation area to the north. The 33-storey element is recognised as being significantly taller than the existing scale of development on site, however, when considered in the context of the scale of emerging development its proportions give potential to create a distinctive and elegant building form. It is also recognised that the scale of the double height foyer space is broadly aligned to acknowledge the scale of the neighbouring pub which results in a consistent level of enclosure to the public realm and gives potential to mitigate the massing impact of the taller element at street level.

49 The applicant has submitted material (TVIA) which demonstrates that the scale of the proposals are consistent with the scale of high-rise development when viewed from the south of the site along Stratford High Street and in longer range views from the Olympic Park. It is noted however that the scale of development will have a much greater impact on the setting of the neighbouring conservation area and this is particularly apparent in views from Burford Road which includes the locally listed Stratford Workshops building.

50 Notwithstanding this, the proposed architectural treatment which includes a regular rhythm of fenestration to the principle facades and a contrasting series of metal extrusions to the tower's flanks give potential to create a high quality building appearance to complement the building's refined proportions. The Council is encouraged to secure details of all facing materials to ensure that an appropriate tone of cladding is secured so as to respond effectively to the character of the surrounding context.

51 As set out above however, there is still some uncertainty about the proposed highest element of the scheme that requires further explanation and assessment.

Inclusive design

52 The applicant was submitted material that sets out how the scheme would be designed to be inclusive by focusing on the communal and commercial areas and by proposing that 22 of the 214 aparthotel units would be wheelchair adaptable. It has also provided typical floorplans of these units. This is welcomed and demonstrates compliance with London Plan policy 4.5 and should be carried forward into any approval by planning conditions.

53 It has also confirmed that 10% of its "co-living" units" would have a degree of accessibility – for example by providing WCs and showers within these units that would comply with approved Document M. It has not however committed to providing accessible shared kitchen facilities nor to provide a wheelchair accessible WC within the staff restaurant areas. Furthermore, without confirmation of the sui-generis room sizes, it is not possible to confirm whether the proposed accessible shared units would be inclusive.

54 As set out above, the applicant has submitted material that shows how the proposed sui-generis housing could be converted to a conventional (C3) residential use, which is welcomed. However, this analysis should also show how any such C3 units would meet relevant inclusive design standards.

55 Only one “blue badge” parking space is proposed and as set out below, the applicant will need to demonstrate how any additional demand for blue badge parking by residents using accessible rooms or for staff will be managed and kept under review. Furthermore, the applicant has not confirmed which “use” this space would be allocated to, provided details of disabled drop off arrangements or put forward an access management plan that would show how the inclusive rooms within the housing and aparthotel elements would be managed so that they would be made available to disabled people.

56 These matters should be fully addressed before the application is referred back to the Mayor at Stage 2 and appropriately conditioned in any approval.

Sustainable development

57 The applicant has prepared and submitted detailed environmental documentation in respect of energy, ecology, construction, air quality, noise and vibration and microclimate. This is welcomed and subject to resolution of the matters set out below, is considered satisfactory from a strategic planning perspective.

Flood risk

58 A Flood Risk Assessment has been undertaken by Aecom. This confirms that although the site is adjacent to the Channelsea River and Flood Zone 3, the site itself is within Flood Zone 1 and has no significant risk of surface water flooding. Therefore the proposals are acceptable in principle in relation to London Plan Policy 5:12.

Sustainable drainage

59 There are surface water flooding risks within the wider local catchment area around the site, therefore the application of London Plan Policy 5.13 will be important at this site. The site is relatively small and currently 100% impermeable.

60 The FRA proposes that surface water from the site will be directed into the adjacent Channelsea River without restriction. In combination, the Channelsea River will be improved and following discussions with LB Newham LLFA, will act as an infiltration feature as the river has historically been culverted both up and down stream of this site and does not carry a significant flow of water.

61 Although unusual this approach is considered a good approach to implementing the sustainable drainage hierarchy contained within London Plan policy 5:13, and should be secured via an appropriate planning condition.

Energy

Overview

62 The applicant has broadly followed the London Plan’s energy hierarchy and sufficient information has been provided to understand the proposals as a whole. Further revisions and information are however required before the proposals can be considered acceptable and the carbon dioxide savings verified.

Energy efficiency standards

63 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation with heat recovery. The applicant is also incorporating a number of post occupation strategies to ensure that the building runs as designed, this is fully supported.

64 The demand for cooling will be minimised through solar control glazing and mechanical ventilation for purge ventilation in the lower levels. Natural ventilation is proposed for the co-living units and serviced apartments. The applicant has undertaken a CIBSE TM 52 adaptive comfort criteria for current and future climate for a sample of worst case bedrooms and the results indicate that all bedrooms will meet the CIBSE requirements.

65 The applicant is proposing mechanical cooling for the mezzanine/incubator, ground floor reception and cultural spaces and restaurant. The applicant has provided the Part L solar gains check which shows that the majority of spaces are within the required limit. The applicant notes that a few areas do not meet solar gain limit, however no explanation is given for why the spaces do not meet the requirements. It was noted that one of the spaces that exceeds the gain limit is the cultural space which is proposed to include mechanical cooling. The applicant should therefore investigate further passive design measures in order to reduce the cooling demand.

66 The development is estimated to achieve a reduction of 28 tonnes per annum (4%) in regulated CO2 emissions compared to a 2013 Building Regulations compliant development.

District heating

67 The applicant has identified that the Queen Elizabeth Olympic Community Energy Scheme district heating network is the nearest network to the development with the London Heat map showing a potential network extension running by the site. The applicant has been in contact with the network operator to discuss connection opportunities and evidence of correspondence has been provided. The response from the network operator is that connection is not expected to be viable at this time due to the distance involved. The network operator has however requested that the development be designed to be connection ready and provided the applicant with a technical specification with the design requirements for a future connection. The applicant has confirmed that suitable provisions have been made for a possible future connection to the heat network. However, the applicant should confirm whether the energy centre design will follow the network operator's technical specification.

68 The applicant is proposing to install a communal heat network. However, the applicant should confirm that all non-domestic building uses will be connected to the communal heat network. A drawing showing the route of the communal heat network linking all buildings on the site should be provided.

69 The communal heat network will be supplied from a single energy centre located on the roof of the scheme.

Combined heat and power

70 The applicant is proposing to install a unit of 100-120 kWe gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated CO2 emissions of 233 tonnes per annum (33%) will be achieved through this second part of the energy hierarchy. The carbon emission reduction is considered high for the size of the engine proposed and suggests the CHP may be undersized. The applicant should review the size of the CHP and provide further detail on the modelling assumptions including confirmation of the size of the engine proposed in (kWe/kWth), electrical and thermal efficiency and suitable monthly demand profiles for heating, cooling and electrical loads. The plant efficiencies used when modelling carbon savings should be based on the gross fuel input of gas rather than the net values often provided by manufacturers.

Renewable energy technologies

71 The applicant has investigated the feasibility of a range of renewable energy technologies but is not proposing to install any renewable energy technology for the development.

Overall carbon savings

72 A reduction of 260 tonnes of CO2 per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 37%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan. However, the comments above should be addressed before compliance with London Plan energy policy can be verified.

Conclusion

73 The applicant has broadly followed the London Plan's energy hierarchy and sufficient information has been provided to understand the proposals as a whole. Further revisions and information are however required before the proposals can be considered acceptable and the carbon dioxide savings verified.

Transport

Trip generation and impact

74 Given the nature and location of the development TfL is satisfied that it will have a negligible impact on the capacity of the highway network, with an increase in movements associated with delivery and servicing across cycle superhighway 2. This site has not been included in the feasibility work for a new station entrance at the south west of Stratford station. The residents of the site will enjoy journey time benefits when the entrance is opened and the proposed development would add to the impact on this entrance.

75 The further feasibility, delivery and funding of the new entrance is being established with LLDC and TfL, and Stratford Station Access is included on the LLDC's Regulation 123 list, and therefore TfL will actively seek a contribution via CIL for the delivery of the new entrance, and connections towards it. The Regulation 123 list also identifies replacing or enhancing Jupp Road Bridge which would assist with the connectivity in the vicinity of the development.

Car parking and vehicular access

76 TfL supports this scheme being car free, except for the one blue badge space, and the applicant will need to demonstrate how any additional demand for blue badge parking by residents using accessible rooms or for staff will be managed and kept under review.

77 The following measures should be secured by S106 or condition: that residents and businesses will not be eligible for local on-street parking permits; a move-in strategy; provision of one electric vehicle charging point for the blue badge bay; a delivery and servicing strategy.

Cycle parking

78 The applicant's submitted Transport Assessment refers to the proposed provision of cycle parking "being agreed with GLA". However, this provision should clearly meet the relevant Use Class standards set out in Table 6.3 of the London Plan.

79 TfL are currently extending the Santander Cycle Hire scheme into the Queen Elizabeth Olympic Park and are investigating expanding it further into Stratford. It is expected that the proposed development on this site and others will result in an increased demand for Cycle Hire provision once the scheme is extended. TfL would request the safeguarding of a space for a potential Cycle Hire docking station within the public realm area of the site, or in the off-site Public Realm Enhancements, and a contribution of £200,000 for the cost of a docking station.

80 This will support cycling trips to and from the site by residents, employees and visitors to the site. The site should be safeguarded by condition for a period of at least five years from the completion of the earliest phase of the development. Should this period elapse and the scheme not be extended, the area can revert to other public realm use.

Construction

81 There are a number of potential constraints on the redevelopment of a site situated close to underground lines and infrastructure, and also Stratford High Street and Cycle Superhighway 2 and infrastructure protection conditions will need to be secured. The applicant should also be aware of the proposed alterations to Stratford gyratory, being developed by LB Newham, and the Construction Logistics Plan which should be secured by condition will need to set out the interface of the site build-out and gyratory scheme delivery.

Travel planning

82 TfL welcomes the submission of a framework Travel Plan, however further work is required for it to pass the ATTrBuTE assessment. The travel plan should be secured, enforced, monitored and reviewed as part of the S106 agreement.

Local planning authority's position

83 This is not known at this stage.

Legal considerations

84 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 London Legacy Development Corporation must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the London Legacy Development Corporation under Article 6 of the Order to refuse the application.

85 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

86 There are no financial considerations at this stage.

Conclusion

87 Whilst the proposed use application is supported in strategic planning terms, the application does not currently comply with the London Plan in a number of important areas. The following changes might however remedy these deficiencies and could lead to the application becoming compliant with the London Plan:

- **Mix of uses** - The proposed mix of residential, hotel, restaurant and business uses is supported.
- **The 2012 Games and their Legacy** - The application complies with the London Plan and the broad objectives set out in the Mayor's OLSPG.
- **Housing** - The principle of introducing the proposed sui-generis residential use is supported in strategic planning terms and complies with the London Plan. However, evidence is needed to demonstrate that the maximum reasonable level of affordable housing would be provided, the form that would take and the additional design quality material as set out in this report.
- **Urban design** - The broad approach to urban design is supported.
- **Inclusive design** - The inclusive design concerns identified in this report should be fully addressed before the application is referred back to the Mayor at Stage 2 to demonstrate full compliance with the London Plan.
- **Sustainable development** - The detailed drainage, flood risk and energy issues identified in this report should be fully addressed before the application is referred back to the Mayor at Stage 2 to demonstrate full compliance with the London Plan.
- **Transport** - The detailed transport matters identified in this report should be addressed before the application is referred back to the Mayor at Stage 2 to demonstrate full compliance with the London Plan.

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