

11 February 2016

**Car Park Space, 72 Manilla Street, Isle of Dogs**

in the London Borough of Tower Hamlets

planning application no. PA/15/03369

**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**

Outline planning application for the demolition of existing garage and erection of a 13 storey building to accommodate a ground floor B1a office unit and 9 flats (3 x 3 bedroom and 6 x 1 bedroom) on the upper floors with all matters reserved (except for scale and layout).

**The applicant**

The applicant is **Foxstone Estates Ltd** and the architect is **Studio 08**.

**Strategic issues**

Concerns are raised that the proposed development of the site would **prejudice the development of adjoining sites and regeneration of the wider South Quay and Isle of Dogs & South Poplar Opportunity Area**, as well as the **design and appearance of the area and housing quality**. The proposed high density redevelopment of this site gives rise to significant strategic planning concerns relating to **housing quality, layout, public realm, scale, massing and transport**.

**Recommendation**

That Tower Hamlets Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 40 of this report. The Council and the applicant should ensure that the development does not prejudice the wider regeneration of the South Quay area, nor impact on the design and appearance of the area. Significant amendments are required, particularly to the height and massing of the proposals, in order to achieve this objective and GLA officers encourage further discussions regarding the issues raised.

**Context**

1 On 7 January 2016 the Mayor of London received documents from Tower Hamlets Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 17 February 2016 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following Categories of the Schedule to the Order 2008:

- **Category 1C:** *“Development which comprises or includes the erection of a building more than 30 metres high and outside the City of London”.*

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

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

## Site description

5 The 0.01 hectare site is located on the south side of Manilla Street, within the South Quay area of the Isle of Dogs. The site has been vacant for over ten years and is derelict. Adjacent to the eastern boundary is the North Pole public house, whilst low rise employment units and open storage yards currently abut the western, southern and south eastern boundaries. However, all these adjacent sites fall within the Alpha Square application boundary (GLA reference D&P/3473a), and are subject to a current application for a mixed use development comprising 634 residential units, a hotel, a primary school and other commercial uses, as well as new public realm.

6 All roads surrounding the site are part of the borough highway network. The nearest section of the Transport for London Network is the Limehouse Link, 850 metres to the north-east of the site. Canary Wharf underground station is located 760 metres to the north, and provides access to Jubilee line services. South Quay (500 metres to the east), Heron Quays (400 metres to the north) and Canary Wharf (650 metres to the north) all provide access to Docklands Light Railway (DLR) services on the Lewisham to Bank/Stratford branch. From 2019, Crossrail will also serve this area from Canary Wharf station at West India Dock, approximately one kilometre to the north. Five bus services (D3, D7, D8, 135 and 277) operate within reasonable walking distance of this site. As such the site records a good public transport accessibility level (PTAL) of four.

7 The site sits within a number of strategic views and river prospects, as identified in the Mayor’s London View Management Framework, including View 1A.1: Alexandra Palace; View 2A.1: Parliament Hill; View 4A.1: Primrose Hill; View 5A.1: Greenwich Park; View 6A.1 Blackheath; View 11B.1: London Bridge; View 11B.2: London Bridge; View 12B.1: Southwark Bridge, and View 15B.1: Waterloo Bridge, as well as within the wider setting of the Maritime Greenwich World Heritage Site. The site is also within the draft indicative boundary of the Isle of Dogs and South Poplar Opportunity Area Planning Framework. At the local level, the site sits within the boundary of the Council’s South Quay Masterplan Supplementary Planning Document.

## Details of the proposal

8 Outline planning permission is sought for the demolition of existing garage and erection of a 13 storey building occupying the whole site area, to accommodate a ground floor B1a office unit and 9 flats (3 x 3 bedroom and 6 x 1 bedroom) on the upper floors with all matters reserved (except for scale and layout).

## Case history

9 There is no GLA case history for this site.

## Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- Housing *London Plan; Housing SPG; draft interim Housing SPG; Housing Standards Policy Transition Statement; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG; Social Infrastructure SPG*
- Affordable housing *London Plan; Housing SPG; draft interim Housing SPG; Housing Standards Policy Transition Statement; Housing Strategy*
- Density *London Plan; Housing SPG; draft interim Housing SPG; Housing Standards Policy Transition Statement; Housing Strategy*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; draft interim Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG*
- Tall buildings/views *London Plan; London View Management Framework SPG*
- Historic Environment *London Plan; World Heritage Sites SPG*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG*
- Blue Ribbon Network *London Plan*
- 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*
- Parking *London Plan; the Mayor's Transport Strategy*

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Tower Hamlets Council's Core Strategy (2010) and Managing Development Document (2013), and the London Plan (Consolidated with Alterations since 2011). The draft Minor Alterations to the London Plan (2015), the Council's South Quay Masterplan Supplementary Planning Document (2015), and the National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, are also relevant material considerations.

## Principle of development

12 The site lies within the Isle of Dogs and South Poplar Opportunity Area, as identified in the London Plan. London Plan Policy 2.13, and Table A1.1, states that the Opportunity Area is capable of accommodating at least 10,000 homes, and 110,000 jobs up to 2031. The London Plan recognises that the north of the Isle of Dogs forms a strategically significant part of London's world city offer for financial, media and business services, and that surplus business capacity south of Canary Wharf provides an opportunity to deliver new mixed use development, and to support a wider mix of services for residents, workers and visitors. The site is not identified for employment use within the London Plan.

13 The proposal seeks to redevelop the site to provide a small ground floor office unit of 54 sq.m. with nine residential units above. The proposed mix of uses are acceptable in principle, but as discussed below there are significant concerns with regard to how this development relates to the proposals for the adjacent Alpha Square development. London Plan policies encourage development proposals to take account of, and interact with, their immediate surroundings. London Plan Policy 7.1 requires development to be designed so that the layout, tenure and mix of uses interface with surrounding land, and Policy 3.7 seeks to ensure that the development of sites delivering substantial quantities of housing are co-ordinated. As outlined below, the layout and scale of the proposal

would prejudice the future development of this site and the comprehensive regeneration of the South Quay area. Accordingly, the proposal cannot therefore be supported by GLA officers.

## **Housing**

14 The application proposes nine residential units with a mix of three 3 bedroom flats and six 1 bedroom flats.

### Affordable housing

15 The scheme proposes nine residential units and, given the conclusions in other sections of this report, the site is not considered to have capacity to provide ten or more homes. Accordingly, the scheme falls below the threshold for affordable housing provision set out in London Plan Policy 3.13.

### Housing choice

16 London Plan Policy 3.8, together with the Mayor's Housing SPG, and the draft Revised Housing Strategy, seek to promote housing choice and a balanced mix of unit sizes in new developments. A mix of 1 (66%) and 3 (33%) bedroom flats are proposed. Whilst this would not strictly accord with the Council's preferred mix, the scheme would deliver a high proportion of family-sized units.

### Density

17 The density of the development is over 2,400 habitable rooms per hectare (over 900 units per hectare). This is significantly above the London Plan guidance range of 650 to 1,100 habitable rooms per hectare for central sites with a public transport accessibility level of four, as set out in London Plan Policy 3.4.

18 Whilst there is not an in principle objection to high density developments, there is a strategic priority, as established in Policy 3.4, that housing output be optimised taking into account, amongst factors, the design principles of the London Plan and provision of infrastructure. It is also important, as set out in the Mayor's SPG, that high density proposals be tested rigorously with regards to their contribution to local place shaping, including how schemes integrate with each other. When proposals above the density ranges can be robustly justified, the design quality of new development and the public realm should be of an exemplary standard.

19 As discussed in the urban design section of this report, the proposal would fail to integrate with emerging proposals for adjacent sites and would in fact prejudice the delivery of such proposals. In particular, the Alpha Square proposal has undergone significant refinement through discussions with GLA officers and is considered potentially to be an exemplar high density development, subject to any future formal decisions on the extant application for that site. Furthermore, the scheme would occupy the entire site area, relying in part on the Alpha Square scheme for its public realm setting. The proposal would therefore not only fail to contribute towards the wider place shaping objectives for the area, but would actually detrimentally impact upon the overall quality and deliverability of Alpha Square. Accordingly, the proposed density is not justified in its isolated form.

### Housing quality and amenity

20 All the residential units within the scheme have been designed to be dual aspect and the three bedroom units would be duplexes. Each unit would meet the London Plan minimum internal space standards and amenity space standards. There are however concerns over how the scheme interacts with the neighbouring Alpha Square proposals. On the lower floors, the rear (south) aspect

of the flats would be in close proximity to the play space, which would result in an awkward relationship with what is expected to be a noisy space. On the upper floors (eighth floor and above), the massing of the building would enclose residential amenity areas and the outlook from the flats themselves. The proposed layout and massing would impact on the quality of housing both within the scheme and in emerging proposals for adjacent sites. The proposal has therefore not been designed to be compatible with the aspirations for comprehensive redevelopment of the area, which is a requirement of high density schemes, and the quality of housing would be deficient as a result, contrary to London Plan Policy 3.5.

### Children's play space

21 London Plan Policy 3.6 seeks to ensure that development proposals include suitable provision for play and recreation. Further detail is provided in the Mayor's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance, including a benchmark requirement for 10 sq.m. of play space per child. The child yield of the proposal falls below the threshold set out in the Mayor's SPG for play space provision, so there is no requirement for on-site play space as part of this development.

## **Urban design**

22 Good design is central to all objectives of the London Plan, and given the scale and density of the development, its design needs to be of an outstanding quality. For the reasons outlined below, the overall approach to design is a significant concern.

### Layout and public realm

23 The proposed 13 storey building would occupy the whole site area and would therefore not provide any setting space or contribution to public realm. The provision of public open space is a requirement of any high density scheme and of particular importance in the Isle of Dogs and South Poplar Opportunity Area, where there is a significant requirement for open space to support the new population. Instead, the development would rely upon the delivery of public realm as part of the Alpha Square scheme for its setting for which there exists no formal relationship or agreement to offset its own public realm requirements. The proposal therefore fails to justify its high density and raises strategic concerns in terms of its contribution towards the regeneration objectives of the South Quay area and wider Opportunity Area.

### Height, massing and strategic views

24 As mentioned, the proposed massing of the development would enclose the outlook and amenity areas of the Alpha Square development and therefore fails to have regard to the emerging context of the area. There are also concerns over the relationship between the development and the Alpha Square scheme in design terms. Inadequate documentation has been submitted to make a full assessment of how the two developments would appear in the streetscene should they both come forward.

25 In addition to the emerging context, the proposed 13 storey building would be out of scale with existing surrounding low rise buildings. In the absence of a comprehensive approach and provision of setting space around the building on account of the small site area, the proposals would have an unacceptable impact on the character and appearance of the area. A lower building would be more likely to have appropriate relationship, so the applicant should consider a significant reduction in scale to overcome these concerns.

26 As set out in the site description, the proposal lies in a number of strategic views, as identified in the Mayor's London View Management Framework. The application is not accompanied

by a visual impact assessment, although it is noted that the proposed building would be less prominent in these views than the Alpha Square development. Following a review of the visual impact assessment accompanying that application, GLA officers are of the view that the scheme would not detrimentally impact on any of the protected views or River Prospects identified, nor would it impact on the wider setting of the Maritime Greenwich World Heritage Site.

27 There are however concerns over the visual impact of the scheme in local views, both in the context of the existing circumstances and in conjunction with adjacent proposals. In particular, no visual impact assessment has been undertaken to assess the harm to heritage assets and the scheme would therefore not comply with London Plan policy in terms of its visual impact.

28 Furthermore, the application is not accompanied by a wind and microclimate assessment to demonstrate its impact in relation to the Lawson's Comfort criteria in relation to the public realm and amenity spaces.

#### Architectural treatment

29 As the proposal is submitted in outline with appearance reserved, very little detail has been provided in relation to the architectural treatment of the building, although the elevations suggest that the building would be faced with a mixture of brick, aluminium cladding and glazed panels. There are no concerns with the overall approach to the use of materials, although in order to address concerns over visual impact further information should be provided to explain the architectural approach to the elevations.

### **Blue Ribbon Network and flooding**

30 The site is located within flood zone three. The applicant's flood risk assessment has examined likely breach scenarios and considered residual flood risk; this confirms that the site is protected to a high degree by the existing tidal flood defences and would not be affected in the event of a breach. Furthermore, the ground floor use would be B1 office, which is defined as a 'less vulnerable' use in the NPPF technical guidance. Nevertheless, the applicant should follow good practice and enclose any essential building utilities within a flood-proof room, or enclosure. This will help with the overall resilience of the building in any flood event, enabling occupants to remain safe and comfortable within the building.

31 The site itself is at risk from surface water flooding and some areas nearby are at a high risk. Given the nature and location of the proposals it would be expected that sustainable drainage measures such as attenuation tanks are incorporated into the design, in line with the requirements of London Plan Policy 5.13.

### **Inclusive design**

32 Having regard to the proposed layouts, GLA officers consider that there would be no limitations on the development meeting the relevant Building Regulations requirements with regard to achieving 10% of the units to be fully accessible to wheelchair users, although this is not demonstrated in the submission. This aspect, along with other detailed inclusive design implications, could be dealt with through reserved matters or conditions were the scheme otherwise considered acceptable.

### **Climate change**

33 The scheme is not considered of strategic importance with regard to energy as the London Plan energy policies apply to major residential developments of ten or more dwellings.

## Transport

34 The applicant proposes 7 residential cycle parking spaces, but this should be increased to 12 to comply with London Plan standards. One space should also be provided to serve the B1 office unit.

35 As the site is constrained, the proposals are car free which TfL supports in view of the good access to public transport. Future occupiers should be exempt from applying for on street parking permits. The applicant should also work with Tower Hamlets Council to identify a suitable location for an on street blue badge space.

36 The site is within the Isle of Dogs CIL charging area. As the scheme is greater than 500 sq.m. GIA, a Crossrail contribution of £10,165 should be secured in respect of the uplift in office floorspace. There are no other site specific issues with public transport capacity.

## Local planning authority's position

37 The Council's position is not known.

## Legal considerations

38 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application. 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

39 There are no financial considerations at this stage.

## Conclusion

40 London Plan policies on Opportunity Areas, housing, urban design, heritage, inclusive design, climate change, and transport are relevant to this application. The proposed redevelopment of this site gives rise to significant strategic planning concerns, and consequently the application does not accord with London Plan Policy for the following reasons:

- **Housing:** the application does not accord with London Plan Policy 3.5 and significant concern is raised with regards to the poor standard of housing proposed and the potential prejudicial impact upon the housing quality of adjacent proposals.
- **Urban design:** the application does not accord with London Plan Policies 7.1, 7.2, 7.5 and 7.6, and significant concern is raised with regards to prejudicial development, visual impact, public realm, scale and massing. The applicant should significantly reduce the scale and massing of the proposals to ensure a high quality design approach and mitigate impact on the appearance of the area.

- **Transport:** in accordance with London Plan policies 6.1, 6.2, 6.5, 6.9 and 6.13 the applicant should explore whether on street Blue Badge spaces are feasible, increase cycle parking and provide a financial contribution towards Crossrail.

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for further information, contact GLA Planning Unit (Development & Projects team):

**Colin Wilson, Senior Manager – Development & Projects**

020 7983 4783 email [colin.wilson@london.gov.uk](mailto:colin.wilson@london.gov.uk)

**Justin Carr, Strategic Planning Manager (Development Decisions)**

020 7983 4895 email [justin.carr@london.gov.uk](mailto:justin.carr@london.gov.uk)

**Nick Ray, Senior Strategic Planner, case officer**

020 7983 4178 email [nick.ray@london.gov.uk](mailto:nick.ray@london.gov.uk)

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