

## Cuba Street, Isle of Dogs

in the London Borough of Tower Hamlets

planning application no. PA/15/02528

### 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

Full planning permission for the erection of two residential-led buildings of 41 and 26-storeys (136 and 87 metres AOD), comprising 448 residential units and 38 sq.m. commercial and community floorspace, together with public open space, with associated access and servicing.

### The applicant

The applicant is **Ballymore Group**, and the architect is **3D Reid**.

### Strategic issues

The principle of the housing-led redevelopment of this site is strongly supported. However, there are a number of outstanding strategic planning concerns relating to **housing, urban design, climate change** and **transport**.

### Recommendation

That Tower Hamlets Council be advised that, whilst the principle of the proposal is strongly supported, the application does not comply with the London Plan, for the reasons set out in paragraph sixty of this report. However, the resolution of those issues could lead to the application becoming compliant with the London Plan.

## Context

1 On 7 October 2015 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 November 2015 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 1A:** *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”.*
- **Category 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 floorspace of more than 15,000 sq.m.”.*
- **Category 1C:** *“Development which comprises or includes the erection of a building more than thirty 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 environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

5 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

6 The 0.3 hectare vacant site is located to the south of Marsh Wall on Cuba Street, within the South Quay area of the Isle of Dogs. The site is bound to the north by Cuba Street, residential buildings rising to 44-storeys, and a six to seven-storey brick office building; to the east by a six-storey residential building with ground-floor commercial units; to the south by Manilla Street, and residential buildings ranging in height from two-storey houses at Bellamy Close, to a five-storey flatted block, and to the west by Tobago Street and four-storey residential buildings with an element of ground-floor commercial.

7 The A1261, Aspen Way, accessed at Westferry Road, is the nearest section of the Transport for London Road Network (TLRN), 800 metres to the north. The nearest station to this site within reasonable walking distance is South Quay Docklands Light Railway (DLR), 400 metres to the east. Heron Quays DLR station is located 300 metres to the north, and Canary Wharf Underground station (Jubilee line) is 500 metres to the north-east; however both are separated by the dock, so are not directly accessible. Five bus services operate along Marsh Wall, within 200 metres of the site; 135, D3, D6, D7 and D8. As such, the site has a good public transport accessibility level (PTAL) of 4 (out of 6, where 6 is the highest). The Isle of Dogs is also served by the Mayor’s cycle hire scheme; the nearest docking station is located to the south-east of the site on Lighterman’s Road, providing access to 56 cycle docking points.

8 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, sits within the boundary of the Council’s South Quay Masterplan Supplementary Planning Document.

## Details of the proposal

9 Ballymore Group (the applicant), is seeking full planning permission for the redevelopment of the vacant site to provide 448 residential units and 38 sq.m. of commercial and community floorspace, within a 41 and 26-storey building (136 and 87 metres AOD). The proposals also include the provision of 1,386 sq.m. ground-floor publicly accessible play and amenity space, together with access and servicing.

## Case history

10 The application considered here was subject to formal pre-planning application discussions with GLA officers, with six formal pre-planning application meetings being held on 9 February 2015, 19 February 2015, 6 March 2015, 27 March 2015, 7 May 2015 and 5 June 2015. GLA officers welcomed the opportunity to proactively engage with the applicant at an early stage in the development process, which resulted in significant improvements to the scheme, and the principle of the housing-led redevelopment of this site was strongly supported. Through pre-planning application discussions a number of issues were raised in relation to residential layout and quality, height and density, public open space provision, design, sustainable development, and transport.

## Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

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

12 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

13 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 housing, 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.

14 Notwithstanding the strong support for the delivery of a substantial proportion of housing within the Isle of Dogs and South Poplar Opportunity Area, as set out in the London Plan, there is strategic concern regarding the significant quantum of emerging proposals and the potential barriers to the delivery of this development, which includes the need to secure the social and physical infrastructure required to support this very significant scale of growth. In response to these concerns, and to address issues arising from the scale of development proposed, the Council has produced a Supplementary Planning Document for the South Quay area, the principle of which is broadly supported by the GLA.

### Housing

15 London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London, and sets a target for the Council to deliver a minimum of 39,314 homes in the Plan period 2015-2025. London Plan Policy 2.13 (and supporting Table A1.1) recognises the significant potential of the Isle of Dogs and South Poplar Opportunity Area to accommodate new homes, and identifies a minimum of 10,000 new homes. Given the site's context within the Isle of Dogs and South Poplar Opportunity Area, the principle of the housing-led redevelopment of this site, to include 448 new homes, is therefore supported.

### Non-residential floorspace

16 The provision of a small-scale mix of uses as part of high-density housing-led development within Opportunity Areas can help to meet the needs of local residents, and also assist in activating the ground-floor. The inclusion of a small retail space is of an appropriate scale to be ancillary to the residential use, and is therefore supported in accordance with London Plan policy.

## Housing

17 The application includes a total of 448 residential units. A detailed housing schedule is provided below:

unit type	market	affordable rent	intermediate	total
studio	60	0	0	60
one-bed	122	8	6	136
two-bed	200	11	12	223
three-bed	12	10	0	22
four-bed	0	7	0	7
<b>total</b>	<b>394</b>	<b>36</b>	<b>18</b>	<b>448</b>

housing schedule

## Affordable housing

18 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. The proposal currently includes 54 affordable units, which represents 12% of overall housing provision. The applicant has submitted a financial viability report in support of its proposals, which is being independently assessed by the Council. It is therefore not possible at this stage to determine whether the application provides the maximum reasonable amount of affordable housing in accordance with London Plan Policy 3.12.

19 London Plan Policy 3.11 establishes a strategic target that 60% of affordable housing provision be for social housing (comprising affordable rent and social rent), and 40% for intermediate provision. The Council, in its Managing Development Document, requires proposals to provide affordable housing on a 70:30 social housing to intermediate housing split. The affordable housing is currently split 67:33, when measured by units, which is broadly in accordance with strategic and local policy, and is acceptable.

## Housing choice

20 London Plan Policy 3.8, together with the Mayor's Housing SPG, seeks to promote housing choice and a balanced mix of unit sizes in new developments. London Plan Policy 3.11 establishes that strategic priority be afforded to the provision of affordable family homes. The proposal, as currently submitted, includes 29 family units, equating to 6% of overall housing provision. In accordance with strategic policy, the applicant has prioritised family affordable provision; seventeen of the family units are identified as affordable, equating to 31% of total affordable housing provision, and 47% of the affordable rent provision. The provision of ten town houses, with entrances positioned directly from the public realm, six of which are allocated for affordable housing, is strongly supported, and is exceptional in the context of development proposals of a similar density within the vicinity. A further three split-level affordable family units are also provided within the affordable housing element.

21 Within the market housing element, a total of sixty studio units are proposed, representing 15% of total market housing, and 13% of overall housing. Whilst an element of studio provision may be acceptable, the applicant should note Paragraph 2.3.18 of the Mayor's Housing SPG which states that such units should be of exemplary design and be exceptional in the context of overall housing provision. As part of pre-planning discussions, the proportion of studios has been reduced, and those remaining have been carefully designed so as to avoid any single-aspect north-facing units. The applicant has also confirmed that all units have a 2.7 metre floor-to-ceiling height, and all studios also benefit from a balcony. Whilst at the very top end of what has been considered acceptable on schemes within the vicinity, given the careful positioning of these units and their generous floor-to-ceiling heights, and in light of the development delivering eight-units per core throughout the building, which minimises single-aspect units, and the generous provision of ground-floor town houses, particularly within the affordable element, the proportion of studios is on balance acceptable. However, any further increases would not be supported.

## Density

22 The density of the development is 3,284 habitable rooms 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.

23 Whilst there is not an in-principle objection to high-density developments, as set out in paragraph fourteen of this report, there is strategic concern regarding the need to address potential barriers to the delivery of high-density housing within the Isle of Dogs. The strategic priority, as established in Policy 3.4, is that housing output be *optimised* taking into account, amongst others, the design principles of the London Plan, and take note of paragraph 1.3.41 of the Mayor's Housing Supplementary Planning Guidance with regard to high-density development, which states that "*Such proposals must also be assessed in terms of their bearing on the capacity of existing local amenities, infrastructure and services to support the development*". 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.

24 As detailed in this report, the application includes the provision of ground-floor publicly accessible open space, exceeding London Plan policy requirements relating to children's play space; responds positively to London Plan policies relating to residential quality, and includes an appropriate level of family accommodation. In line with other developments, the Council will secure appropriate contributions through its Community Infrastructure Levy regime in order to mitigate the development's bearing on the capacity of existing infrastructure. As set out in the transport section of this report, financial contributions will also be secured in order to mitigate any transport impacts. In this context, the density of the proposal does not in itself raise strategic concern. However, the applicant should note comments made in this report regarding proximity to neighbouring development, and wind impact, before the application can be considered acceptable.

## Housing quality and design

25 London Plan Policy 3.5 promotes quality in new housing provision, with further guidance provided by the Mayor's Housing SPG. As set out in the Mayor's Housing SPG, proposals above the London Plan density matrix should be exemplary. Key factors such as floor-to-ceiling heights, orientation, maximising ground-floor individual access points, and number of units per core, are all essential to achieving high residential quality, and are of particular importance when assessing residential quality.

26 As detailed in the urban design section below, the applicant has responded positively to London Plan requirements regarding housing quality. All units meet London Plan space standards, and the approach to residential layout seeks to minimise the number of units per core, as well as the proportion of single-aspect units; floor-to-ceiling heights have also been maximised. The provision of ground-floor accessible maisonettes within a high-density development is particularly supported. On balance, the application accords with London Plan policies relating to residential quality, and is supported.

## Children's play space and amenity

27 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. GLA officers have calculated that the development will be home to 83 children, 35 of which are expected to be under five-years old.

28 The proposal incorporates a series of spaces intended to provide play opportunities, in addition to general residential amenity. The proposal incorporates 1,386 sq.m. of ground-floor publicly accessible play and amenity space; 732 sq.m. of which is specifically allocated for play use, and features a range of play equipment and playable landscaping features. The overall approach to play and recreation will ensure high-quality facilities will be provided that exceed the needs of the children of this development, and accords with London Plan policies.

## **Urban design**

29 Good design is central to all objectives of the London Plan, and given the scale of development proposed, its design needs to be of an outstanding quality. The proposed development has been subject to extensive and meaningful pre-application discussions, and its design is now strongly supported by GLA officers.

### Layout

30 The proposal centres on the provision of a park, located between two residential towers. Massing is arranged in two slender buildings of 26 and 41-storeys, positioned at either end of the site, located approximately 40 metres apart, with the 41-storey building sitting on a seven-storey podium. The layout allows for a legible route from Byng Street, along Bellamy Close and across Cuba Street, to Marsh Wall, which is strongly supported. The eastern-tower sits on a podium, which accommodates back of house uses and servicing, wrapped with self-contained maisonettes, and the residential lobby at ground-floor. The ground-floor of the western tower also incorporates maisonettes, together with a residential lobby and a retail unit, with cycle and refuse storage located within the basement. This approach allows for both towers to have well-animated ground floors, minimising the amount of inactive frontage facing the public realm, and ensuring the pedestrian experience around the proposed buildings is of the highest quality, both in the proposed park, and on all adjacent streets.

31 The location of the eastern building, and its impact on privacy, daylight and wind, needs to be carefully considered in relation to emerging development proposals at 30 Marsh Wall, which is likely to be of a similar height. As well as further discussions regarding wind, detailed below, the applicant should also provide further details illustrating the relationship of the proposed residential layouts with the emerging 30 Marsh Wall layout, to include a section across Cuba Street illustrating their proximity, in order for officers to undertake an assessment of any privacy and overshadowing issues.

### Residential quality

32 The residential quality of the scheme is very high; both towers have relatively small floorplates, no more than 35 by 20 metres in size, thereby limiting the number of units on each floor to eight, with at least 50% of them being dual-aspect. The single-aspect units are mostly east and west facing, and have been designed so as to minimise their depth. Whilst it is disappointing that the cores do not receive natural daylight or ventilation, it is acknowledged that they are limited to twenty metres in length and have an acceptable 1.5 metre width, and that other aspects of residential quality have been maximised. Within the units, clear floor-to-ceiling heights are set to 2.7 metres in habitable rooms, all units, including studios, have balconies, and all units meet or exceed London Plan space standards. Whilst the scheme creates twelve north-facing single-aspect units within the podium of the tallest tower, these provide enclosure and overlooking on to Cuba Street, benefit from generous floor-to-ceiling heights, and represent under 3% of overall number of units. On balance, the residential quality of the scheme accords with London Plan policy, and is supported.

### Height and strategic views

33 As set out in paragraph eight of this report, the proposed buildings lie in a number of strategic views, as identified in the Mayor's London View Management Framework. The applicant has submitted a townscape, visual and built heritage impact assessment, which demonstrates that for a number of views (view 1A.1, 2A.1, 4A.1, and 6A.1), the buildings will lie within the wider panorama, away from the sensitive view of St Paul's Cathedral, and outside of its protected vistas, and within the existing Canary Wharf cluster. Furthermore, the applicant's assessment of the four identified River Prospects (11B.1, 11B.2, 12B.1 and 15B.1) demonstrates that the proposal does not impact on the sensitive landmarks identified within these views.

34 The proposals' appearance in strategic view 5A.1 from Greenwich Park is particularly prominent. Guidance within the London View Management Framework notes that the existing cluster of tall buildings adds layering and depth to the understanding of the panorama, and states that the composition of the view would benefit from further, incremental consolidation of the tall buildings. The proposed buildings will be identifiable as falling within the emerging cluster, to the left of axial view through Queen's House, and therefore do not raise strategic concern. Whilst towards the left edge of the cluster, their stepped form and lower height, ensure that the buildings do not compete with the larger scale tall elements within the main cluster, and will contribute to the layering of buildings in this view.

35 The proposal also falls within the wider setting of the Maritime Greenwich World Heritage Site. London Plan Policy 7.10 'World Heritage Sites' states that development should not cause adverse impacts on World Heritage Sites or their settings, and, in particular, should not compromise the ability to appreciate their outstanding universal value, integrity, authenticity or significance. The applicant's townscape, visual and built heritage impact assessment illustrates the proposal will become part of the developing cluster of consented and proposed buildings on the Isle of Dogs, and does not raise any concern. The buildings will not harm the setting of listed buildings within the World Heritage Site, or of listed buildings within Canary Wharf.

36 Whilst the height of the proposed buildings raises no strategic concern with regards to their impact on strategic views, concern is raised regarding the building's potential impact on wind conditions at street level. The applicant's wind assessment demonstrates potentially excessive winds at the north-eastern corner of the site, when proposed surrounding buildings are taken into account. In order to fully assess this issue, and to ascertain whether this is caused by the proposed development, or is a result of neighbouring development in its own right, the applicant should illustrate the pedestrian comfort conditions of the vacant site with cumulative surrounding buildings on it. Further discussion is required regarding wind impacts, and proximity, before the proposal can be considered acceptable with regards to London Plan tall building policies.

### Architectural treatment

37 The architectural approach is supported. However, materials and the quality of detailing will have a significant impact on overall quality in the completed scheme. The Council is therefore strongly encouraged to secure the retention of the architects during detailed design phases, in addition to utilising appropriate conditions securing design detail and materials.



## **Blue Ribbon Network and flooding**

38 The site is located within flood zone three. The applicant's flood risk assessment has examined likely breach scenarios and considered residual flood risk, and confirms that the site is protected to a high degree by the existing tidal flood defences. However, the assessment does identify that the site would be affected in the event of a breach of flood defences, with flood water up to 1.2 metres in depth. In a breach scenario, the applicant has set out a flood warning and evacuation plan, which given the site's location near the edge of the modelled breach extent, is feasible. Nevertheless, the applicant should ensure that the plan takes appropriate account of the basement area, and also consider means of protecting essential building utilities against flood risk as part of resilient design.

39 Whilst the site itself is not at significant risk from surface water flooding, surrounding areas in close proximity to the site are at risk. The applicant's drainage strategy proposes to restrict the discharge rate from the site to a greenfield run-off rate of five litres/second through the use of an attenuation tank in the basement. The large area of open space positioned between the two buildings offers scope for rainwater absorption/attenuation to be integrated into landscaping proposals, which, if integrated with green roof areas and designed for exceedance for less frequent events, could reduce or remove the need for the sub-surface attenuation tank. The applicant should therefore re-examine the drainage proposals in accordance with the London Plan sustainable drainage hierarchy. This should also lead to construction cost savings and reduced long-term maintenance, especially by reducing the requirement to pump out a basement attenuation tank.

## **Inclusive design**

40 In accordance with London Plan Policy 3.8, the applicant has confirmed that all of the residential units will meet Lifetime Homes standards, and that 10% of the units will be designed to be fully adaptable and adjustable to wheelchair users. As set out in the Mayor's Housing Standards Policy Transition Statement, the Council should secure compliance with building regulations M4 (2) and M4 (3) by condition.

## **Climate change - adaptation**

41 The proposal includes a number of measures in response to strategic policies regarding climate change adaptation, which are welcomed. Measures proposed include sustainable drainage measures, use of low energy lighting and energy efficient appliances, smart meters, high levels of insulation, low water use sanitary-ware and fittings, and biodiverse planting. The applicant should note comments made in paragraph 39 of this report regarding the need to increase sustainable drainage techniques, in accordance with the London Plan sustainable drainage hierarchy.

## **Climate change - mitigation**

### Energy efficiency

42 The applicant has broadly followed the London Plan energy hierarchy to reduce carbon dioxide emissions, and a range of passive design features and demand reduction measures are proposed. 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 demand for cooling will be minimised through shading from balconies to reduce solar gain, insulation of heat distribution infrastructure to a high standard, and appropriate use of thermal mass.

## District heating and renewables

43 The application site lies within the Barkentine district heating network; the applicant is investigating a possible connection with the network operator. In accordance with London Plan climate change policies, connection to the network should be prioritised in the first instance, and as such the Council should secure a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available through condition.

44 The applicant is proposing to install a site-wide heat-network, served by a gas-fired combined heat and power (CHP) unit from a single energy centre. The applicant should confirm that all residential units and non-domestic floorspace will be served by CHP, and provide a site plan illustrating the proposed route of the heat network, and the energy centre.

45 Whilst the applicant has investigated the feasibility of installing renewable energy technologies, none are proposed as part of the development. The use of photovoltaic panels should be robustly explored, and a roof plan provided demonstrating whether provision can be made for panel installation, particularly given the current shortfall in overall carbon savings.

## Summary

46 Overall the measures proposed result in a 34% reduction in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development, which is below London Plan emission targets. Whilst it is acknowledged that the proposals fall only marginally below London Plan standards, the applicant should fully address all comments made above, including the use of additional energy efficiency measures and renewable technologies, before the use of payment in lieu is considered acceptable.

## **Transport**

### Car and cycle parking

47 The development will be car-free, with the exception of four Blue Badge spaces proposed on-street on the south side of Cuba Street. The London Plan Housing SPG requires each wheelchair accessible home to have access to a Blue Badge space; however, TfL accepts that this would be difficult to accommodate on-site, and as such, on-street Blue Badge parking is acceptable in principle. Nevertheless, the applicant should demonstrate how parking demand attributed to the Council's permit transfer scheme could be accommodated within the local area. The applicant is also required to enter into a car-free legal agreement, to be secured by section 106 agreement.

48 A total of 700 cycle spaces are proposed across levels six and seven within the eastern-building, and at basement-level within the western-building; this represents a shortfall of 136 spaces against London Plan standards, and total provision should therefore be increased accordingly. In addition, revisions to access arrangements are required in accordance with the guidelines set out within the London cycle design standards, specifically relating to door widths and lift access. The twelve short-stay spaces proposed are acceptable; however, their location should be clarified. In addition, all staff employed on-site should have access to shower and changing facilities.

### Trip generation

49 The applicant has undertaken a multi-modal impact assessment, which is sufficiently robust.

### Public transport

50 TfL has identified bus capacity constraints at this location during the morning peak based on the applicant's predicted trip generation, and therefore seeks a contribution of £200,000 to mitigate the cumulative demand for bus travel in accordance with London Plan Policy 6.2.

51 A feasibility/optioneering study for new/improved walking and cycling links across South Dock is being undertaken. Given new links can discourage short trips on the DLR network, the Council is required to allocate appropriate CIL funding towards their delivery in order to assist in mitigating the impact of this development on the local DLR network. In addition, to further promote walking and cycling, rather than short trips on public transport, the provision of Legible London signage within the local area should also be funded through CIL, in accordance with London Plan Policy 6.10.

52 To mitigate the cumulative impact of development on the local cycle hire network, in accordance with London Plan Policy 6.9, the applicant is required to accommodate a cycle hire docking station on-site. Further discussion on an appropriate location is therefore required, and a contribution of £200,000 towards its delivery, as well as safeguarding of the land, should be secured within the section 106 agreement.

### Travel planning

53 Servicing and refuse collection for the western-building will take place from a loading bay located on the eastern site of Tobago street. For the eastern-building a lane will be provided through the building linking Cuba Street to Manilla Street. Swept-path analysis demonstrates that these facilities can accommodate a refuse truck, and are therefore acceptable. The applicant has submitted a framework delivery and servicing plan, which is welcomed; the final document should be secured by condition. In addition, considering the scale of development, a framework construction and logistic plan is also required.

54 The applicant has submitted a residential travel plan, the content of which is acceptable. The final travel plan should be secured, enforced, monitored and reviewed as part of the section 106 agreement.

### Mayoral Community Infrastructure Levy and Crossrail

55 The site is located within the Isle of Dogs Crossrail charging area; however, no contribution is required on the basis that there is no uplift in chargeable floorspace. The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3 toward the funding of Crossrail. The rate for the borough of Tower Hamlets is £35 per square metre.

## Summary

56 In summary, TfL is concerned with the cumulative impact of development within the South Quay area on the local transport and highway network; additional dock crossing points have been identified by the GLA, TfL and the Council as a critical intervention in assisting in alleviating the pressures on the DLR, bus network, and the existing South Quay footbridge, and as such a contribution is sought towards both their delivery, and an increase in local bus and cycle hire capacity. In addition an increase in cycle parking, and further details on the car parking operation, are required.

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

57 The Council has yet to consider a report on this application at its planning committee.

## **Legal considerations**

58 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**

59 There are no financial considerations at this stage.

## **Conclusion**

60 London Plan policies on Opportunity Areas, housing, urban design, inclusive design, climate change, and transport are relevant to this application. The principle of the housing-led redevelopment of this site, which includes provision of public open space, is strongly supported. However, a number of strategic concerns are raised, and consequently the application does not accord with London Plan Policy. The following could address these deficiencies:

- **Housing:** it is not possible at this stage to determine whether the proposal provides the maximum reasonable amount of affordable housing, in accordance with London Plan Policy 3.12.
- **Design:** in accordance with London Plan Policy 7.7, further discussions are required regarding the proximity of this development to surrounding development, and wind impact.
- **Flood risk:** the application does not accord with London Plan Policy 5.13. The applicant should increasing sustainable drainage techniques, before the use of attenuation.
- **Climate change mitigation:** the energy strategy does not accord with London Plan policies 5.2, 5.6 and 5.9. Further information regarding prioritising future connection to the Barkentine heat network, the site-wide heat network, and the use of renewable technologies, is required,

with a view to increasing the carbon dioxide emission savings. The final agreed energy strategy should be appropriately secured by the Council.

- **Transport:** in accordance with London Plan policies 6.1, 6.2, 6.4, 6.7, 6.9 and 6.10, financial contributions are required towards dock crossing improvements, increase in local bus provision, and cycle hire capacity, in addition to land for a cycle hire docking station. Further discussions are also required regarding cycle and car parking provision. A travel plan, construction logistics plan, and delivery and servicing plan, should be secured by the Council.

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