

<b>Committee:</b>	<b>Date:</b>
Planning and Transportation	12 January 2016
<b>Subject:</b> Sugar Quay Lower Thames Street London EC3R 6EA Variation of condition 53 (adherence to the approved plans) of planning permission reference no. 12/01104/FULMAJ dated 16th September 2013 to make minor material amendments to the permitted scheme including lowering of the first floor soffit level and repositioning of the two north cores, rationalisation of restaurant deliveries and refuse collection, facade and landscaping improvements, changes to the internal configuration of residential units and associated works.	<b>Public</b>
<b>Ward:</b> Billingsgate	<b>For Decision</b>
<b>Registered No:</b> 14/01006/FULMAJ	<b>Registered on:</b> 9 December 2014
<b>Conservation Area:</b> No	<b>Listed Building:</b> No

### Summary

Planning permission was granted in 2013 to redevelop Sugar Quay with a residential and retail building. Demolition has taken place and archaeological investigations are being carried out.

The site is on the riverside, adjacent to the listed Custom House and close to the Tower of London World Heritage Site. The proposal includes improvements to the width of the riverside walk.

Revisions have been made to the scheme which involve:

- \* amendments to the ground floor entrance and reception area;
- \* repositioning of the lift and stair cores with consequential changes to the internal configuration of residential units and amendments to the north elevation;
- \* changes to the floor levels resulting in a reduction in height of the soffit over the Riverside Walk; and
- \* changes to the landscaping.

The proposed changes do not affect the number of residential units or the proposal to provide retail facilities on the site.

The head room over the riverside walkway was an important element of the consented scheme and lowering this would reduce the open aspect of the Riverside Walk. In mitigation, the developer has agreed to allow public access

over the adjoining jetty. This jetty represents a significant public benefit which would mitigate the diminishment in the sense of openness of the Riverside Walk caused by the lower soffit. The hours of public access to the jetty still need to be agreed.

The proposal has been considered against the policies of the London Plan and Local Plan which have been adopted since the 2013 decision and the proposal is considered to be acceptable.

The previous section 106 obligations would continue to be achieved, including the off-site affordable housing contribution of £15 million.

### **Recommendation**

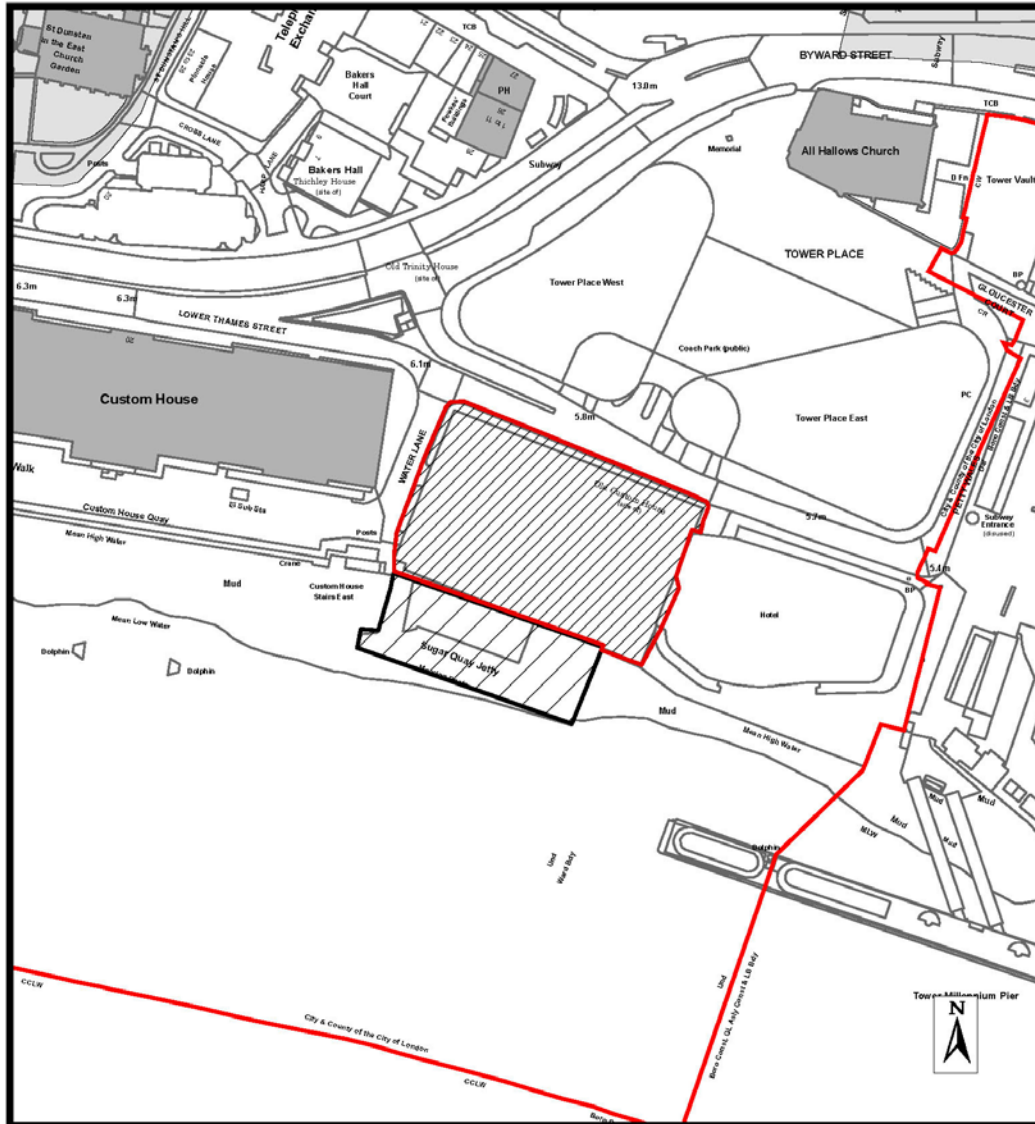
(a) Planning permission be granted for the above proposal in accordance with the details set out in the attached scheduled, subject to

(i) A deed of variation of the Section 106 agreement being entered into as set out in the body of this report, the decision notice not to be issued until such obligations have been executed;

(b) That your Officers be instructed to negotiate and execute the deed of variation to the Section 106 agreement;

(c) That you agree to public access being provided to the Sugar Quay Jetty and that the access and hours are included in the deed of variation to the Section 106 agreement.

# Site Location Plan



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ADDRESS:  
Royal Exchange Buildings

CASE No.  
14/01006/FULMAJ

-  **SITE LOCATION**
-  **LISTED BUILDINGS**
-  **CONSERVATION AREA BOUNDARY**
-  **JETTY**
-  **CITY OF LONDON BOUNDARY**



DEPARTMENT OF THE BUILT ENVIRONMENT



**Sugar Quay building prior to demolition with existing jetty - From the West**



**Sugar Quay building prior to demolition with existing jetty - From the East**

Sugar Quay

Application number 14/01006/FULMAJ

## **Main Report**

### **Background**

1. Planning permission was issued on 16<sup>th</sup> September 2013 to redevelop Sugar Quay with a residential and retail building.
2. Demolition has taken place and archaeological investigations are being carried out under that planning permission.
3. The site is on the riverside, adjacent to the listed Custom House and close to the Tower of London World Heritage Site. The proposal includes improvements to the width of the riverside walk.
4. The approved development proposed construction of an 8 and 10 storey residential building (44.155m high AOD) with ancillary facilities for residents and shop, food or drink premises on the ground floor river frontage.
5. The applicant has undertaken a detailed review of the proposal and introduced a number of refinements to improve the overall efficiency and layout of the building and reduce structural constraints associated with the approved design.
6. 165 residential units were approved and the scheme included a residents' swimming pool, gym, library/lounge and function room on the ground floor.
7. Floorspace approved: residential including leisure facilities - 25,372sq.m; retail - 658sq.m; total - 26,030sq.m (GEA) including parking and plant.
8. On the river front there is a timber and concrete jetty. This is owned by the applicant but does not form part of the application site.
9. The river is designated as a Site of Metropolitan Importance for Nature Conservation for its species and associated habitats and as a London Biodiversity Action Plan Priority Habitat.
10. Three Quays, to the East, is a residential, apart-hotel and retail building.

### **Proposal**

11. Planning permission is sought for alterations involving:
  - a) amendments to the ground floor entrance and reception area;
  - b) repositioning of the lift and stair cores with consequential changes to the internal configuration of residential units and amendments to the north elevation;
  - c) changes to the floor levels resulting in a reduction in height of the soffit over the Riverside Walk; and
  - d) changes to the landscaping.
12. The proposed changes do not affect the number of residential units or the proposal to provide retail facilities on the site.
13. The amendments are within the approved envelope and the design is similar to that approved.

14. The revised proposal has been considered against changes to policies of the London Plan and Local Plan which were adopted since the grant of planning permission in 2013.

### **Consultations**

15. The views of other City of London departments have been taken into account in considering the amended scheme and detailed matters remain to be dealt with under conditions and the Section 106 agreement.
16. The Waste Planning and Amenity Manager had reservations about amendments to the waste management strategy. Following changes and additional information he agrees that the strategy is acceptable.
17. The Port of London Authority has no objection to public use of the jetty. The PLA advises that it is considering a River Works licence application for the use of the jetty and is seeking to maximise public use of the jetty.
18. The Environment Agency has no objections to the changes to the scheme or to the use of the jetty. They draw attention to the importance of considering flood risk and public safety in coming to a decision on public use of the jetty.

### **Policies**

19. The development plan consists of the London Plan adopted in March 2015 and the Local Plan adopted in January 2015. The previous application was considered in 2013 under the London Plan then in force, the saved policies of the Unitary Development Plan and the Core Strategy. The current London Plan and Local Plan policies that are most relevant to the consideration of the amended proposals are set out in Appendix A to this report.
20. There is relevant City of London and GLA supplementary planning guidance in respect of Planning Obligations, Sustainable Design and Construction, London Views Management Framework and Riverside Appraisal of the Thames Policy Area, St Paul's and Monument Views and Funding of Crossrail.
21. Government Guidance is contained in the National Planning Policy Framework (NPPF).

### **Considerations**

22. The principle of providing residential and retail uses on this site was agreed in 2013. At that time the Local Plan was still in draft and its policies were of limited weight. However, the policies which were subsequently adopted were referred to in the report and consideration was given to the need to protect existing office accommodation where there are strong economic reasons why the loss of offices would be inappropriate (policy DM1.1) and to restriction on where additional housing should be located (policy DM21.1).

### Amendments to the layout

23. The configuration of the basement and ground floors has been amended. This includes changes to the details of the interior of the main entrance and concierge area and the position of the lift and stair cores, which have been moved to be more closely connected to the reception area.
24. Repositioning of the cores affects the layout of some residential units. The mix of unit types changes as follows:

	Studio	1-bed	2-bed	3-bed	4-bed	Total
Approved	38	44	60	20	3	165
Proposed	22	52	70	18	3	165

25. The lift and stair cores were formerly on the north elevation and are now proposed to be inboard. This releases more of the elevation for residential windows. There is a consequential alteration to the appearance of parts of the north elevation, which are now a similar design to the remainder of that facade.
26. These changes do not raised any issues of concern.

### Servicing

27. Two service bays and waste storage and collection facilities at ground level were approved. The ground level layout and the waste storage and collection facilities have been amended. One bay for loading and unloading and another bay for refuse collection are now proposed. The Waste Planning and Amenity Manager advises that these changes, which primarily affect the waste storage and collection, are satisfactory.
28. A Servicing Management Plan was previously required by condition. This has been submitted with the application and is considered acceptable.
29. Changes have been made to the waste storage and collection strategy. The approved scheme had a residential refuse store at ground level and smaller commercial waste store at basement level. Residential waste was to be collected and transferred from the upper floors by the Facility Management Team.
30. The current strategy involves refuse chutes in each core serving all residential floors. The chutes would discharge in the basement where a bi-separator would sort recyclable and household waste. Food waste would be collected by the Facility Management Team from a designated store on each floor. The Facility Management Team would transfer the residential waste bins from basement to ground level for collection, using a small electric tug. There would be a conventional commercial waste store at ground level.
31. The current strategy has been amended to overcome concerns by the Waste & Amenity Planning Manager. He believed there was a significant probability that a mechanical chute system would fail, particularly if it

were not properly maintained, making it difficult to meet recycling targets and causing cross contamination by food waste. The revised strategy has demonstrated that cross-contamination and chute blockage is highly unlikely. The Refuse and Recycling Strategy would be an approved document and a condition is recommended requiring that the system is managed and maintained in accordance with the strategy.

### Parking

32. The approved scheme provided parking for 41 cars including 17 disabled spaces and this remains unchanged. This is well within the maximum permitted by the London Plan, which would permit up to 177 spaces.
33. Bicycle parking in the approved scheme was 202 spaces for residents, 12 for staff and 6 visitor/public spaces. This exceeded the minimum required by the UDP. Cycle parking standards changed when the Local Plan was adopted in January 2015. The current policy would require a minimum of 248 long-stay and 4 short-stay spaces for residents, 1 long-stay and 16 short-stay for the retail use.
34. The number of cycle spaces proposed is the same as the 2013 permission. Due to the confines of the basement area the cycle storage proposes a double stacking arrangement. The architects have advised that there is no capacity to increase the cycle parking numbers without reducing parking or storage areas in the basement. At ground floor level there is no additional area available due to servicing and service yard manoeuvring requirements.
35. As the approved car parking is well below the maximum permissible (41 proposed v 177 permissible) and the number of cycle spaces is the same as in the scheme which has already been implemented it is considered unreasonable to require additional cycle spaces at the expense of car spaces.
36. The proposed changes to the scheme do not alter the number of residential units and, as the opportunity for change is limited, it is considered unreasonable to require an increase in cycle parking spaces to accord with the current standard.
37. The approved scheme provided for a car club, as encouraged by the London Plan. The applicant agreed to provide car club membership for the residents for 3 years as a Travel Plan Section 106 commitment enabling them to use an existing car club. This will continue to apply.
38. An audit undertaken by the applicants indicated the need for improved tactile paving and dropped kerbs along the frontage of the site and the development would require works to Water Lane and highway reinstatement around the site. These works will continue to be secured by a Section 278 agreement.

### Riverside Walk

39. The floor to floor heights within the building have been increased by 100mm per floor on levels 1-6 and 170mm on level 7-10 (total increase 1.28m). This enables each floor slab to be thicker and results from more



detailed design analysis of the structural requirements for the building. The roof level on the southern (riverside block) would be reduced marginally (by 0.275m) whilst the proposed level of the northern block (Lower Thames Street) is unchanged from the consented scheme.

40. The applicants wish to avoid increasing the overall height of the building, which could have an impact on views of the Tower of London and of the river front from the Monument. They therefore proposed reducing the floor to ceiling height on the ground floor by 1.28m. The floor to floor height is greater at this level and can accommodate the change. However, this would reduce the headroom where the building projects over the Riverside Walk from approximately 6.3m to approximately 5.0m.
41. The generous headroom over the Riverside Walk was an important element of the consented scheme as projections over the Riverside Walk are normally resisted in order to retain an open aspect on the riverside. In this case there was already some projection and the additional impact was mitigated by the height of the first floor soffit. In addition, as the site is on the approach to the Tower of London the headroom would ensure good views of the Tower were obtained.
42. In order to mitigate the impact of the lower headroom the applicants have agreed to provide public access to the Sugar Quay jetty which they own. A pedestrian route is proposed around the perimeter of the jetty, which would enable the public to obtain very good views of the Tower of London, Tower Bridge, London Bridge and other notable riverside buildings. This route would be in addition to the Riverside Walk along the frontage of the building.
43. The public route would be approximately 6m wide between the riverbank and front of the jetty and 3.5m wide along the frontage to the river. The remainder of the jetty would remain private.
44. Public access to the jetty offers a significant enhancement to the use of the riverside. The jetty has previously been in private ownership and inaccessible to the public. Providing public access to this jetty represents a significant public realm benefit of in this key area of London, which mitigates the impact of the lower soffit on the sense of the openness of the Riverside Walk.
45. The PLA owns most of the riverbed and is considering an application for a licence to the applicants for this use of the jetty. They support public access over the jetty and are seeking access over as much of it as possible.
46. The Environment Agency has no objection to public access to the jetty. It said that the City should take flood risk and public safety issues into consideration. In many respects the jetty would be similar to other riverside public areas, including the Riverside Walk. There would be railings to prevent people accidentally falling into the river. With regard to flood risk evacuation the City's Contingency Planning Officer has been consulted and advised that common sense measures by the facilities management at Sugar Quay should include monitoring Met Office

warnings and taking necessary steps to close the jetty if flood risk is predicted.

47. Public access will be assured through a deed of variation to the Section 106 agreement associated with this development. Public access over the jetty would be for the life of the development.
48. The applicants propose that the jetty would be gated so that it can be closed at night. This is considered reasonable. However, we have not yet agreed the hours. The applicants propose the following hours of use:  
*Summer*- 1 May to 30 October: 8.00 to 21.00;  
*Winter*- Remaining months: 8:00 to 16:00.

The applicants consider an 8.00am start would ensure noise is reduced during early hours of the morning, whilst closure at 16.00 in the winter would reduce risk of health and safety and anti-social behaviour during dark hours.

49. Your officers don't believe there would be any greater noise generated on the jetty than the Riverside Walk before 8.00am but we agree this is an acceptable time to open the jetty, as people using the Riverside Walk at this time of the day will tend to be passing quickly and probably not want to use the jetty route.
50. However, 16.00 is considered very early to close a vantage point that would provide good views of the night-time river frontage. Even 21.00 is earlier than the time that it gets dark in summer months. Officers have therefore asked that the jetty be open from 08.00 until 21.00 throughout the year. This will give certainty to the public about when it would be open and, being closely overlooked by the restaurant and residents, we believe the jetty would not be at risk of anti-social behaviour.
51. We had not received the applicants' response to this request at the time of finalising this report. I will report orally on this at your meeting.
52. The existing planning permission approved an increase in width of the Riverside Walk from approximately 2m to 4.5m - 6m. You agreed to declare the improved Riverside walk as City Walkway. There are no changes to this part of the proposals.

### Landscaping

53. Small areas of landscaping were originally approved adjacent to the entrance on Water Lane and on a small public open space at the eastern end of the riverside frontage. Additional landscaping is now proposed adjacent to the entrance to the building, whilst the small open space has been slightly reduced in area to accommodate increased space for servicing within the building. These changes are considered acceptable and details of the landscaping will be obtained by condition.
54. As part of the proposal to allow public use of the jetty the applicants wish to reclassify the small public open space as private space. This is a raised area of approximately 9m x 12m and a large part is occupied by a ramp and planter. The usable space is limited and the benefits of the

jetty outweigh the potential use of this open space by the public. The location of the open space suggests that it could be used as an outdoor area for the adjacent restaurant. This change from public to private open space is considered acceptable.

### Sustainability & Energy

55. The sustainability and energy efficiency measures previously proposed are unchanged and are acceptable. Whilst there have been changes to policy standards since planning permission was granted these do not apply to a section 73 application unless there is an increase in floorspace.

### Residential Standards & Access

56. All the residential units were previously required to meet the Code for Sustainable Homes standard and 10% of them were required to be to the Wheelchair Housing standard, in accordance with the standards in policy CS21.
57. The Code for Sustainable Homes has been abolished and replaced by new Buildings Regulations that set out the standards for Wheelchair Housing and Lifetime Homes.
58. Building Regulation Part M(4) has a basic standard of access (Category 1) which applies to all new dwellings unless there is a condition on the planning permission requiring higher standards which are contained in the Building Regulations. These are Category 2 for Accessible and Adaptable Dwellings or Category 3 for Wheelchair User Dwellings.
59. It is no longer acceptable to impose conditions which require 100% Lifetime Homes and 10% Wheelchair Housing in the same development but the Building Regulations do allow 10% to be wheelchair accessible under Part M4(3) and the remainder (e.g. 90%) to be accessible and adaptable under Part M4(2). Therefore, in order to comply with Local Plan policy CS21.4, a condition is included to require a minimum of 10% of the dwellings to be to the wheelchair user standard and the remainder to be to the accessible and adaptable standard.

### Residential Amenity

60. Policy CS9 of the Local Plan seeks to improve the vibrancy of the riverside by encouraging a mix of appropriate commercial uses whilst preserving privacy, security and amenity for residents, businesses and other stakeholders.
61. The approved use of the ground floor river frontage is retail and the expectation is that the premises would be used as a restaurant but it could be a shop or bar.
62. The approved scheme is designed with full height openable windows to benefit from the south facing riverside location. There would be no direct access from the Riverside Walk because of a 0.6m difference in level between the Riverside Walk and retail unit which is required for flood prevention. Access via steps and ramps would be provided at each end

of the retail premises where there is space to overcome the level change.

63. The Local Plan introduced a new policy on night time entertainment which covers A3, A4 and similar premises (policy DM3.5). The policy requires that proposals for night-time uses after 23.00 are supported by information demonstrating how the potential impacts on amenity would be addressed and, where this is not provided, a condition will be imposed requiring closure between the hours of 23.00 and 07.00.
64. This Section 73 application was submitted before the Local Plan was submitted and does not change the previously approved uses. A condition on the existing planning permission required closure of the retail premises by 23.30. This has been amended to 23.00 in accordance with the new policy.

#### Affordable Housing

65. Policy CS21 of the Local Plan seeks to ensure that sufficient affordable housing is provided to meet the City's housing need and contribute towards London's wider housing needs. In the original planning permission it was agreed that a payment for off-site provision would be acceptable. The 165 dwellings proposed equated to an off-site provision of 99 dwellings and to a payment of £15,006,816.
66. The applicants sought to demonstrate that the development could not afford this payment but your Committee did not agree to a lesser amount. Following a local hearing, an Inspector appointed by the Secretary of State concluded that the affordable housing contribution could be paid in full.
67. The amended scheme does not change the number of units (165) and the policy on the affordable housing contribution is unchanged. A contribution of £15,006,816 will continue to be required through the Section 106 agreement.

#### Archaeology

68. Archaeological recording and excavation has commenced under the consented scheme (12/01104/FULMAJ). A substantial Roman wall has been revealed in the northern part of the site and this would be preserved in situ in the amended proposals.
69. The proposed amendments result in changes to some pile positions and to the basement configuration. The approved scheme was designed to minimise disturbance to surviving archaeological remains. The amended basement, foundations and new cores would have a similar impact to the previously approved scheme and is considered acceptable.
70. The new foundations have been designed to reuse of some of the existing piles and it is proposed to relocate piles where significant remains survive. The changed impact is considered acceptable, subject to conditions to cover the programme of archaeological work and foundation design.

## Conditions

71. A decision on a Section 73 application to amend an existing planning permission results in a new planning permission. Accordingly it is necessary to re-state the conditions imposed on planning permission 12/01104/FULMAJ. The schedule of conditions and informatives has been amended to take account of the changes to the development and policies since the original permission and approvals of details already dealt with.

## **Planning Obligations and Community Infrastructure Levy**

72. A section 106 agreement was entered into before the existing planning permission was issued. This covered the following matters:
- a) Affordable Housing contribution of £15,000,812;
  - b) Access to the small public space;
  - c) Highways obligations under Section 278 of the Highways Act;
  - d) Utility Connections;
  - e) Travel Plan;
  - f) Local Training, Skills and Job Brokerage Strategy;
  - g) Local Procurement;
  - h) Monitoring and Administrative Costs;
  - i) Payment of the City of London's legal costs incurred in the negotiation and execution of the legal agreement;
  - j) City Planning Officer's administration costs in respect of the same.
73. All of these remain necessary in respect of the amended scheme except the clauses related to the small publically accessible space at the eastern end of the site.
74. Public access to the jetty and related controls, including hours of access and details of railings etc. will be secured through a deed of variation to the Section 106 agreement associated with this development.
75. A deed of variation to the existing Section 106 agreement is proposed to be used to cover these changes.
76. The proposed amendments would not alter the floorspace or proposed uses. Therefore the Mayoral CIL, calculated to be £1,229,800, would be liable. The Mayors Section 106 planning obligations would not be triggered in this case.

## **Conclusion**

77. The proposed changes do not affect the number of residential units or the proposal to provide retail facilities on the site.
78. The head room over the riverside walkway was an important element of the consented scheme and lowering this would reduce the open aspect of the Riverside Walk. In mitigation, the developer has agreed to allow

public access over the adjoining jetty. Providing public access to this jetty represents a significant public benefit which would mitigate the diminishment in the sense of openness of the Riverside Walk caused by the lower soffit.

79. The proposal has been considered against the policies of the London Plan and Local Plan which have been adopted since the 2013 decision and the proposal is considered to be acceptable.

## **Background Papers**

### Internal

Report to Planning & Transportation Committee on 22/3/13 CPO

Memo 7/1/15 Waste Planning and Amenity Manager

Emails 11/3/15, 10/9/15 Planning Officer to DP9

Letter 13/1/15, 27/1/15 Planning Officer to DP9

Letter 14/1/15, 23/2/15 Access Adviser to DP9

Email 23/2/15 Access Adviser to DP9

Email 29/1/15 Environmental Health

### External

Letter 2/11/15 The Planning Inspectorate

Letter 13/1/15, 20/4/15, 4/8/15, DP9

Emails 4/2/15, 18/2/15, 4/6/15, 8/5/15, 7/7/15, 8/9/15, 17/10/15, 9/11/15 DP9

Email 3/6/15 DP9 to Waste Planning and Amenity Manager

Emails 5/7/15, 17/7/15, 16/9/15 Waste Planning and Amenity Manager to DP9

Email 8/9/14, 7/1/15 Waste Planning and Amenity Manager to Broadway Malyan

Email 18/9/14, 8/9/14 Broadway Malyan to Waste Planning and Amenity Manager

Email 25/2/15 DP9 to Access Adviser

Email Environment Agency

Letter 1/9/15 PLA

Email 22/9/15 PLA

Drawings Comparison 01/10/2014 Revision B Broadway Malyan

Design & Access Statement addendum 6/1/14 Revision B Broadway Malyan

Revised CGI01\_05 received 17 December 2016

Apartment Mix Schedule – 30396-A-SCH-21-PLANNING Broadway Malyan

Archaeological Desk Based Assessment and Impact Assessment October 2014 CgMS

Archaeological Watching Brief on Pile Probing, November 2015 CgMS

Transport Addendum September 2014 Waterman

Jetty Access and Views Drawing A-02-001/A

Refuse Strategy Drawings numbered: A-50-099, 100, 101, 104, 107, 108, 109, 110, 111.

Existing Drawings numbered: A-Ex-02-01, 03-00, 03-01, 03-02, 03-03, 03-04,

03-05, 03-06, 03-07, 03-08, 03-99, 04-01, 04-02, 05-01, 05-02, 05-03.

Drawing number 2015-12-16\_TT\_Indicative Basement Structure Over Roman Wall V01.

Jetty Public Access drawing received 17 December 2015.

River Works Licence dated 24/1/14. Crown Estate, PLA and SQ Holdings.

Draft Supplementary River Works Licence received 17 December 2015.  
Crown Estate, PLA and SQ Holdings.



## **Appendix A**

### **London Plan Policies**

The London Plan policies which are most relevant to this application are set out below:

Policy 2.10 Enhance and promote the unique international, national and London wide roles of the Central Activities Zone (CAZ) and as a strategically important, globally-oriented financial and business services centre.

Policy 2.12 Identify, protect and enhance predominantly residential neighbourhoods within CAZ and develop sensitive mixed use policies to ensure that housing does not compromise CAZ strategic functions elsewhere in the zone.

Policy 3.2 New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help to reduce health inequalities.

Policy 3.3 Ensure the housing need identified in the London Plan is met, particularly through provision consistent with at least an annual average of 42,000 net additional homes across London which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners.

Policy 3.4 Taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

Policy 3.5 Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live.

Policy 3.8 Taking account of housing requirements identified at regional, sub-regional and local levels, boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that new developments offer a range of housing choices.

Policy 3.11 Maximise affordable housing provision and seek an average of at least 17,000 more affordable homes per year in London over the term of the London Plan.

Policy 3.12 The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes; negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development.

Policy 3.13 Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes.

Policy 5.2 Development proposals should make the fullest contribution to

minimising carbon dioxide emissions.

Policy 5.3 Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Major development proposals should meet the minimum standards outlined in supplementary planning guidance.

Policy 5.6 Development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites.

Policy 5.7 Major development proposals should provide a reduction in carbon dioxide emissions through the use of on-site renewable energy generation where feasible.

Policy 5.9 Reduce the impact of the urban heat island effect in London and encourage the design of places and spaces to avoid overheating and excessive heat generation, and to reduce overheating due to the impacts of climate change and the urban heat island effect on an area wide basis.

Policy 5.10 Promote and support urban greening, such as new planting in the public realm (including streets, squares and plazas) and multifunctional green infrastructure, to contribute to the adaptation to, and reduction of, the effects of climate change.

Policy 5.11 Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

Policy 5.12 Development proposals must comply with the flood risk assessment and management requirements set out in PPS25 and address flood resilient design and emergency planning; development adjacent to flood defences will be required to protect the integrity of existing flood defences and wherever possible be set back from those defences to allow their management, maintenance and upgrading to be undertaken in a sustainable and cost effective way.

Policy 5.13 Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so.

Policy 5.18 Encourage development waste management facilities and removal by water or rail transport.

Policy 6.1 The Mayor will work with all relevant partners to encourage the closer integration of transport and development.

Policy 6.3 Development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.

Policy 6.9 Developments should provide secure, integrated and accessible cycle parking facilities and provide on-site changing facilities and showers for cyclists, facilitate the Cycle Super Highways and facilitate the central London cycle hire scheme.

Policy 6.13 The maximum standards set out in Table 6.2 should be applied to planning applications. Developments must:

ensure that 1 in 5 spaces (both active and passive) provide an electrical

charging point to encourage the uptake of electric vehicles  
provide parking for disabled people in line with Table 6.2  
meet the minimum cycle parking standards set out in Table 6.3  
provide for the needs of businesses for delivery and servicing.

Policy 7.1 Development should be designed so that the layout, tenure, mix of uses interface with surrounding land will improve people's access to social and community infrastructure (including green spaces), the Blue Ribbon Network, local shops, employment opportunities, commercial services and public transport.

Policy 7.2 All new development in London to achieve the highest standards of accessible and inclusive design.

Policy 7.3 Create safe, secure and appropriately accessible environments.

Policy 7.4 Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

Policy 7.6 Buildings and structures should:

- a be of the highest architectural quality
- b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c comprise details and materials that complement, not necessarily replicate, the local architectural character
- d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e incorporate best practice in resource management and climate change mitigation and adaptation
- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g be adaptable to different activities and land uses, particularly at ground level
- h meet the principles of inclusive design
- i optimise the potential of sites.

Policy 7.7 Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings. Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria set out in this policy.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Policy 7.10 Development in World Heritage Sites and their settings, including any buffer zones, should conserve, promote, make sustainable use of and enhance their authenticity, integrity and significance and Outstanding Universal Value.

Policy 7.12 New development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements identified in the London View Management Framework. It should also, where possible, preserve viewers' ability to recognise and to appreciate Strategically Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated Viewing Places.

Policy 7.13 Development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire, flood and related hazards.

Policy 7.15 Minimise existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals and separate new noise sensitive development from major noise sources.

Policy 7.19 Development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy 7.25 Development proposals should protect existing facilities for waterborne passenger and tourist traffic. Development which provides new facilities for passenger and tourist traffic, especially on the central London stretch of the River Thames and which provides improved facilities for cruise ships will be supported.

Policy 7.26 Development proposals should protect existing facilities for waterborne freight traffic; safeguarded wharves should only be used for waterborne freight handling use. Increased use of safeguarded wharves for waterborne freight transport will be supported. Development adjacent or opposite safeguarded wharves should be designed to minimize the potential for conflicts of use and disturbance, Development adjacent to the river should maximise water transport of bulk materials.

Policy 7.27 Development proposals should enhance recreational and leisure use of the Blue Ribbon Network and supporting infrastructure on and alongside to the river.

Policy 7.28 Development proposals should restore and enhance the Blue Ribbon Network

Policy 7.29 Development proposals along the River Thames should be consistent with the published Thames Strategy.

## Relevant Local Plan Policies

### ***DM16.5 Parking and servicing standards***

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.
4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.
5. Coach parking facilities for hotels (use class C1) will not be permitted.
6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.
7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

### ***CS17 Minimising and managing waste***

To support City businesses, residents and visitors in making sustainable choices regarding the minimisation, transport and management of their waste, capitalising on the City's riverside location for sustainable waste transfer and eliminating reliance on landfill for municipal solid waste (MSW).

### ***DM17.1 Provision for waste***

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

### ***DM18.1 Development in Flood Risk Area***

1. Where development is proposed within the City Flood Risk Area evidence must be presented to demonstrate that:
  - a) the site is suitable for the intended use (see table 18.1), in accordance with Environment Agency and Lead Local Flood Authority advice;
  - b) the benefits of the development outweigh the flood risk to future occupants;
  - c) the development will be safe for occupants and visitors and will not compromise the safety of other premises or increase the risk of flooding elsewhere.
2. Development proposals, including change of use, must be accompanied by a site-specific flood risk assessment for:
  - a) all sites within the City Flood Risk Area as shown on the Policies Map; and
  - b) all major development elsewhere in the City.
3. Site specific flood risk assessments must address the risk of flooding from all sources and take account of the City of London Strategic Flood Risk Assessment. Necessary mitigation measures must be designed into and integrated with the development and may be required to provide protection from flooding for properties beyond the site boundaries, where feasible and viable.
4. Where development is within the City Flood Risk Area, the most vulnerable uses must be located in those parts of the development which are at least risk. Safe access and egress routes must be identified.
5. For minor development outside the City Flood Risk Area, an appropriate flood risk statement may be included in the Design and Access Statement.
6. Flood resistant and resilient designs which reduce the impact of flooding and enable efficient recovery and business continuity will be encouraged.

### ***DM18.2 Sustainable drainage systems***

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.
2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

### ***DM18.3 Flood protection and climate***

1. Development must protect the integrity and effectiveness of structures intended to minimise flood risk and, where appropriate, enhance their effectiveness.
2. Wherever practicable, development should contribute to an overall reduction in flood risk within and beyond the site boundaries, incorporating flood alleviation measures for the public realm, where feasible.

### ***DM19.1 Additional open space***

1. Major commercial and residential developments should provide new and enhanced open space where possible. Where on-site provision is not feasible, new or enhanced open space should be provided near the site, or elsewhere in the City.
2. New open space should:
  - a) be publicly accessible where feasible; this may be achieved through a legal agreement;
  - b) provide a high quality environment;
  - c) incorporate soft landscaping and Sustainable Drainage Systems, where practicable;
  - d) have regard to biodiversity and the creation of green corridors;
  - e) have regard to acoustic design to minimise noise and create tranquil spaces.
3. The use of vacant development sites to provide open space for a temporary period will be encouraged where feasible and appropriate.

### ***CS20 Improve retail facilities***

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

### ***DM21.5 Housing quality standards***

All new housing must be designed to a standard that facilitates the health and well-being of occupants, and:

- a) takes account of the London Plan's space standards and complies with the London Plan's Density Matrix standards;
- b) provides acceptable daylight to dwellings commensurate with a city centre location;
- c) meets standards for Secured by Design certification;
- d) maximises opportunities for providing open and leisure space for residents.

### ***CS4 Seek planning contributions***

To manage the impact of development, seeking appropriate developer contributions.

### ***CS21 Protect and provide housing***

To protect existing housing and amenity and provide additional housing in the City, concentrated in or near identified residential areas, as shown in Figure X, to meet the City's needs, securing suitable, accessible and affordable housing and supported housing.

### ***CS1 Provide additional offices***

To ensure the City of London provides additional office development of the highest quality to meet demand from long term employment growth and strengthen the beneficial cluster of activities found in and near the City that contribute to London's role as the world's leading international financial and business centre.

### ***DM21.1 Location of new housing***

1. New housing should be located on suitable sites in or near identified residential areas. Within these areas a mix of appropriate residential and commercial uses will be permitted.
2. New housing will only be permitted where development would not:
  - a) prejudice the primary business function of the City;
  - b) be contrary to policy DM 1.1;



- c) inhibit the development potential or business activity in neighbouring commercial buildings and sites; and
- d) result in poor residential amenity within existing and proposed development, including excessive noise or disturbance.

### ***DM1.1 Protection of office accommodation***

To refuse the loss of existing (B1) office accommodation to other uses where the building or its site is considered to be suitable for long-term viable office use and there are strong economic reasons why the loss would be inappropriate. Losses would be inappropriate for any of the following reasons:

- a) prejudicing the primary business function of the City;
- b) jeopardising the future assembly and delivery of large office development sites;
- c) removing existing stock for which there is demand in the office market or long term viable need;
- d) introducing uses that adversely affect the existing beneficial mix of commercial uses.

### ***DM10.1 New development***

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;

- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

#### ***DM10.4 Environmental enhancement***

The City Corporation will work in partnership with developers, Transport for London and other organisations to design and implement schemes for the enhancement of highways, the public realm and other spaces. Enhancement schemes should be of a high standard of design, sustainability, surface treatment and landscaping, having regard to:

- a) the predominant use of the space, surrounding buildings and adjacent spaces;
- b) connections between spaces and the provision of pleasant walking routes;
- c) the use of natural materials, avoiding an excessive range and harmonising with the surroundings of the scheme and materials used throughout the City;
- d) the inclusion of trees and soft landscaping and the promotion of biodiversity, where feasible linking up existing green spaces and routes to provide green corridors;
- e) the City's heritage, retaining and identifying features that contribute positively to the character and appearance of the City;
- f) sustainable drainage, where feasible, co-ordinating the design with adjacent buildings in order to implement rainwater recycling;
- g) the need to provide accessible and inclusive design, ensuring that streets and walkways remain uncluttered;
- h) the need for pedestrian priority and enhanced permeability, minimising the conflict between pedestrians and cyclists;
- i) the need to resist the loss of routes and spaces that enhance the City's function, character and historic interest;
- j) the use of high quality street furniture to enhance and delineate the public realm;
- k) lighting which should be sensitively co-ordinated with the design of the scheme.

#### ***DM10.8 Access and inclusive design***

To achieve an environment that meets the highest standards of accessibility and inclusive design in all developments (both new and refurbished), open spaces and streets, ensuring that the City of London is:

- a) inclusive and safe for of all who wish to use it, regardless of disability, age, gender, ethnicity, faith or economic circumstance;
- b) convenient and welcoming with no disabling barriers, ensuring that everyone can experience independence without undue effort, separation or special treatment;
- c) responsive to the needs of all users who visit, work or live in the City, whilst recognising that one solution might not work for all.

### ***DM12.1 Change affecting heritage assets***

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

### ***CS13 Protect/enhance significant views***

To protect and enhance significant City and London views of important buildings, townscape and skylines, making a substantial contribution to protecting the overall heritage of the City's landmarks.

### ***DM12.4 Archaeology***

1. To require planning applications which involve excavation or ground works on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.
2. To preserve, protect, safeguard and enhance archaeological monuments, remains and their settings in development, and to seek a public display and interpretation, where appropriate.

3. To require proper investigation and recording of archaeological remains as an integral part of a development programme, and publication and archiving of results to advance understanding.

### ***CS15 Creation of sustainable development***

To enable City businesses and residents to make sustainable choices in their daily activities creating a more sustainable City, adapted to the changing climate.

#### ***DM15.2 Energy and CO2 emissions***

1. Development design must take account of location, building orientation, internal layouts and landscaping to reduce likely energy consumption.
2. For all major development energy assessments must be submitted with the application demonstrating:
  - a) energy efficiency - showing the maximum improvement over current Building Regulations to achieve the required Fabric Energy Efficiency Standards;
  - b) carbon compliance levels required to meet national targets for zero carbon development using low and zero carbon technologies, where feasible;
  - c) where on-site carbon emission reduction is unviable, offsetting of residual CO2 emissions through "allowable solutions" for the lifetime of the building to achieve national targets for zero-carbon homes and non-domestic buildings. Achievement of zero carbon buildings in advance of national target dates will be encouraged;
  - d) anticipated residual power loads and routes for supply.

### ***CS9 Meet challenges of Thames/Riverside***

To ensure that the City capitalises on its unique riverside location, sustaining the river's functional uses in transport, navigation and recreation, whilst minimising risks to the City's communities from flooding.

#### ***DM10.3 Roof gardens and terraces***

- 1) To encourage high quality roof gardens and terraces where they do not:
  - a) immediately overlook residential premises;
  - b) adversely affect rooflines or roof profiles;
  - c) result in the loss of historic or locally distinctive roof forms, features or coverings;
  - d) impact on identified views.

- 2) Public access will be sought where feasible in new development.

### ***DM16.2 Pedestrian movement***

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.
2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:
  - a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
  - b) the shortest practicable routes between relevant points.
3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.
4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.
5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.
6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

### ***DM16.3 Cycle parking***

1. On-site cycle parking must be provided in accordance with the local standards set out in Table 16.2 or, for other land uses, with the standards of the London Plan. Applicants will be encouraged to exceed the standards set out in Table 16.2.
2. On-street cycle parking in suitable locations will be encouraged to meet the needs of cyclists.

### ***DM3.5 Night-time entertainment***

- 1) Proposals for new night-time entertainment and related uses and the extension of existing premises will only be permitted where it

can be demonstrated that, either individually or cumulatively, there is no unacceptable impact on:

- a) the amenity of residents and other noise-sensitive uses;
  - b) environmental amenity, taking account of the potential for noise, disturbance and odours arising from the operation of the premises, customers arriving at and leaving the premises and the servicing of the premises.
- 2) Applicants will be required to submit Management Statements detailing how these issues will be addressed during the operation of the premises.

## SCHEDULE

APPLICATION: 14/01006/FULMAJ

### Sugar Quay Lower Thames Street London

**Variation of condition 53 (adherence to the approved plans) of planning permission reference no. 12/01104/FULMAJ dated 16th September 2013 to make minor material amendments to the permitted scheme including lowering of the first floor soffit level and repositioning of the two north cores, rationalisation of restaurant deliveries and refuse collection, facade and landscaping improvements, changes to the internal configuration of residential units and associated works.**

## CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five years from 16th September 2013.  
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 The development shall not be carried out other than in accordance with the scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects during construction approved on 14 May 2015 (application number 15/00246/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.  
REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 3 The development shall not be carried out other than in accordance with the Construction Logistics Plan to manage all freight vehicle movements to and from the site approved on 23 June 2015 (application number 15/00247/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority (in consultation with Transport for London).  
REASON: To ensure that construction works do not have an adverse impact on the transport network in accordance with London Plan Policy 6.14 and the following policies of the Local Plan: DM15.6, DM16.1.
- 4 Before any piling or construction of basements is commenced revisions to the scheme for the provision of sewer vents approved on 2 June 2015 (application number 15/00249/MDC) shall be submitted to and approved by the local planning authority. Unless otherwise agreed in writing by the local planning authority the agreed scheme for the provision of sewer vents shall be implemented and brought into

operation before the development is occupied and shall be so maintained for the life of the building.

REASON: The changes proposed to the building would affect the scheme for sewerage odour venting approved on 2 June 2015.

Sewerage odour venting is required within the building to mitigate any adverse air pollution or environmental conditions in order to protect the amenity of the area in accordance with the following policy of the Local Plan: DM10.1.

- 5 The finished floor levels at basement and ground floor levels shall be as approved on 17 October 2014 (application number 14/00742/MDC) or such other levels as may be agreed in writing by the Local Planning Authority.  
REASON: To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 6 The waste storage and collection facilities shown on the drawings and detailed in the Refuse and Recycling Strategy revision J dated 25/08/2015 hereby approved shall be provided and shall be managed in accordance with Refuse and Recycling Strategy for the lifetime of the development for the use of all the occupiers.  
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.
- 7 Monitoring of movement and remedial works to the river wall shall be carried out in accordance with the details approved on 20 November 2014 (application number 14/01015/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority in consultation with the Environment Agency.  
REASON: To ensure that the life expectancy of the flood defences forming part of the site is no less than that of the proposed development and to protect the site and the adjoining land from tidal flooding in accordance with the following policies of the Local Plan: CS18, DM18.3.
- 8 The development must not be carried out other than in accordance with the details of temporary flood defence works approved on 22 October 2014 (application number 14/01043/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority in consultation with the Environment Agency.  
REASON: To prevent an increased risk of flooding during the construction works in accordance with the following policy of the Local Plan: CS18.
- 9 The development shall not be carried out other than in accordance with details approved on 22 October 2014 (14/01043/MDC) demonstrating how the flood defence wall can be raised in the future to a level of 6.35m AOD in line with the requirements of the Thames Estuary 2100



plan or any amendments to the approved details as may be agreed in writing by the Local Planning Authority in consultation with the Environment Agency.

REASON: To ensure that the development and the area are safeguarded from the risk of flooding for the lifetime of the development with an allowance for climate change in accordance with the following policies of the Local Plan: CS18, DM18.3.

- 10
  1. A programme of archaeological work shall be carried out in accordance with the Written Scheme of Investigation for an Archaeological Investigation dated September 2015 hereby approved. This shall include all on-site work, including any temporary works which may have an impact on the archaeology of the site, and all off-site work such as the analysis, publication and archiving of the results.
  2. No works to, or which may affect, the recently discovered Roman wall which is to be retained in situ shall be carried out until an addendum to the Written Scheme of Investigation for an Archaeological Investigation dated September 2015 and revised programme have been submitted to and approved in writing by the Local Planning Authority showing the wall's connection with the proposed new structures, the methodology for its protection and all on-site work, including details of any temporary works which may have an impact on the archaeology of the site, and all off-site work such as the analysis, publication and archiving of the results.
  3. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist and to preserve archaeological remains found on the site in accordance with the following policy of the Local Plan: DM12.4.
  
- 11 Unless otherwise agreed with the Local Planning Authority, the basement levels, foundations and piling configuration, shall be carried out in accordance with the Written Scheme of Investigation dated September 2015 and the drawings included therein hereby approved.  
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.
  
- 12 Details of the reuse of foundations and any revised piling configuration, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, prior to such work being carried out on site, to show the preservation of surviving archaeological remains which are to remain in situ.  
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.
  
- 13 The Riverside Walkway must be constructed in accordance with specifications approved on 6 November 2014 (application number

14/00793/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

REASON: To ensure that facilities are provided for the City Walkway in accordance with the following policy of the Local Plan: DM16.2.

- 14 Provision must be made within the development for the lighting and drainage of Riverside Walkway in accordance with specifications to be submitted to and approved in writing by the Local Planning Authority prior to any works thereby affected being begun.  
REASON: To ensure that City Walkways may be used in safety at all times and in all weathers in accordance with the following policy of the Local Plan: DM16.2.
- 15 After the Riverside Walkway incorporated in the planning permission has been constructed, certified and declared by the City of London Corporation to be City Walkway in pursuance of Sections 5 and 6 of the City of London (Various Powers) Act 1967, any person may have access thereto on foot and may pass and re-pass thereon on foot as of right, but subject nevertheless to any restrictions which may legitimately from time be imposed in relation thereto.  
REASON: To ensure the public has access over the City Walkway on this site in accordance with the following policy of the Local Plan: DM16.2.
- 16 No impact piling shall take place until revisions to the piling method statement approved on 10 September 2015 (application number 15/01110/MDC) have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. The piling method statement shall detail the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works. Any piling must be undertaken in accordance with the terms of the approved piling method statement.  
REASON: The changes proposed to the building would affect the location of piles approved on 10 September 2015. The proposed works will be in close proximity to underground sewerage utility infrastructure and piling has the potential to impact on local underground sewerage utility infrastructure.
- 17 Unless otherwise approved in writing by the Local Planning Authority, no fewer than 10% of the total number of residential units within the development shall be designed and constructed in accordance with the Building Regulations 2010, Part M4(3): Category 3 - Wheelchair user dwellings and the remainder of the residential units shall be designed and constructed in accordance with the Building Regulations 2010, Part M4(2): Category 2 - Accessible and Adaptable dwellings.  
REASON: In the interest of inclusive design and to ensure that adaptable housing is provided in accordance with the following policy of the Local Plan: CS21/4.

- 18 Unless otherwise approved in writing by the local planning authority the building shall not be constructed or the dwellings configured other than as shown on the drawings hereby approved.  
REASON: In order to ensure that the unit sizes provide a quality of housing that is in accordance with policy 3.5 of the London Plan and policy DM21.5 of the Local Plan.
- 19 A post construction assessment shall be submitted as soon as practicable after practical completion demonstrating:  
a) that the development achieves a maximum internal water use of 105 L/p/d, determined in accordance with Approved Document Part G: 2010; and  
b) that the development achieves an emissions saving of 25% compared to the compliance level set in Approved Document Part L1A: 2010.  
REASON: To demonstrate that carbon emissions have been minimised and that the development is sustainable in accordance with the following policies of the Local Plan: CS15, DM15.2.
- 20 The development shall incorporate such measures as are necessary within the site to resist structural damage arising from an attack with a road vehicle or road vehicle borne explosive device in accordance with the details approved on 23 December 2014 (application number 14/01051/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.  
REASON: To ensure that the premises are protected from road vehicle borne damage within the site in accordance with the following policy of the Local Plan: DM3.2.
- 21 The development shall be designed to allow for the retro-fit of heat exchanger rooms to connect into a district heating network if this becomes available during the lifetime of the development.  
REASON: To minimise carbon emissions by enabling the building to be connected to a district heating and cooling network if one becomes available during the life of the building in accordance with the following policies of the Local Plan: DM15.1, DM15.2, DM15.3, DM15.3, DM15.4.
- 22 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:  
(a) particulars and samples of the materials to be used on all external faces of the building including external ground and upper level surfaces;  
(b) details of the proposed new facades including typical details of the fenestration and entrances;  
(c) details of a typical bay of the development;  
(d) typical details of stonework;  
(e) details of ground floor elevations;

- (f) details of soffits, hand rails and balustrades on the site;
- (g) details of junctions with adjoining premises;
- (h) details of the integration of any window cleaning equipment and the garaging thereof, plant, flues, fire escapes and other excrescences at roof level;
- (i) details of plant and ductwork to serve the retail use(s);
- (j) details of all ground level surfaces including materials to be used;
- (k) details of steps, ramps, planters, walls, seating and drainage for the ground level open spaces at each end of the riverside frontage;
- (l) details of all external lighting and the impact on the river frontage;
- (m) details of handrails, balustrades and parapets for the Riverside Walk;
- (n) details of the provision to be made in the building's design to enable the discreet installation of street lighting on the development, including details of the location of light fittings, cable runs and other necessary apparatus.

REASON: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance and improve the vitality of the Lower Thames Street frontage, in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

- 23 Details of the position and size of the green roofs, the type of planting and the contribution of the green roofs to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.  
REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM18.2, DM19.2.
- 24 Before any works thereby affected are begun details of the installation of photovoltaic panels on the roof indicated on the drawings hereby approved shall be submitted to and approved by the local planning authority and shall be maintained as approved for the life of the development.  
REASON: To ensure compliance with the following policies of the Local Plan: DM10.1; CS10.
- 25 Details of the type of planting and paving in the ground level open spaces on the site and their contribution to biodiversity and rainwater attenuation shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: CS10, CS15, CS18, CS19.

- 26 Unless otherwise agreed in writing by the Director of Markets and Consumer Protection:
- (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.
  - (b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.
  - (c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.
- REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 27 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.
- 28 The scheme approved on 14 May 2015 (application number 15/00250/MDC) or any approved amendments thereto as may be agreed in writing by the Local Planning Authority showing fume extract arrangements, materials and construction methods to be used to avoid noise and/or odour penetration to the upper floors from the Class A use must be must be implemented before the Class A use commences.
- REASON: In order to protect residential amenities in the building in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3.
- 29 No live or recorded music shall be played that it can be heard outside the premises or within any residential premises in the building.
- REASON: To safeguard the amenity of the adjoining premises and the area in general in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 30 Unless otherwise approved by the Local Planning Authority the doors and windows to any bar or restaurant on the river frontage shall be kept closed whenever live or recorded music is being played. At such times the doors may only be used for ingress and egress and shall not be fixed open.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: CS15, CS21.
- 31 The A3/A4 premises hereby permitted shall not be open to customers between the hours of 23:00 on one day and 07:00 on the following day.  
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 32 No servicing of the premises shall be carried out between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.  
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.
- 33 The threshold of all vehicular access points shall be at the same level as the rear of the adjoining footway.  
REASON: To maintain a level passage for pedestrians in accordance with the following policies of the Local Plan: DM10.8, DM16.2.
- 34 No doors or gates shall open over the public highway.  
REASON: In the interests of public safety
- 35 At all times when not being used building maintenance davits and other similar equipment shall demounted and stored within the building or within the plant structures on the roof.  
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.
- 36 No plant or telecommunications equipment shall be installed on the exterior of the building except as may be approved by the Local Planning Authority in writing.  
REASON: To ensure a satisfactory external appearance in accordance with the following policy of the Local Plan: DM10.1.
- 37 A clear unobstructed minimum headroom of 4.75m must be maintained for the life of the building in all the areas including access ways to be used for loading and unloading.

REASON: To ensure that satisfactory servicing facilities are provided and maintained in accordance with the following policy of the Local Plan: DM16.5.

- 38 Facilities (other than by street level turntable) must be provided and maintained for the life of the development so that vehicles may enter and leave the building by driving in a forward direction.  
REASON: To ensure satisfactory servicing facilities and in the interests of public safety in accordance with the following policy of the Local Plan: DM16.5.
- 39 Except as may be approved in writing by the Local Planning Authority the loading and unloading areas must remain ancillary to the use of the building and shall be available at all times for that purpose for the occupiers thereof and visitors thereto.  
REASON: To ensure that satisfactory servicing is maintained in accordance with the following policy of the Local Plan: DM16.5.
- 40 Automatically operated traffic signals must be positioned at the top and bottom of the ramp and must be in use at all times whilst the building is in occupation.  
REASON: To ensure satisfactory vehicular circulation within the curtilage of the site in accordance with the following policy of the Local Plan: DM16.5.
- 41 Permanently installed pedal cycle racks shall be provided and maintained on the site throughout the life of the building sufficient to accommodate a minimum of 202 pedal cycles for use by residential occupiers only, 12 pedal cycle for use by staff only and 6 spaces for public use. The cycle parking provided on the site must remain ancillary to the use of the building and must be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors without charge to the individual end users of the parking.  
REASON: To ensure provision is made for cycle parking and that the cycle parking remains ancillary to the use of the building and to assist in reducing demand for public cycle parking in accordance with the following policy of the Local Plan: DM16.3.
- 42 Changing facilities and showers shall be provided adjacent to the bicycle parking area for commercial occupiers and maintained throughout the life of the building for the commercial occupiers of the building in accordance with the approved plans.  
REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters in accordance with the following policy of the Local Plan: DM16.4.
- 43 Car parking provision within the development shall not exceed 41 spaces. A minimum of 17 of the spaces shall be designed to be suitable for use by people with disabilities and shall be maintained

throughout the life of the building and be readily available for use by disabled occupiers and visitors.

The car parking provided on the site must remain ancillary to the use of the building and be used solely by the occupiers thereof.

REASON: To ensure provision of suitable parking for people with disabilities and compliance with the car parking standards and that the car parking provided remains ancillary to the use of the building in accordance with the following policy of the Local Plan: DM16.5.

- 44 At least 20% of the car parking spaces (8 bays) must have electric vehicle charging facilities and a further 8 spaces (20%) must include passive provision for electric vehicles in the future, i.e. must be designed to be easily converted to include charging points.  
REASON: To ensure compliance with London Plan policy 6.13 and the London Plan parking standards
- 45 Servicing of the premises shall at no time during the life of the building take place other than in accordance with the Servicing Management Plan hereby approved or any amended Servicing Management Plan that may be approved from time to time in writing by the Local Planning Authority.  
REASON: To ensure that the development does not have an adverse impact on the free flow of traffic in surrounding streets in accordance with the following policy of the Local Plan: DM16.1.
- 46 An Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building hereby permitted. Within 6 months of first occupation a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The building shall thereafter be operated in accordance with the approved Travel Plan (or any amended Travel Plan that may be approved from time to time by the Local Planning Authority) for a minimum period of 5 years from occupation of the premises. Annual monitoring reports shall be submitted to the Local Planning Authority during the same period.  
REASON: To ensure that the Local Planning Authority may be satisfied that the scheme provides a sustainable transport strategy and does not have an adverse impact on the transport network in accordance with the following policy of the Local Plan: DM16.1.
- 47 Provision shall be made for disabled people to obtain access to the residential accommodation and to each retail unit via their respective principal entrances without the need to negotiate steps and shall be maintained for the life of the building.  
REASON: To ensure that disabled people are able to use the building in accordance with the following policy of the Local Plan: DM10.8.
- 48 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission: drawings numbered A-02-00/A,



A-03-99/K, A-03-00/R, A-03-01/K, A-03-07/F, A-03-08/F, A-03-09/F, A-03-10/F, A-03-11/M, A-04-01/K, A-04-02/K, A-04-03/K, A-04-04/K, A-04-05/K, A-04-06/K, A-05-01/J, A-05-02/J, A-05-03/J, A-05-04/J, A-05-05/J, A-05-06/J, A-21-1000, A-21-1001, A-21-1003.

Written Scheme of Investigation for an Archaeological Investigation dated September 2015.

Letter dated 17 December 2015 from DP9.

Refuse and Recycling Strategy revision J dated 25/08/2015;

Service Management Plan dated August 2014.

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

## INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:  
detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;  
a full pre application advice service has been offered;  
where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
- 2 The correct street number or number and name must be displayed prominently on the premises in accordance with regulations made under Section 12 of the London Building Acts (Amendment) Act 1939. Names and numbers must be agreed with the Department of the Built Environment prior to their use including use for marketing.
- 3 This permission is granted having regard to planning considerations only and is without prejudice to the position of the City of London Corporation or Transport for London as Highway Authority; and work must not be commenced until the consent of the Highway Authority has been obtained.
- 4 Improvement or other works to the public highway shown on the submitted drawings require separate approval from the local highway authority and the planning permission hereby granted does not authorise these works.
- 5 The Department of the Built Environment (Transportation & Public Realm Division) must be consulted on the following matters which require specific approval:

(a) Hoardings, scaffolding and their respective licences, temporary road closures and any other activity on the public highway in connection with the proposed building works. In this regard the City of London Corporation operates the Considerate Contractors Scheme.

(b) The incorporation of street lighting and/or walkway lighting into the new development. Section 53 of the City of London (Various Powers) Act 1900 allows the City to affix to the exterior of any building fronting any street within the City brackets, wires, pipes and apparatus as may be necessary or convenient for the public lighting of streets within the City. Early discussion with the Department of the Built Environment Transportation and Public Realm Division is recommended to ensure the design of the building provides for the inclusion of street lighting.

(c) The need for a projection licence for works involving the construction of any retaining wall, foundation, footing, balcony, cornice, canopy, string course, plinth, window sill, rainwater pipe, oil fuel inlet pipe or box, carriageway entrance, or any other projection beneath, over or into any public way (including any cleaning equipment overhanging any public footway or carriageway).

You are advised that highway projection licences do not authorise the licensee to trespass on someone else's land. In the case of projections extending above, into or below land not owned by the developer permission will also be required from the land owner. The City Surveyor must be consulted if the City of London Corporation is the land owner. Please contact the Corporate Property Officer, City Surveyor's Department.

(d) Declaration, alteration and discontinuance of City and Riverside Walkways.

(e) The provision of City Walkway drainage facilities and maintenance arrangements thereof.

(f) Connections to the local sewerage and surface water system.

(g) Carriageway crossovers.

(h) Servicing arrangements, which must be in accordance with the City of London Corporation's guide specifying "Standard Highway and Servicing Requirements for Development in the City of London".

6 The Director of Markets and Consumer Protection (Environmental Health Team) advises that:

(a)

The construction/project management company concerned with the development must contact the Department of Markets and Consumer Protection and provide a working document detailing steps they

propose to take to minimise noise and air pollution for the duration of the works at least 28 days prior to commencement of the work. Restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(b)

Construction work shall be carried out in accordance with the City of London Code of Practice for Deconstruction and Construction. The code details good site practice so as to minimise disturbance to nearby residents and commercial occupiers from noise, dust etc. The code can be accessed through the City of London internet site, [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk), via the a-z index under Pollution Control-City in the section referring to noise, and is also available from the Markets and Consumer Protection Department.

(c)

Failure to notify the Markets and Consumer Protection Department of the start of the works or to provide the working documents will result in the service of a notice under section 60 of the Control of Pollution Act 1974 (which will dictate the permitted hours of work including noisy operations) and under Section 80 of the Environmental Protection Act 1990 relating to the control of dust and other air borne particles. The restrictions on working hours will normally be enforced following discussions with relevant parties to establish hours of work for noisy operations.

(d)

Any furnace burning liquid or gaseous matter at a rate of 366.4 kilowatts or more, and any furnace burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour, requires chimney height approval. Use of such a furnace without chimney height approval is an offence. The calculated chimney height can conflict with requirements of planning control and further mitigation measures may need to be taken to allow installation of the plant.

(e)

The City is an Air Quality Management Area with high levels of nitrogen dioxide. All gas boilers should therefore meet a dry NO<sub>x</sub> emission rate of <40mg/kWh in accordance with the City of London Air Quality Strategy 2011.

(f)

All gas Combined Heat and Power plant should be low NO<sub>x</sub> technology as detailed in the City of London Guidance for controlling emissions from CHP plant and in accordance with the City of London Air Quality Strategy 2011.

(g)

When considering how to achieve, or work towards the achievement of, the renewable energy targets, the Markets and Consumer Protection Department would prefer developers not to consider installing a biomass burner as the City is an Air Quality Management Area for fine particles and nitrogen dioxide. Research indicates that the widespread use of these appliances has the potential to increase particulate levels in London to an unacceptable level. Until the Markets and Consumer Protection Department is satisfied that these appliances can be installed without causing a detriment to the local air quality they are discouraging their use. Biomass CHP may be acceptable providing sufficient abatement is fitted to the plant to reduce emissions to air.

(h)

Developers are encouraged to install non-combustion renewable technology to work towards energy security and carbon reduction targets in preference to combustion based technology.

(i)

Advice on a range of measures to achieve the best environmental option on the control of pollution from standby generators can be obtained from the Department of Markets and Consumer Protection.

(j)

There is a potential for standby generators to give out dark smoke on start up and to cause noise nuisance. Guidance is available from the Department of Markets and Consumer Protection on measures to avoid this.

(k)

Wet cooling towers are recommended rather than dry systems due to the energy efficiency of wet systems.

(l)

The proposed residential units are located in a busy City area that operates 24 hours a day and there are existing road sweeping, deliveries, ventilation plant and refuse collection activities that go on through the night. The units need to be designed and constructed to minimize noise disturbance to the residents. This should include acoustic treatment to prevent noise and vibration transmission from all sources. Sound insulation treatment needs to be provided to the windows and either air conditioning provided or silent ventilation provided to enable the windows to be kept closed yet maintain comfortable conditions within the rooms of the flat.

(m)

Further information should be provided regarding the internal layout of the proposed food/catering units showing proposals for staff/customer toilet facilities, ventilation arrangements and layout of kitchen areas.

(n)

If cooking is to be proposed within the food/catering units a satisfactory system of ventilation will be required. This must satisfy the following conditions:

Adequate access to ventilation fans, equipment and ductwork should be provided to permit routine cleaning and maintenance;

The flue should terminate at roof level in a location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. It cannot be assumed that ductwork will be permitted on the exterior of the building;

Additional methods of odour control may also be required. These must be submitted to the Markets and Consumer Protection Department for comment prior to installation;

Ventilation systems for extracting and dispersing any emissions and cooking smells to the external air must be discharged at roof level and designed, installed, operated and maintained in accordance with manufacturer's specification in order to prevent such smells and emissions adversely affecting neighbours.

- 7 The Director of Markets and Consumer Protection states that any building proposal that will include catering facilities will be required to be constructed with adequate grease traps to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.
- 8 The Director of Markets and Consumer Protection states that any building proposal that will include greater than 20 car parking spaces will be required to be constructed with adequate petrol interceptors to the satisfaction of the Sewerage Undertaker, Thames Water Utilities Ltd, or their contractors.
- 9 The Water Resources Act 1991 and the Thames Region Flood Defence Byelaws 1994 require formal consent to be obtained from the Environment Agency for certain works in, over, under or adjacent to main rivers including: the erection or construction of any post, fence, building or structure within 16 meters of any sea wall; any pipe, telephone wire or electrical main or cable that is within 8 meters from the top edge of the batter enclosing the river; and the removal of turf forming part of the flood protection works or any change to the drainage into the flood protection works or the river.
- 10 Thames Water advised in respect of application 12/01104/FULMAJ:

#### Waste Comments

There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of

new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

#### Surface Water Drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Thames Water requests that the applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

#### Water Comments

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 11 The Port of London Authority advised in 2012:  
Any temporary works that extend over Mean High Water that may be required in order to facilitate the construction of the building such as scaffolding or crane over sails require consent from the PLA. The applicant is advised to contact the PLA's Licensing Department on 10474 562588 to discuss this matter further.

The site would appear to be ideally placed for the transport of construction and waste materials to and from the site by water. The use of the river in this way is a sustainable method of transport which has planning policy support from the National level downwards.

Whilst the transport assessment makes reference to the proximity of the application site to Tower Millennium Pier, it does not appear to give this any further consideration. For example the framework travel plan sets no targets for river use and it makes no reference to any measures that the applicant might implement to encourage river use. London Plan policy 7.25 seeks an increase in the use of the Blue Ribbon Network for passenger and tourist river services and it would therefore appear to be appropriate to review the transport documentation and set targets for river use and to set out the measures that will be implemented to encourage residents of the development to travel by river.

- 12 The residential use hereby permitted falls within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987. The letting of residential premises for use as temporary sleeping accommodation (defined as less than 90 consecutive nights) in Greater London involves a material change of use for which planning permission is needed. [Greater London Council (General Powers) Act 1973 (Section 25)].

## Stothard, David

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**From:** Owen, Lucy <lucy.owen@pla.co.uk>  
**Sent:** 22 September 2015 10:10  
**To:** Stothard, David  
**Cc:** 'Josh Harris'; 'Chris Beard (chris.beard@dp9.co.uk)'; Richards, Gwyn; Patel, Chhaya; Hunter, Briana  
**Subject:** RE: Sugar Quay - S73 Application 14-01006-FULMAJ - Jetty Use and S106  
**Attachments:** Sugar Quay.pdf

David

Thank you for the email and for confirming the City of London's requirements regarding the S106 agreement.

The PLA has been a party to and signed a number of Section 106 agreements over the years so there is no in principle objection to this.

In relation to this specific application, as you will be aware from the letter from the PLA's Licensing Officer we have received a River Works Licence application. We are currently processing this and whilst it has approval in principle from Officers, it still needs additional internal approvals. We would wish to see any draft S106 agreements to ensure that any requirements in the S106 match any requirements in the River Works Licence. Through the River Works Licence application we have been trying to maximise the public access that would be provided on the jetty – the initial plans sent to us seemed to have a split of around 75% private and 25% public and we have sought to increase this to closer to a 50/50 split – clearly we would wish this to be reflected in any S106 agreement.

A couple of points of clarification:

- (1) The PLA is not the owner of the jetty – the licensee who holds the River Works Licence owns the jetty.
- (2) In broad terms the PLA owns about 95% of the riverbed and foreshore up to Mean High Water Mark of the Tidal River Thames. At Sugar Quay a small amount of riverbed and foreshore is also owned by the Crown (see attached image which shows the Crown Estate's ownership of the riverbed hatched in red).

Hope this helps

Regards  
Lucy

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**From:** Stothard, David [mailto:David.Stothard@cityoflondon.gov.uk]  
**Sent:** 10 September 2015 17:25  
**To:** Owen, Lucy  
**Cc:** Josh Harris; Jamie Wallace; Chris Beard (chris.beard@dp9.co.uk); Richards, Gwyn; Patel, Chhaya  
**Subject:** Sugar Quay - S73 Application 14-01006-FULMAJ - Jetty Use and S106

Dear Lucy,

I refer to the email below from DP9 and the attached letter from the PLA licencing officer.

The City has requested access for the public to the Sugar Quay jetty in order to mitigate the adverse effect of lowering the soffit where the proposed building would overhang the Riverside Walk. The applicant has confirmed that they are prepared to allow this.

A legal agreement under Section 106 of the Town & Country Planning Act 1990 will be needed to ensure that public access is provided and maintained. As the legal agreement would run with the land all parties with an interest in the land would need to join in the legal agreement.



We are seeking confirmation that the PLA would allow public access over the jetty and, as owner of the jetty and riverbed, be prepared to be a party to the Section 106 Agreement? We normally require proof of ownership, i.e. land registry title deeds, to confirm that all owners are included.

Please would you confirm the PLA's agreement to this.

Kind regards,

David Stothard  
Assistant Director, Development Division  
Department of the Built Environment  
020 7332 1238  
[www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk)

**From:** Chris Beard [<mailto:chris.beard@dp9.co.uk>]  
**Sent:** 08 September 2015 14:22  
**To:** Stothard, David  
**Cc:** 'lucy.owen@pla.co.uk'; Josh Harris; Jamie Wallace  
**Subject:** Sugar Quay - S73 Application - Jetty Use and S106

Dear David

I hope you are well.

Further to our various exchanges in relation to the proposed public use of the jetty, I have taken the liberty of copying this email to Lucy Owen at the Port of London Authority.

Lucy has asked for confirmation directly from you of the City's requirements. I have tried to summarise these below but please do correct me or add to these as necessary. Please could you reply to this email confirming the information sought?

As I understand it, the City is seeking confirmation that the PLA agrees to the use of the jetty by the public, and agreement that the PLA will enter into any forthcoming S106 Agreement to secure this. I think you have also requested confirmation of the legal title for the jetty structure and river bed.

Josh Harris at Beckett Rankine is also copied into this email. Josh is advising the Applicant on the technical and licence requirements and liaises directly with the PLA. He has provided me with a copy of the attached letter from the PLA dated 1 September 2015 which confirms no objection in principle, subject to conditions, to the application for a licence for public and private use and ecological enhancements. I believe in terms of process, the formal application for a new licence will be heard at the next available PLA Licencing Committee.

I hope that this email is self-explanatory and the attached information is helpful. I would be very grateful if you could reply directly to Lucy and copying the recipients in, confirming the City's requirements.

As always please do not hesitate to contact me if you have any queries.

Kind regards

Chris

Chris Beard  
Director

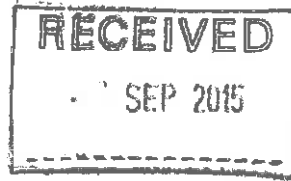
direct: 020 7004 1706  
mobile: 07795 397 606  
e-mail: [chris.beard@dp9.co.uk](mailto:chris.beard@dp9.co.uk)

Our Reference: AN-21-147 Sugar Quay



1<sup>st</sup> September 2015

Josh Harris  
Beckett Rankine  
47 Gillingham Street  
London  
SW1V 1HS



London River House  
Royal Pier Road  
Gravesend  
Kent DA12 2BG  
United Kingdom  
Tel: +44 (0)1474 562200  
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Web: www.pla.co.uk

DIRECT LINE: 01474 562 354  
DIRECT FAX: 01474 562398  
E-MAIL: briana.hunter@pla.co.uk

Dear Mr Harris,

**Works: Change of use – For public and private use and ecological enhancements – planters and benches  
Location: Sugar Quay, Lower Thames Street**

I write with reference to your application dated 3<sup>rd</sup> March 2015 .

The PLA has no objection in principle to the proposed new works, subject to the following which may be included as conditions in any licence issued.

**Navigation**

- The lifesaving equipment must be installed prior to the change of use coming into effect.

**Civil Engineering**

- Subject to proper public safety features being incorporated into the detailed scheme.

**Environment**

- Not to use materials for the Works which are not fit for purpose and to use appropriately sourced material.
- The Licensee is responsible for ongoing maintenance of the planting and litter collection, and a plan / commitment to a plan should be submitted to the PLA for approval within three months of the date of this licence.
- Any external lighting should be designed to minimise impacts on any local wildlife, which may include birds, fish or animals.

Your application will be submitted to the next PLA Licensing Committee for its consideration.

If you wish to discuss the consideration that will be payable under any licence issued, please contact Mr Ben Fanning, Valuation Surveyor, on 01474 562388.

Yours sincerely



Briana Hunter  
Deputy Licensing Officer

creating a better place



Mr David Stothard  
Corporation Of London  
Via email  
David.Stothard@cityoflondon.gov.uk

**Our ref:** NE/2015/122076/01-L01  
**Your ref:** 14/01006/FULMAJ  
**Date:** 29 January 2015

29 JAN 2015

Dear David

**Sugar Quay, Lower Thames St, London EC3R 6LA**

**Variation of condition 53 (adherence to the approved plans) of planning permission reference no. 12/01104/FULMAJ dated 16th September 2013 to make minor material amendments to the permitted scheme including lowering of the first floor soffit level and repositioning of the two north cores, rationalisation of restaurant deliveries and refuse collection, facade and landscaping improvements and associated works.**

Thank you for consulting us on the proposed variation of condition 53. We have no objections to the proposed variation of condition 53.

I note that the proposed amendments may include public access to the jetty secured by Section 106 Agreement. Whilst we have no objections to public accessing the jetty in principle, it is important that flood risk and public safety is taken into consideration when coming to this agreement. We are not competent authority in emergency planning matters and I therefore recommend that you discuss these proposals with your Emergency Planning Team who may wish the applicant to produce a flood evacuation plan to implement in the event of a flood of the jetty.

Please consult us if any development or formal use is proposed on the jetty in the future. Please note that only uses defined as 'Water Compatible' and/or 'Essential Infrastructure' by 'Table 2: Flood Risk Vulnerability Classification' of the National Planning Policy guidance should be considered from a planning policy perspective. All other uses are not compatible with this location.

Please contact me if you have any queries.

Yours sincerely

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