

**LEE VALLEY REGIONAL PARK AUTHORITY**

**REGENERATION AND PLANNING  
COMMITTEE**

**23 JANUARY 2020 AT 12:15**

**Agenda Item No:**

**6**

**Report No:**

**RP/36/20**

**PLANNING CONSULTATION BY  
LONDON LEGACY DEVELOPMENT CORPORATION**

**IMPERIAL PHASE 3, LAND AT IMPERIAL STREET,  
BROMLEY-BY-BOW, LONDON, E3 3ED**

**FULL APPLICATION FOR CONSTRUCTION OF A RESIDENTIAL LED  
MIXED USE DEVELOPMENT COMPRISING A SERIES OF BUILDINGS  
FROM THREE TO FOURTEEN STOREYS PROVIDING 321 RESIDENTIAL  
UNITS, APPROX. 306sqm OF FLEXIBLE COMMERCIAL AND RETAIL  
FLOORSPACE, AND ALL ASSOCIATED INFRASTRUCTURE, ACCESS,  
HARD AND SOFT LANDSCAPING (INCLUDING REPLACEMENT OF  
ADJACENT RIVER WALL)**

Presented by the Policy Officer

**SUMMARY**

The proposed development at Imperial Phase 3 is part of the wider regeneration of the Bromley-by-Bow area which sits outside the Regional Park but in close proximity to Three Mills Island and the River Lea. Existing policy and master planning work sets the parameters for the redevelopment of this area as a District Centre and accounts for the height and location of the proposed new residential blocks forming part of the application.

The proposed development provides an opportunity to secure a new area of riverside open space that would complement the Regional Park and its ecological and recreational assets, and this is supported. Further detail is sought however on some aspects of the ecological assessment in order to better understand the role of the waterways, designated as the Lee Valley Site of Metropolitan Importance for Nature Conservation. In association, more detail on the lighting strategy is also required to protect the role of the waterways as a wildlife corridor.

**RECOMMENDATIONS**

Members Approve: (1) that the London Legacy Development Corporation be informed that whilst the Authority does not object to the current application it considers that:

- a) further ecological survey work should be undertaken for protected species to assess the extent of bat activity in relation to the Lee Valley Site of Metropolitan Importance for Nature Conservation and the proposed development, and use of the site by Black Redstart, including during the construction phases of development;
  - b) a condition should be included in any consent granted to ensure a detailed lighting strategy is produced, based on the additional ecological surveys and in accordance with guidance provided by the Institution of Lighting Professionals (2018), Bats and artificial lighting in the UK. Guidance Note 08/18;
  - c) in any event lighting provision within the Riverside Park immediately adjacent to the water should be turned off at night to protect the ecology and wildlife role of the Lee Valley Site of Metropolitan Importance for Nature Conservation and that;
  - d) other biodiversity features should be included such as an artificial Otter holt and the creation of nesting holes in the river wall to target Kingfisher and Sand Martin; and
- (2) the Council should consult with the Authority on the revised ecological surveys and lighting strategy.

## **DESCRIPTION OF SITE**

- 1 The application site is located to the south west of Three Mills island and lies outside but adjacent to the Park boundary. It is bounded by the River Lea to the east, the existing Tesco Superstore and associated parking to the north, the over-ground railway line to the south and the development sites known as Imperial Phase 1 and 2 to the west with the A12 beyond, please refer to the location plan at Appendix A to this report. The application site is approx. 0.92 ha and currently comprises a cleared and vacant site formerly used as a scaffolding yard. There are no existing buildings on site, although the previous hardstanding remains.
- 2 The wider Bromley-by-Bow area comprises a mix of residential and commercial uses with a number of developments in the locality currently under construction and/or completed and occupied. To the east lies the Three Mills Conservation Area which includes the Grade I Listed Tide Mill or House Mill and the Clock Mill (Grade II Listed). Adjacent waterways form part of the Lee Valley Metropolitan Site of Importance for Nature Conservation (SMINC) and incorporate the towpath and link through to Limehouse Cut. Bromley-by-Bow underground station is approx. 150m to the west of the site on the opposite side of the A12

from Imperial Phase 1 which is currently under construction.

## **POLICY BACKGROUND**

- 3 Although located within the London Borough of Tower Hamlets the application site falls under the jurisdiction of the London Legacy Development Corporation (LLDC) as the local planning authority. It forms the south-east corner of the Bromley-by-Bow Site Allocation SA4.1 included in both the LLDC Local Plan 2015 and the recent draft Local Plan Review 2019, an area identified as a potential District Centre under Policy 4.1. The District Centre proposal includes retail, services, community and business facilities, a new primary school and open spaces alongside a significant amount of new homes.
- 4 The Bromley-by-Bow Supplementary Planning Document (SPD) was adopted in 2017 and is a material consideration for any development proposals. Included with the SPD are an illustrative masterplan showing the location and heights of the development plots and a Public Realm Manual. The masterplan approach has so far seen permission granted for Bromley-by-Bow North in 2012 with the first phase of that development (219 residential units) now being occupied.
- 5 In Bromley-by-Bow South three phases of development on three adjacent sites have been granted permission, all of which are promoting mixed use schemes. The Imperial Phase 1 scheme, as varied under LPA ref.18/00575/NMA will provide five buildings with up to 28 storeys in height (500 residential units) and approx. 3,800sqm of flexible community, commercial and retail floorspace. The development is currently under construction and lies between the current application site and the A12.
- 6 The sites known as Imperial Phase 2 and Phase 3 (the current application site) were originally granted permission in June 2018 for a mixed use scheme of five buildings, comprising 407 residential units and a mix of employment and retail space; referred to as the Consented Scheme. In late 2018 all three phases or sites were brought together under one ownership; that of the current applicant Guinness Developments Limited. The applicant now considers there is an opportunity to make more efficient use of the site and deliver an enhanced affordable housing offer across its portfolio at Imperial in line with the SPD. The current revised scheme has therefore been submitted for Imperial Phase 3. Please see Appendix B to this report, Plan of Phases 1 to 3.
- 7 **Park Development Framework**  
  
The Park Development Framework (PDF) Area 1 Proposals 2015 seek the provision of a primary gateway and visitors' hub at Three Mills and identify the need to work with stakeholders to improve visitor facilities within the Conservation Area and deliver environmental enhancements at Bromley-by-Bow station, including the route that connects to the Park via a subway under the A12.
- 8 The ecological value and connectivity of the waterways and water spaces along the River Lea and Lee Navigation are to be protected and their environmental quality improved. Historical features of special interest within the landscape and associated with the waterways are to be conserved and views to key landmarks within and outside the Park protected. Development should respond to heritage assets such as Three Mills and the existing grain, scale and building heights and avoid breaching existing horizons and dominating the water frontages.

Appropriate set-backs from the water's edge will be sought alongside the towpath and other waterside paths.

## **DESCRIPTION OF DEVELOPMENT**

- 9 The application seeks full permission to redevelop the site through the erection of three urban blocks and six townhouses (two terraces of three) to create 321 new homes, 306sqm of flexible non-residential floorspace, public realm and open space, a communal roof terrace and two courtyards, new street network, cycle parking, a new river wall and naturalised river edge together with all ancillary access, infrastructure and landscaping.

### **10 Proposed Layout**

The three urban blocks are positioned between Imperial Phase 1 to the west and the River Lea to the east, bounded by the railway to the south. The blocks are 'shaped' in terms of their form, in order to maximise east-west facing views. Working from west to east Block 1 is 14 storeys, Block 2 rises to 9 storeys and Block 3 close to the River Lee is 11 storeys. In between the blocks are positioned the two sets of three linked town houses (at 3 storeys). These face onto 'the Street', a shared east-west public realm route which incorporates car parking spaces, an underground refuse system, street trees and defensible planting adjacent to the ground floor residential units. Cycle stores are positioned to the rear as links between each main block and to act as a buffer to the railway for noise and visibility.

- 11 The accommodation schedule includes a mix of studio, one, two and three bed apartments and proposes the delivery of 50% affordable housing across both Imperial Phase 2 and 3. Proposed commercial and/or cafe/retail space is located at the base of Blocks 1 and 3 respectively. A total of 593 cycle parking spaces will be provided, both for residents and for the commercial units. Very low levels of car parking are proposed as the development is promoted as a 'car-free' scheme.

### **12 Materials**

The four buildings will feature different material finishes, these have been designed to respond to the local context such as the River Lea and the heritage assets. Blocks 1 and 2 are brick built with punctuated openings framed in white to resemble some of the detailing and colours of the historic warehouses and listed buildings within Bromley-by-Bow. A brick chamfer is also used to add texture and visual interest to the facades. Block 3 has a brick facade and balcony detailing that reflects the natural habitat of the riverside location to form a continuous 'reed-like' band. The townhouses (Block 4) relate in materiality and colour/tones to their 'parent' apartment buildings, i.e. Blocks 01 and 02 respectively, and are positioned to provide a sense of street frontage and variance in scale. Please see illustrative image at Appendix C to this report.

### **13 Public Open Space**

A mix of external communal and private amenity space is proposed. The latter is provided for all dwellings as balconies on the upper floors and terraces on the ground floor. Public open/amenity space is provided in the form of the Residential Park (1,040sqm) north of the residential blocks, the Riverside Park (1,031sqm) and both courtyards (1,100sqm in total). In total the development

delivers 3,171sqm of publicly accessible amenity/open space. Block 3 includes a communal semi-private roof terrace of 603sqm in area. A total of 1,920sqm of integrated play space for children of all age groups is also included throughout the open/amenity spaces.

#### **14 Landscaping**

The proposed landscape scheme introduces a new public realm, a residential park, communal courtyards and celebrates the river location with the creation of a new waterside park. A communal roof terrace is provided on the riverside block for residents and biodiverse roofs are located on the other two blocks.

15 The Residential Park which runs west – east along the northern part of the site has been designed to cater for all ages all year round, with a large flexible open lawn, a grove of cherry trees to demark the western entrance and an area of natural play space.

16 The 'Riverside Park' element proposes the creation of a new public open space with "opportunities to experience the river and its wetland environment". The applicant proposes to accommodate the required flood level within the landscape to enable the lowering of part of the river wall. The design shows a sloped riverside parkland, to be planted with native species, to form a naturalised edge to the river. Along the lowered section of the riverside, concealed within planting, a 1.1-metre-high post and wire fence will be located to provide protection near the edge of the river. An accessible sloped route provides a path through the Riverside Park and links a series of simple robust spaces that are described as resembling rafts that are beached on the shoreline. These are to include simple benches, cube seats and rails for sitting, standing and play.

17 At the upper level, a terrace area next to the proposed cafe (ground floor of Block 3) overlooks the Riverside Park and river. It will have a mixture of fixed seating and tables and chairs. Tree planting provides shelter and shade to the space. Block 3 will have a roof terrace to provide an outdoor amenity space for use by the residents. The terrace garden is designed as a simple, flexible space that can accommodate a variety of activities, with raised planters and seating.

18 Two enclosed 'yards' are also proposed as part of the scheme, positioned between the blocks and terraces. These include planting and paving with play features and will be open to the public during the day but closed for residents at night. In total the development provides 17% of the total Bromley-by-Bow site wide requirement for new publicly accessible open space, or 26% if the courtyards are included (although these are available to residents only at night).

#### **19 Habitat Creation and Biodiverse Roofs**

The landscape proposals have been informed by the ecological strategy and the landscape design and planting will create a variety of habitats. The Riverside Park will include reedbed and wetland planting (using coir pallets or rolls), an area of seasonally wet/dry habitat away from the river edge and meadow planting. Tree and shrub planting will be appropriate to the area and resilient to climate change.

20 The development also proposes the inclusion of biodiverse roofs on Block 1 and Block 2 and the incorporation of photovoltaic panels on the roofs. The biodiverse

roof system will seek to recreate 'open mosaic' habitat using a plant mixture that will benefit pollinating insects and other invertebrate species, with foraging habitat for black redstart. Some areas may well be left as bare substrate covered in crushed aggregate to self-vegetate.

## **21 Lighting**

A lighting strategy is described in the Design and Access Statement. The aim is to efficiently light the routes and spaces to ensure safety and minimise light pollution. Feature lighting will be kept to a minimum in the public realm and to reduce light pollution further along the sensitive river edge lower, 3 metre high lamp columns are proposed, that automatically dim at night when not activated by people movement. The roof terrace will feature a combination of wall-mounted lights in the raised planters and tree uplighters to light this space.

## **22 Section 106 and Community Infrastructure Levy (CIL)**

Due to the scale of the proposed development mitigation in the form of a planning obligation is included as part of this application. This takes the form of a S106 agreement and contributions to both Mayoral and LLDC specific CILs. The proposed S106 agreement follows the principles and obligations secured under the current S106 secured for the 2018 Consented Scheme. It covers the delivery and long term maintenance of the public spaces with a detailed Estate Management Strategy to be agreed with the Local Planning Authority for those areas of the public realm that will remain in private ownership (Schedule 8) and via Schedule 9 which requires the applicant to submit a detailed plan for the delivery, layout and access to the publicly accessible open space and play areas at the early stage of the development.

## **PLANNING APPRAISAL**

### **23 Principle of Development**

The principle of a residential-led mixed use development of this brownfield site is well established in the LLDC Local Plan, under Site Allocation Policy 4.1. Both the Planning and Design and Access Statements submitted as part of the application demonstrate how the proposals have followed the guidance provided in the Bromley-by-Bow SPD and the contribution this proposal makes towards the aspiration for a new District Centre in this location. In terms of the proximity of the Regional Park this development will be part of the much wider regeneration of the Bromley-by-Bow area.

### **24 Impact on Waterside Environment and Heritage Assets**

As stated above PDF Area 1 proposals are concerned to ensure that development within this area of the Park respond to the heritage assets such as Three Mills, protects views to key landmarks within and outside the Park and avoids dominating the water frontages.

25 The general scale, orientation and massing of the proposed development is in line with the Bromley-by-Bow SPD parameter plans and design codes and has been revised following two consultations with the LLDC Quality Review Panel to ensure it meets the outstanding level of architectural design required. The building heights are in line with the SPD although Block 3 adjacent to the river is one storey higher.

- 26 The choice of brick colours, predominantly red and grey/brown intertwined with a blend of green and darker bricks, draws upon the colours and detailing of the historic warehouses and listed buildings within Bromley-by-Bow. The development also responds to the heritage of the existing area through the shaped form of the blocks, together with architectural detail such as the form of the windows highlighted in white which pick up the proportionality and vernacular of the Three Mills conservation area.
- 27 Block 3, although not the tallest of the three blocks, will dominate the canal side. Its location adjacent to the waterway is however in line with the parameter plans in the SPD and it has been designed as the feature or marker building. It includes both the roof terrace and the waterside café overlooking the new Riverside Park and as such it will, at ground level, relate to the waterside and add interest to the local scene. The applicant has also sought to 'lift' the landscape horizontally up through the architecture; via a series of balcony designs with gold metal railings which are intended to draw on the prominent presence of reeds and complement the landscape.
- 28 It does not intrude on views of the Three Mills Conservation Area. When looking south from behind the House Mill none of the Imperial Phase 3 buildings are visible. Looking south from within Three Mills Green there will be partial views through trees although the proposed development will appear as a background layer in the townscape set back at a distance from the historic buildings in the middle ground. The Environmental Statement assessment of the canal side view considers this to be "a major but beneficial change of view" due to the existing outlook being less than positive, with the railway bridge and other neighbouring developments.
- 29 The Riverside Park is an attractive and ecologically beneficial addition to the waterside environment and connects with the site wide public realm and the new residential park. The landscape scheme along the river that includes the introduction of reedbeds and wetland planting is supported. The SPD requires the riverside park treatment to be replicated in future developments to the north to ensure a green open space alongside the waterway.

### 30 Ecological Impacts

The application is accompanied by an ecological assessment and strategy. The assessment found the site to have limited existing ecological value but it noted the River Lea SMINC as an important ecological feature adjacent to the site.

In terms of habitats the proposals will improve both the extent and variation of habitats given the baseline of concrete hardstanding. The Riverside Park will include reedbed and wetland habitat that will enhance the Lee Valley SMINC providing public access is kept back from the immediate riverside edge is supported. It is suggested that Black Polar (a priority Biodiversity Action Plan species) be included in the tree species to be planted.

- 31 The other areas of planting and habitat creation within the site, including the biodiverse roof spaces, will strengthen habitat between the site, the waterway corridor and the wider Regional Park area. The inclusion of biodiverse roofs to recreate an open mosaic are also welcomed; these will also help target Black Redstart which are a priority species. Alongside the opportunity for increasing the reedbed area along the river wall there are opportunities for the inclusion of

other biodiversity features such as:

- installation of an artificial Otter holt to provide lying up sites in the Lower Lea Catchment; and
- creation of nesting holes in the river wall to target Kingfisher and Sand Martin.

- 32 The protected species surveys include bat roost suitability surveys for trees and buildings. However there does not appear to have been any bat activity surveys undertaken, so it is not possible to assess if the development will impact upon their potential use of the waterways. This information will be critical to the detail of any lighting plan in association with the open spaces and roof terrace.
- 33 The ecological assessment (Section 4.5.3) states that nesting birds will not be an issue as all vegetation that could support nesting birds has been removed. Whilst this is agreed there is some concern that the use of the site by Black Redstart has not been fully considered and this will need to be addressed in the planning of the construction work.
- 34 Lighting will need to be set well back from the riverside edge and should ideally be switched off at night when not required, rather than just dim to a lower light level, so as to minimise light pollution along the waterside corridor and help keep this corridor as dark as possible. The DAS Lighting Plan shows that the Riverside Park lighting is positioned away from the riverside edge and this is important to maintain a darker area along the waterway corridor. Lighting for the river terrace associated with the café should be treated in the same way as this is also adjacent to the water's edge. A more detailed Lighting Plan is required; useful guidance can be found in the Institution of Lighting Professionals (2018). 'Bats and artificial lighting in the UK. Guidance Note 08/18'.

### 35 Access

PDF Area 1 Proposals seek improvements to pedestrian access into the Regional Park from Bromley-by-Bow underground station, which lies to the west of the application site beyond the A12. The applicant is carrying out works to the existing subway which connects the area with the underground station in partnership with TfL. This was secured as part of a S106 Agreement for the Imperial Phase 1 development and will enhance visitor access to the Park. Within Imperial Phase 3 the Street will continue the west-east access connection from the Imperial Phase 1 site, with priority given to pedestrians and cyclists. Future phases of development within the Bromley-By-Bow SPD area should secure access northwards linking with Three Mills.

### 36 Conclusion

On balance and given the wider context of regeneration within the Bromley-by-Bow area the proposed development will have a limited impact on the Regional Park. The dominance of Block 3 in relation to the immediate waterside environment is of concern but follows the parameters set within policy guidance for the area. It will be reduced to some extent by the added interest of the building design and the Riverside Park, itself a positive contribution to the waterway ecology and Lee Valley SMINC.

- 37 Further information is however required in relation to ecology and lighting to safeguard the waterways as a dark wildlife corridor for commuting and foraging



species. It is also suggested that other biodiversity features are included such as an artificial Otter holt and the creation of nesting holes in the river wall to target Kingfisher and Sand Martin.

- 38 The delivery and long term maintenance of this and the other public open spaces are secured via the S106 principles agreed in 2018, under Schedule 8 and 9 which are brought forward in association with the current 2019 S106.

#### **ENVIRONMENTAL IMPLICATIONS**

- 39 These are addressed in the body of the report.

#### **FINANCIAL IMPLICATIONS**

- 40 There are no financial implications arising directly from the recommendations in this report.

#### **LEGAL IMPLICATIONS**

- 41 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of the Lee Valley Regional Park Act 1966 (the Park Act). The Park Act requires a local planning authority to consult with the Authority on any planning application for development, whether within the designated area of the Park or not, which might affect any part of the Park.

- 42 The Park Act enables the Authority to make representations to the local planning authority which they shall take into account when determining the planning application.

#### **RISK MANAGEMENT IMPLICATIONS**

- 43 There are no risk management implications arising directly from the recommendations in this report.

#### **EQUALITY IMPLICATIONS**

- 44 There are no equality implications arising directly from the recommendations in this report.

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#### **BACKGROUND REPORTS**

Application Papers 19.077 and 19.078

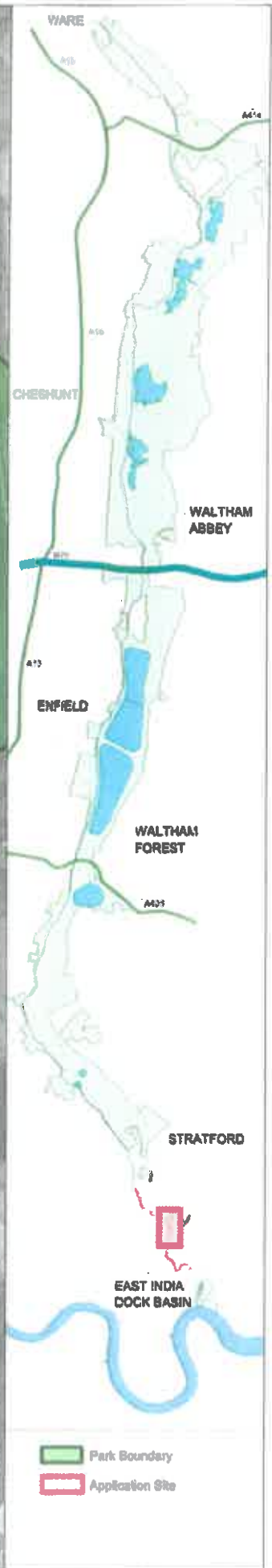
August 2019

#### **APPENDICES ATTACHED**

|            |                                      |
|------------|--------------------------------------|
| Appendix A | Plan of the application site         |
| Appendix B | Plan of Phases 1 to 3 Imperial Wharf |
| Appendix C | Illustrative view                    |

**LIST OF ABBREVIATIONS**

|                     |  |
|---------------------|--|
| <b>LLDC</b>         | <b>London Legacy Development Corporation</b>                   |
| <b>SMINC</b>        | <b>Site of Metropolitan Importance for Nature Conservation</b> |
| <b>SPD</b>          | <b>Supplementary Planning Document</b>                         |
| <b>CIL</b>          | <b>Community Infrastructure Levy</b>                           |
| <b>PDF</b>          | <b>Park Development Framework</b>                              |
| <b>the Park Act</b> | <b>Lee Valley Regional Park Authority Act 1966</b>             |



**Imperial Wharf Development, Bow**

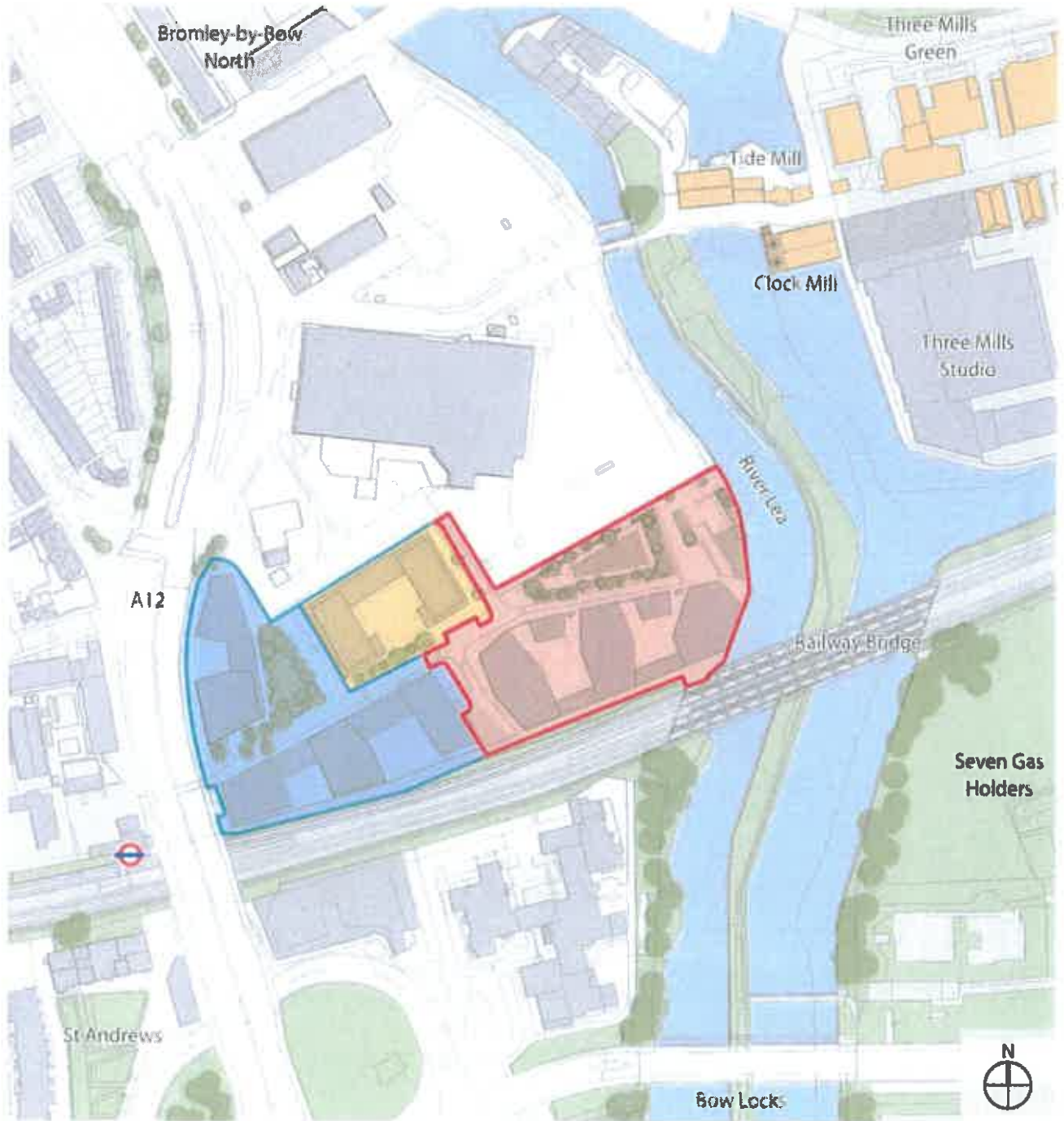


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Breakdown of Imperial site phases extract from DAS



Map not to scale. For more information please refer to the Imperial site masterplan.

- Imperial Phase 1
- Imperial Phase 2
- Imperial Phase 3





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