

Strategic Development Committee

Agenda

Wednesday, 3 April 2024 at 5.30 p.m.
Council Chamber - Town Hall, Whitechapel

The meeting will be broadcast live on the Council's website. A link to the website is here - <https://towerhamlets.public-i.tv/core/portal/home>

Chair:

Councillor Amin Rahman

Vice Chair:

Members:

Councillor Saied Ahmed, Councillor Gulam Kibria Choudhury, Councillor Iqbal Hossain, Councillor Kamrul Hussain, Councillor Asma Begum, Councillor Mufeedah Bustin, Councillor Shahaveer Shubo Hussain and Councillor Nathalie Bienfait

Substitute Members:

(The quorum for the Committee is 3 voting members)

The deadline for registering to speak is **4pm Thursday, 28 March 2024**

The deadline for submitting information for the update report is Noon
Tuesday, 2 April 2024

Contact for further enquiries:

Democratic Services To view the meeting on line: <https://towerhamlets.public-i.tv/core/portal/home>,

Justina.Bridgeman@towerhamlets.gov.uk

Tel: 020 7364 4854

Town Hall, 160 Whitechapel Road, London, E1 1BJ

<http://www.towerhamlets.gov.uk/committee>



Public Information

Viewing or Participating in Committee Meetings

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Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

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A Guide to Development Committee

The role of the Strategic Development Committee is to consider major planning matters, within and exceeding the remit of the Development Committee in terms of size and scale amongst other issues.

The Committee is made up of nine Members of the Council as appointed by Full Council. Political balance rules apply to the Committee.

Public Engagement

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

Objectors to planning applications and applicants may request to speak at the Strategic Development Committee. If you wish to speak on an application you must contact the Committee Officer listed on the agenda front sheet by 4pm one clear day before the meeting. More information is on the Council's website.

London Borough of Tower Hamlets

Strategic Development Committee

Wednesday, 3 April 2024

5.30 p.m.

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (PAGES 7 - 8)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. MINUTES OF THE PREVIOUS MEETING(S) (PAGES 9 - 16)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 18th October 2023.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 17 - 22)

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Housing and Regeneration along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's



decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Housing and Regeneration is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

- 3) To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee.

4. DEFERRED ITEMS

5. PLANNING APPLICATIONS FOR DECISION

- 5.1 **(PA/23/02079) Former News International Site, Buildings H & J, London Dock, 1 Virginia Street, London E98 1XY (Pages 33 - 104)**

6. OTHER PLANNING MATTERS

- 6.1 **(PF/23/00120) Orchard Wharf, Orchard Place, London, E14 0JY (Pages 105 - 128)**

Next Meeting of the Strategic Development Committee

Tuesday, 14 May 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Linda Walker, Interim Director of Legal and Monitoring Officer, Tel: 0207 364 4348

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.37 P.M. ON WEDNESDAY, 18 OCTOBER 2023

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present:

Councillor Amin Rahman (Chair)

Councillor Kamrul Hussain

Councillor Gulam Kibria Choudhury

Councillor Iqbal Hossain

Councillor Shahaveer Shubo Hussain

Councillor Mufeedah Bustin

Councillor Amina Ali

Councillor Asma Begum

Councillor Suluk Ahmed

Apologies:

Councillor Saied Ahmed

Officers Present:

Jerry Bell	– (Area Planning Manager (East), Planning and Building Control, Place)
Paul Buckenham	– (Head of Development Management, Planning and Building Control, Place)
Kirsty Gilmer	– (West Area Team Leader, Planning and Building Control, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning and Building Control, Place)
Nelupa Malik	– (Principal Planner (East Area Team) ,Place)
Justina Bridgeman	– Democratic Services Officer (Committee)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of pecuniary interests.

2. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Sub Committee meeting held on 06 September 2023 were approved as a correct record of proceedings.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee **RESOLVED** that:

1. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director of Housing and Regeneration along the broad lines indicated at the meeting; and
2. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director of Housing and Regeneration is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
3. To note the procedure for hearing objections at meetings for the Strategic Development Committee.

4. DEFERRED ITEMS

4.1 (PA/21/01713) 26-38 Leman Street, London E1 8EW

Paul Buckenham introduced the application to grant planning permission for the demolition of the existing buildings and redevelopment of the site to provide a building ranging from basement, ground plus 19 storeys, comprising office (Class E (g)) and aparthotel (Class C1); associated cycle and car parking, hard and soft landscaping and other associated works.

Robin Bennett provided a presentation to accompany the application.

It was noted that this application for planning permission was considered by the Strategic Development Committee on 6th September 2023. The application was deferred by members for a site visit which took place on 18th September 2023.

Further to the presentation, the Committee asked questions to the Officers regarding the following issues;

- Confirmed that the scheme would provide affordable workspace with a 35% discount for the lifetime of the development, which is above the minimum policy requirement. Contributions to the community would be made with employment, skills and training opportunities for residents.
- Confirmed that the initial decision was deferred for a site visit, as Members had concerns that the daylight / sunlight impact the proposal would have on occupants of 55-57 Alie Street. The impacts are negligible at less than 1%.

On a unanimous vote of six in favour, the Committee **RESOLVED**:

1. That the consideration of the application at 28-36 Leman Street, London, E1 8EW be **GRANTED**.
2. Subject to any direction by the Mayor of London, Section 106 agreement including obligations and conditions and informatives set out in the committee report.

5. PLANNING APPLICATIONS FOR DECISION

5.1 (PA/21/02776) 15-28 Byng Street, 29 Byng Street and 1-12 Bellamy Close (Revised residential scheme)

Paul Buckenham introduced the application to grant planning permission for the demolition of the existing buildings and structures and construction of residential dwellings (use class C3), public realm works, landscaping, access, servicing, parking and associated works (revised scheme).

The application was previously brought to the Committee on 21st July 2022 where planning permission was granted. Shortly after, building safety regulations changed and a second staircase for all buildings over 30 metres is now a requirement for applications referred to the Mayor of London. A revised application was brought to the Committee.

Fran Haines provided a presentation to accompany the application, describing the proposal's site and surroundings. Details also included; the existing and proposed uses, publicity and engagement, a revised energy strategy, planning obligations and the second staircase in the residential tower.

Further to the presentation, the Committee asked questions to the Officers regarding the following issues;

- Confirmed that the five additional affordable rented homes proposed will be social rented properties. There would be 63 social homes will be social rented, which is an uplift of 39 plus 24 to re-provide the homes

on site that would be demolished. This is an uplift of five social rented homes compared to an initial 2020 proposal.

- Noted that deliveries and services will use Manila Street to enter and exit via the courtyard area. Riverside Housing, formerly One Housing, will be the housing provider. This will house approximately 370 additional residents.
- Explained that 317 square metres of child play space provided, meets the Local plan requirement for children over 5 years old. The London plan supports contributions to offsite improvements to local open spaces, although they would need to be accessible to the development.
- Clarified that the Greater London Authority (GLA) considered the play space at Strafford Street acceptable, as it is 100 metres away from the development. The guidance states within 400 metres.
- Confirmed that a further obligation for a consultation strategy could be included in the agreement, with regard to the open space at Strafford Street, should the proposal be granted.

On a unanimous vote of 9 in favour, the Committee **RESOLVED**:

1. That the consideration of the application at 15-28 Byng Street and 1-12 Bellamy Close (Revised residential scheme) be **GRANTED**.
2. Subject to any direction by the Mayor of London, Section 106 agreement including obligations and conditions and informatives set out in the committee report.

A second vote of 7 in favour, 0 against and 2 abstentions, the Committee **AGREED** for:

1. An additional obligation for a public consultation on the proposals for the Strafford St public open space, be written into the 106 agreement, including input from younger residents.

5.2 (PA/22/00210) Ailsa Wharf, Ailsa Street, London, E14

Update Report noted

Paul Buckenham introduced the application to grant the redevelopment of the site for a mixed-use scheme providing 952 residential units; 1,548 sqm GIA commercial floorspace (Use Class E) within a series of buildings up to 23 storeys; the creation of a new access road and the realignment of Ailsa Street; the provision of safeguarded land for a bridge landing; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works.

Aleksandra Milentijevic provided a presentation to accompany the application, which highlighted the key features of the proposal's site for phase two of the scheme and its surroundings. The details included publicity and engagement, the proposed height and scale, a comparison with the extant planning permission granted in 2018 and the proposed scheme, as well as the required planning obligations.

Further to the presentation, the Committee asked questions to the Officers regarding the following issues;

- Noted that the proposed design mitigates against noise and pollution from the A-12, as a lift and staircase will be constructed along the western elevation of Block M. No habitable spaces would be built in that area, and a pre-occupation inspection will ensure noise levels are monitored to determine suitability. Additional green spaces and landscaping would also separate the properties from the road.
- Clarified that amenity spaces will be made available to members of the public and planning obligations will prohibit any signs or barriers from restricting access.
- Confirmed that the Environmental Health statement concluded that climate change will have a negligible impact. The Health impact assessment also stated negligible impacts during the construction phase and minor to moderate beneficial impacts after construction. A proposal has been made to ensure that air particulates and dust management are monitored.
- Explained that the commercial floorspace in block M will be for Use Class E. This is flexible space made available for shops, offices, cafes or restaurants, located on the ground and first floor.
- Clarified that any riverside lighting would be pointed away from the River Lea to protect the ecology and environment. Additional planting would also assist in promoting further diversity in accordance to the Local Biodiversity's action plan.
- Confirmed that the Greater London Archaeological Advisory Service recommended a two-stage condition to protect the area and any potential archaeological remains, before any ground work is conducted.
- Observed that a Metropolitan Police Crime Prevention Officer recommended there should be no concealed areas within multiple blocks and there should be adequate lighting throughout the scheme. A provision has been made to ensure that a 'secure design' certification is submitted and accredited by the police, should the application be granted.

Following the points raised by the Officers, the Committee debated the application and noted the following;

- Concerns with the social housing placement in Block M near the A-12 dual carriageway.
- Concerns regarding pollution from the A-12 major road and transport accessibility issues.
- Concerns with the child play space and outdoor space for older children.

On a vote of 5 in favour 3 against and 0 abstentions, the Committee **RESOLVED:**

1. That the consideration of the application at Ailsa Wharf, Ailsa Street, London, E14 be **GRANTED**.
2. Subject to any direction by the Mayor of London, Section 106 agreement including obligations and conditions and informatives set out in the committee report.

6. OTHER PLANNING MATTERS

6.1 (PF/23/00087) Former Westferry Printworks, 235 Westferry Road, London

Paul Buckenham introduced a pre-application on a comprehensive and phased mixed-use redevelopment comprising 1,358 residential units (Class C3), Secondary School (Class F), commercial, business and services (Class E(a)-E(g)(i)), community uses (Class F), car and cycle basement parking, associated landscaping, new public realm and all other necessary enabling works.

Councillor Mufeedah Bustin declared taking an active role in the planning inquiry for the previous scheme that went to appeal, although was keen to understand how the scheme has evolved. Officers reminded the Committee that this is a pre-application and although questions regarding the scheme are permitted, voting will not take place.

Richard Martin from Westferry Developments and Mark Kelly from PLP Architects provided a presentation to accompany the pre-application, detailing the proposed eight year scheme, stakeholder engagement, heights, scales and surrounding areas, including a school and sports centre.

Further to the presentation, the Committee asked questions to Richard Martin and Mark Kelly regarding the following points;

- Confirmed that discussions with the Department of Education (DoE) regarding a heads of term lease agreement for the school are ongoing.

There have also been numerous discussions, pre-application meetings and design workshops with the council planning team on the development.

- Anticipated that several hundred full time jobs will be created for ground works and site management, during and after completion. The school will also generate staff employment. The Environmental Impact Assessment (EIA) will outline the full details.
- Confirmed the schemes step down design from north to south, ensures the landmark building T4, signposts the development. Daylight/sunlight and wind assessments have all been undertaken and are compliant. A final wind tunnel test will take place in November.
- Explained that the public and community development panels have contributed to an improved design, particularly with the open spaces, which will encompass 2 hectares, or approximately 5 acres. The sports facilities will be made available to the public after school hours to ensure community inclusion. The full details on the sports centre will be subject to the school and DoE.

The Committee noted the presentation.

The meeting ended at 9.35 p.m.

Chair, Councillor Amin Rahman

Strategic Development Committee

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STRATEGIC DEVELOPMENT COMMITTEE

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

STANDING ADVICE ON APPLICATIONS FOR DECISION

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. The Chair may reorder the agenda on the night. If you wish to be present for a particular application you should attend from the beginning of the meeting.
- 1.2 The following information and advice applies to all those reports.

2. THIRD PARTY REPRESENTATIONS

- 2.1 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to consider any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.
- 2.2 All representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.3 Any further representations, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Update Report.

3. ADVICE OF DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER

- 3.1 This is general advice to the Committee which will be supplemented by specific advice within the reports and given at the meeting, as appropriate.

Decisions on planning applications

- 3.2 The Committee is required to determine planning applications in Section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:
 - the provisions of the Development Plan, so far as material to the application;
 - a post-examination draft neighbourhood development plan, so far as material to the application
 - any local finance considerations, so far as material to the application; and
 - to any other material considerations.
- 3.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the

Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains policies relevant to the application and there are no other material considerations, the application should be determined in accordance with the Development Plan.

- 3.4 The Committee has several choices when considering each planning application:
- to grant planning permission unconditionally;
 - to grant planning permission with conditions;
 - to refuse planning permission or
 - to defer the decision for more information (including a site visit).
- 3.5 If the committee resolve to refuse planning permission, they must provide reasons that are based on evidence, development plan policies and material considerations. The Council may be subject to an award of costs in the event that reasons for refusal cannot be defended at appeal.

The Development Plan and other material considerations

- 3.6 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
- The London Plan 2021;
 - Tower Hamlets Local Plan 2020;
 - The Isle of Dogs Neighbourhood Plan 2021.
- 3.7 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are relevant to each planning application, and to other material considerations.
- 3.8 Material considerations are those that are relevant to the use and development of land in the public interest and relevant to the development proposed in the application.
- 3.9 National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.10 Other material planning considerations may include (but are not limited to):
- the design, size and height of new buildings or extensions;
 - the impact of new uses of buildings or of land;
 - loss of light and the privacy of neighbours;
 - access for disabled people;
 - the provision of affordable housing;
 - the impact of noise from proposed development;
 - the impact of development on public transport, the highway network, parking and road safety;
 - effect on heritage assets such as listed buildings and conservation areas;
 - environmental impacts.
- 3.11 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to

take. Applicants and objectors may also want to direct the Committee to other provisions of the Development Plan (or other material considerations) which they believe to be relevant to the application.

- 3.12 The Planning Officer's report summarises statutory consultee responses, non-statutory responses and third party representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations. Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local finance considerations

- 3.13 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration.
- 3.14 The prevailing view is that in some cases Community Infrastructure Levy (CIL) and potential New Homes Bonus payments can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a 'material consideration', it must relate to the planning merits of the development in question.
- 3.15 Accordingly, NHB or CIL receipts will be 'material' to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed buildings and conservation areas

- 3.16 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant **listed building consent** for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.17 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.18 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and the natural environment

- 3.19 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

- 3.20 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority “must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

Crime and disorder

- 3.21 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a “dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)..”

Mayor of London’s Transport Strategy

- 3.22 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and human rights

- 3.23 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (Equality Act) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 3.24 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.

- 3.25 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

- 3.26 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.27 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 3.28 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision-making process.
- 3.29 The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.30 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Other regulatory regimes

- 3.31 Other areas of legislation that cover related aspects of construction, environmental matters or licensable activities do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.

4. RECOMMENDATION

- 4.1 That the Committee notes the advice in this report prior to taking any planning decisions recommended in the attached reports.

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Agenda Item 4

Committee: Development	Date: xx Xxxx 200x	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director of Development and Renewal		Title: Deferred items	
Originating Officer:		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred.
- 1.2 There are currently no items that have been deferred.

2. RECOMMENDATION

- 2.1 That the Committee note the position relating to deferred items.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:
Application, plans, adopted UDP. draft
LDF and London Plan

Tick if copy supplied for register
✓

Name and telephone no. of holder:
Eileen McGrath (020) 7364 5321

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Committee: Development	Date:	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director Development and Renewal		Title: Deferred Items	
Originating Officer:		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred. The following information and advice applies to them.

2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
				Formal Committee site visit
				Officers to negotiate ...
				Further information on ...
				Committee indicated that it was minded to go against officer's recommendation and that decision could be contrary to the development plan. A supplementary report is therefore necessary

3. CONSIDERATION OF DEFERRED ITEMS

- 3.1 The following deferred applications are for consideration by the Committee. The original reports along with any update reports are attached.

- 6.1 PA/XX/XXX: Y development at Z location
6.2 PA/XX/XXX: Y development at Z location
6.3 PA/XX/XXX: Y development at Z location

- 3.2 The following deferred applications are reported on the "Planning Applications for Decision" part of the agenda:

- 7.X PA/XX/XXX: Y development at Z location
7.X PA/XX/XXX: Y development at Z location

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 6

Brief Description of background papers:
See Individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See Individual reports

7.X PA/XX/XXX: Y development at Z location

- 3.3 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

4. PUBLIC SPEAKING

- 4.1 As public speaking has already occurred when the Committee first considered these deferred items, the Council's Constitution does not allow a further opportunity for public speaking. The only exception to this is where a fresh report has been prepared and presented in the "Planning Applications for Decision" part of the agenda. This is generally where substantial new material is being reported to Committee and the recommendation is significantly altered.

5. RECOMMENDATION

- 5.1 That the Committee note the position relating to deferred items and to take any decisions recommended in the attached reports.



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

- 3.1 This is general advice to the Committee which will be supplemented by specific advice at the meeting as appropriate. The Committee is required to determine planning applications in accordance with the Development Plan and other material planning considerations. Virtually all planning decisions involve some kind of balancing exercise and the law sets out how this balancing exercise is to be undertaken. After conducting the balancing exercise, the Committee is able to make a decision within the spectrum allowed by the law. The decision as to whether to grant or refuse planning permission is governed by section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:

- the provisions of the Development Plan, so far as material to the application;
- any local finance considerations, so far as material to the application; and
- to any other material considerations.

- 3.2 What does it mean that Members must have regard to the Development Plan? Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains material policies (policies relevant to the application) and there are no other material considerations, the application should be determined in accordance with the Development Plan.

The Local Development Plan and Other Material Considerations

- 3.3 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
 - The London Plan 2016;

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
 - The Managing Development Document adopted in 2013.
- 3.4 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are material to each planning application, and to other material considerations. National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.5 One such consideration is emerging planning policy such as the Council's Local Plan¹ and the Mayor of London's New London Plan². The degree of weight which may be attached to emerging policies (unless material considerations indicate otherwise) depends on the stage of preparation of the emerging Development Plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the framework. As emerging planning policy progresses through formal stages prior to adoption, it accrues weight for the purposes of determining planning applications (NPPF, paragraph 48).
- 3.6 Having reached an advanced stage in the preparation process, the Local Plan now carries more weight as a material consideration in the determination of planning applications. However, the policies will not carry full weight until the Local Plan has been formally adopted. The New London Plan is at a less advanced stage of the adoption process.
- 3.7 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to take. Part of a Planning Officer's expert function in reporting to the Committee is to make an assessment of how much information to include in the report. Applicants and objectors may also want to direct Members to other provisions of the Development Plan (or other material considerations) which they believe to be material to the application.
- 3.8 The purpose of Planning Officer's report is to summarise and analyse those representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations.
- 3.9 Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local Finance Considerations

- 3.10 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration and both New Homes Bonus payments (NHB) and Community Infrastructure Levy (CIL) fall within this definition.

¹The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits' was submitted to the Secretary of state for Housing, Communities and Local Government to undergo an examination in public on 28 February 2018. As part of the examination process, the planning inspector held a series of hearing sessions from 6 September to 11 October 2018 to discuss the soundness of the Local Plan. The planning inspector has put forward a series of modifications as part of the examination process in order to make it sound and legally compliant. These modifications are out to consultation for a 6 week period from 25 March 2019.

² The draft New London Plan was published for public consultation in December 2017, The examination in public commenced on 15 January 2019 and is scheduled until mid to late May 2019.

- 3.11 Although NHB and CIL both qualify as “*local finance considerations*”, the key question is whether they are “material” to the specific planning application under consideration.
- 3.12 The prevailing view is that in some cases CIL and NHB can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a ‘material consideration’, it must relate to the planning merits of the development in question.
- 3.13 Accordingly, NHB or CIL money will be ‘material’ to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed Buildings and Conservation Areas

- 3.14 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.15 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.16 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and Natural Environment

- 3.17 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 3.18 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority “*must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”.

Crime and Disorder

- 3.19 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a “*dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)...*”

Transport Strategy

- 3.20 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and Human Rights

- 3.21 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (**Equality Act**) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.22 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.
- 3.23 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.24 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations). Subject to certain transitional arrangements set out in regulation 76 of the 2017 Regulations, the 2017 regulations revoke the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations).
- 3.25 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.26 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Third Party Representations

- 3.27 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to

take into account any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; and
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

- 3.33 Members are reminded that other areas of legislation cover aspects of building and construction and therefore do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.
- 3.34 The Committee has several choices when considering each planning application:
- To grant planning permission unconditionally;
 - To grant planning permission with conditions;
 - To refuse planning permission; or
 - To defer the decision for more information (including a site visit).

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at the Agenda Item: Recommendations and Procedure for Hearing Objections and Meeting Guidance.

5. RECOMMENDATION

5.1 The Committee to take any decisions recommended in the attached reports.



Application for Full Planning Permission

[click here for case file](#)

Reference	PA/23/02079
Site	Former News International Site, Buildings H & J, London Dock, 1 Virginia Street, London E98 1XY
Ward	St Katharine's and Wapping
Proposal	Redevelopment of the site comprising the erection of two buildings comprising residential (Use Class C3), flexible commercial (Use Class E) and ancillary residential floorspace (Use Class C3), basement, disabled persons' car parking, cycle parking, new public realm, landscaping and play space, plant, refuse and associated works
Summary Recommendation	Grant planning permission subject to conditions and planning obligations
Applicant	St George City Limited
Agent/ architect	Avison Young/ Patel Taylor
Case Officer	Rikki Weir
Key dates	<ul style="list-style-type: none">- Application registered as valid on 16/11/2023- Public consultation (including Environmental Impact Assessment (EIA)) on 30/11/2023

EXECUTIVE SUMMARY

The overall development would deliver 547 new homes over the span of two buildings. Building H (4-22 storeys) would provide 377 new homes and commercial space at ground level. Building J (8-16 storeys) would provide 170 new homes. The proposal would deliver 43% affordable housing by habitable room (equating to 227 affordable homes) with a 66%/ 34% affordable rented/ intermediate tenure split, including 10% wheelchair accessible dwellings being provided. 52.7% of the affordable rented dwellings would be larger 3 and 4 bedroom homes including 22.8% 4 bedroom units. The scheme fully complies and exceeds the requirements set out in the Local Plan for affordable homes, affordable rented homes and affordable rented family sized homes.

The application site is located within the Mayor of London's City Fringe Opportunity Area (designated in 2004), where development proposals are expected to optimise the delivery of housing and employment numbers by delivering 15,500 new homes and 50,500 new jobs by 2041. As well as new housing, the development would provide 418sqm of flexible commercial floor space (Use Class E).

The development plot falls within the wider London Dock development site, which was granted hybrid (detailed and outline) planning permission and listed building consent in 2014 for 1,800 new homes, as well as flexible commercial floorspace (20,816sqm) and a new secondary school (12,101sqm). Building plots H and J of the hybrid planning permission obtained outline planning permission as part of the 2014 hybrid consent (which also included plots A-G), however instead of a reserved matters application, the applicant has decided to submit a new full planning application in order to better optimise the site. The proposed development would ensure that the site provides an additional uplift of 248 new homes including 61 additional affordable homes above the wider London Dock hybrid consent – improvements to affordable housing products offered and internal amenity compared to the outline consent have also been secured.

The design, height building massing and architectural appearance would respond positively to the existing and emerging local context, including consented tall building development of the wider London Dock development. The proposal would preserve the character and appearance of the St George in the East Conservation Area, as well as preserving the significance derived from setting and features of special architectural or historic interest of nearby listed buildings, principally Pennington Street Warehouses (Grade II), Tobacco Dock (Grade I) and St George in the East Church (Grade I).

Significant and well-landscaped public open spaces and play spaces would be provided by the proposed development, including a number of water spaces and a new 'Play Mews' – improvements to the layout and quality of public realm and play spaces have been secured above the wider London Dock development consent. The proposed height, scale, massing, design rationale and position of buildings is broadly in accordance with parameter plans of the wider London Dock development. Therefore, impacts on neighbour amenity are very similar to that already consented in outline on the site.

The proposal would result in some daylight and sunlight impacts upon neighbouring residents; however, these are not excessive and the scale and massing of the built form has been designed carefully in line with surroundings including the consented massing of the outline development for Buildings H and J from the wider London Dock development consent, in order to minimise impacts. The development would not give rise to any undue privacy, outlook or sense of enclosure concerns to neighbours.

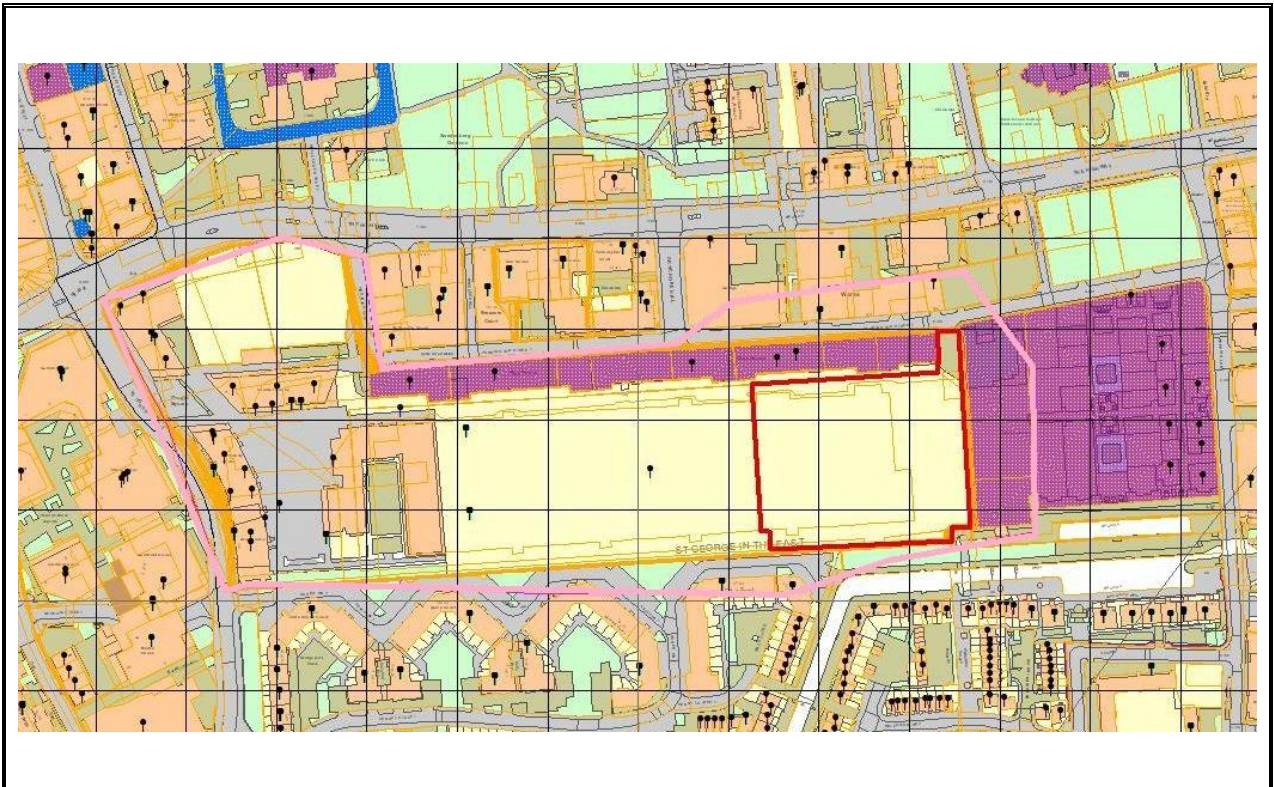
The proposed development would be a 'car-free' scheme, only offering disabled persons residential (17 spaces) and commercial (1 space) car parking. Policy compliant levels of residential and commercial long and short stay cycle parking spaces would be provided, in accordance with Development Plan policies, along with contributions towards local highways improvements.







The proposal would provide extensive gains in biodiversity through new trees, delivering a Biodiversity Net Gain of 3340%, consisting of soft landscaping and biodiverse roofs, resulting in a development with an Urban Greening Factor score of 0.4, providing an acceptable quality and quantum of greening in and around the site. The energy strategy would sufficiently limit carbon dioxide emissions in line with Development Plan policies. Officers are satisfied that any potential impacts that may arise from the construction or operation of the development can be sufficiently controlled and mitigated through the various recommended planning conditions and obligations.

The development would be liable for both Mayor of London and Tower Hamlets Community Infrastructure Levy (CIL) – the wider London Dock development was consented before CIL, so did not contribute any CIL payments. In addition, the development would provide necessary and reasonable financial and non-financial planning obligations towards local employment and

training, carbon offsetting, a new pedestrian crossing on The Highway, improvements to Pennington Street and a new route south through the site to the Ornamental Canal.

SITE PLAN



	Planning Application Site Bound
	Other Planning Applications
	Consultation Area
	Land Parcel Address Point
	Locally Listed Buildings
	Statutory Listed Buildings

Planning Applications Site Map PA/23/02079

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process



TOWER HAMLETS
London
Borough of
Tower Hamlets

Date: 22 March 2024

1. SITE AND SURROUNDINGS

- 1.1 The application site (outlined in red on figures 1 and 2) is approximately 11,250 sqm (1.125 hectares) and is located to the south of the Grade II listed Pennington Street Warehouses (2 storeys) with a through-route to Pennington Street. The Grade I listed Tobacco Dock (2-3 storeys) is located to the east, and the wider London Dock development site is to the west. To the south is the Ornamental Canal and residential buildings (5-8 storeys) at Asher Way.
- 1.2 The site falls within the wider London Dock development site (outline in blue on figure 1), which has hybrid planning consent (PA/13/01276) for 1,800 new homes along with commercial floorspace and a secondary school. London Dock incorporates Buildings A, B, C, D, E (new secondary school), F, G, H and J along with the Pennington Street Warehouses with

development ranging from 2 to 26 storeys. The wider site is bound by Vaughan Way to the west and The Highway to the north-west and also includes Times House, a residential block.

- 1.3 At this time, the new school is nearing completion. Buildings A, B, C and E are complete and occupied. Building F is currently under construction and Building G is nearing construction. Pennington Street Warehouses are partially complete and occupied in terms of their refurbishment. Building plots H and J, the eastern-most of the wider London Dock site, are subject to the current planning application.
- 1.4 The surrounding area provides a mix of uses with flexible commercial uses permitted within Pennington Street Warehouses, self-storage along with a nightclub and creative uses directly across Pennington Street. Tobacco Dock is an events and conferencing centre. The Skylight Bar has temporary planning permission to operate on top of the Tobacco Dock Pennington Street Car Park. The wider London Dock buildings to the west consist of commercial uses fronting the north at ground level with residential units on upper floors.



Figure 1: Aerial photograph of site (Google)

- 1.5 The area has historically revolved around the docks with associated dock walls and buildings. Tobacco Dock and Pennington Street warehouses still physically remain. London Dock was the main dock in the local area until it was filled and became home to the News International printworks. The land around London Dock was redeveloped in the 1980s with low and mid-rise housing.
- 1.6 The surrounding area is an evolving context currently dominated by the wider London Dock development and ongoing construction site. There are a number of vacant plots to the north-east at the 120-132 Pennington Street site and the 134 to 140 (even) Pennington Street & 130, 136 & 154 to 162 The Highway site (this site has a historic consent for a hotel which has not been built out). Across Pennington Street to the north, the Big Yellow self-storage/ E1 nightclub/ filming studios/ former car showroom site has consent for a mixed use residential/ self-storage/ / commercial/ nightclub/ filming studios development (PA/21/02513). Further north, the BP petrol station/ McDonalds drive-thru/ The Old Rose public house site has consent for a mixed use residential/ commercial/ public house development (PA/19/00559).
- 1.7 Relevant Local Plan site designations:
 - Site Allocation: London Dock
 - City Fringe Activity Area
 - Neighbourhood Planning Area: Wapping
 - Tier 2 Archaeological Priority Area (Wapping)

- Green Grid Buffer Zone
- Flood Zone 2/3
- NO2 Annual Mean concentration greater than 40 ($\mu\text{g}\text{m}^{-3}$)
- City Fringe Sub-area

1.8 Relevant London Plan site designations:

- City Fringe Opportunity Area

1.9 In relation to nearby town centres, the Central Activities Zone is approximately 306m to the west and the Thomas More Neighbourhood Town Centre are approximately 311m to the south-west, the Wapping Lane Neighbourhood Town Centre is 314m to the south-east, and the Watney Market District Centre is 380m to the north-east. The site has a PTAL of 3/ 4, indicating a moderate/ good level of public transport accessibility. Shadwell station (London Overground/ Windrush line and Docklands Light Railway) is 446m to the north-east and Wapping (London Overground/ Windrush line) station is 496m to the south-east.

1.10 The site is not within a conservation area and there are no listed buildings on the site. As noted above, the Grade II listed Pennington Street Warehouses are located directly to the north of the site. Other listed buildings located within proximity of the site include the Grade I listed Tobacco Dock directly to the east, and the Grade I listed Church of St George in the East is 145m to the north-east.

2. PROPOSAL

2.1 As building plots D, E, F and G (see figure 2) of the wider London Dock development were consented in outline, they have been brought forward through Reserved Matters applications – the scale and massing of these buildings has been towards the maximum extent of the approved parameter plans, with some deviations beyond the maximum parameters secured by amendments to the permission. The result is that there are only 299 residential units of the consented 1,800 ‘remaining’ within the extant masterplan permission.

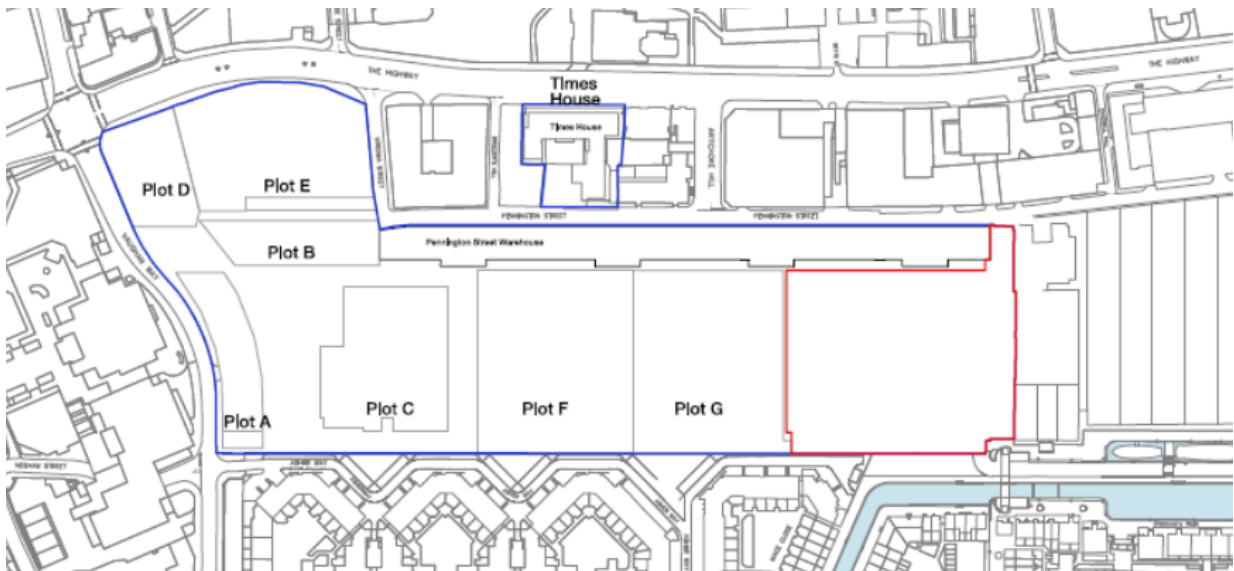


Figure 2: Wider London Dock site plan

2.2 By optimising Buildings H and J and planning to build out to approved maximum massing parameters, there would be significantly more than 299 new residential units able to be delivered. This has given rise to the current application, which is for detailed planning permission for two buildings on building plots H and J delivering up to 547 homes and approximately 400sqm of flexible commercial (Use Class E) floorspace.

- 2.3 Building H would range between 4 and 22 storeys, with the tallest element sitting on the north-east part of the building. The north-eastern element of Building H, adjacent to the north-south, landscaped public open space, 'Garden Square,' would extend to a maximum height of 79.625m AOD (including rooftop plant) and the north-western element of the building located towards Building G would be 61.25m AOD in height. There are proposed flexible commercial units on the ground floor of Building H with flats above. The private 'Water Garden' would be located within the courtyard of the building.
- 2.4 Building J as proposed ranges between 8 and 16 storeys, with the tallest element sitting on the south part of the building. Building J comprises residential floorspace only. Building J would extend to a maximum height of 63.50 m AOD (including lift overrun). The building would be lower in height at its northern and southern extents (41.375m AOD and 31.60m AOD respectively). To the east of Building J would be the north-south, landscaped play space, known as 'Play Mews.' The site would incorporate a number of public play areas and artworks and offers a potential new route to the south, which would provide permeability to the Ornamental Canal. West-east pedestrian routes of the wider London Dock site to the north ('Quayside') and south ('Promenade') would be continued along the proposed development site.

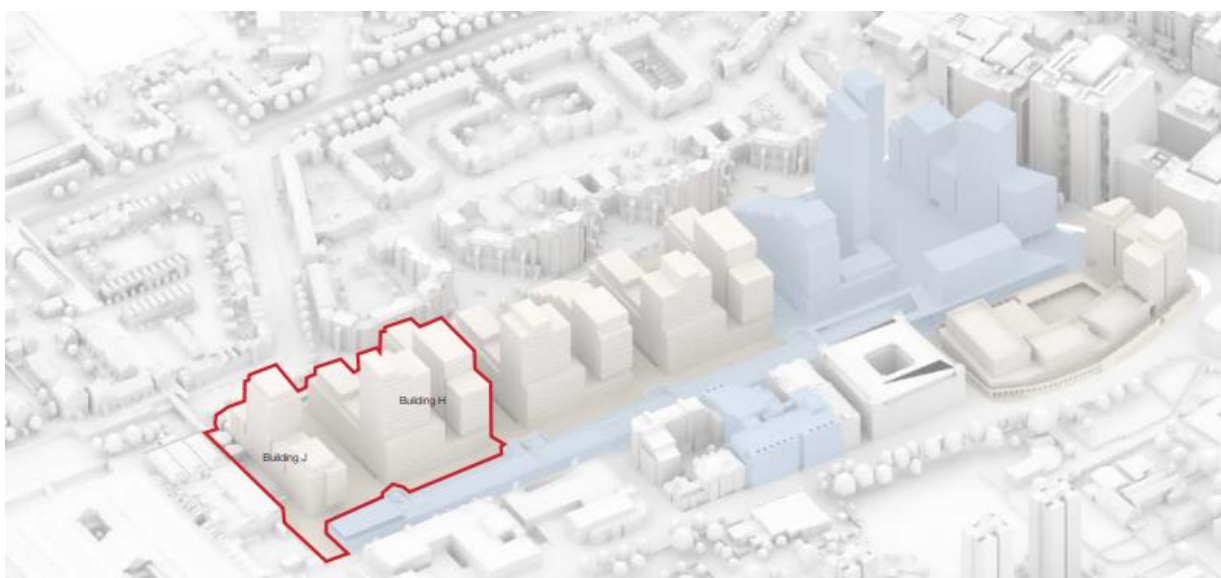


Figure 3: Site (outlined in red) in relation to locality including buildings consented in detail (in blue) of the wider London Dock development (east to left of image, north to bottom of image)

3.0 RELEVANT PLANNING HISTORY

- 3.1 PA/23/02086 – Currently under consideration: Application for non-material amendment to planning ref: PA/19/00764, Dated 20/11/2019.

Non-Material Amendment(s) Sought:

- Removal of the ramp under Building J;
- Revisions to reflect the delivery of homes, cycle parking and public realm up to the completion of Building G;
- Revisions to reflect delivery of play space up to the completion of Building G and update site-wide strategies; and
- Other minor amendments to approved documents to facilitate the above revisions

- 3.2 PA/22/02666 – Permitted on 30/06/2023: All reserved matters for Building G of London Dock to provide residential units, non-residential uses, public realm, private amenity space, and

associated works pursuant to Condition 3 of Planning Permission PA/19/00764, being details of the appearance, layout, scale and mix

- 3.3 PA/19/01684 – Permitted on 27/08/2021: Application for the approval of reserved matters for Plot F of London Dock to provide 359 homes, non-residential uses, public realm, private amenity space, and associated works pursuant to Condition 3 of planning permission PA/19/00764, being details of the appearance, landscaping, layout, scale and mix. An Environmental Statement Addendum was submitted with the outline planning permission
- 3.4 PA/19/00766 – Permitted on 18/02/2020: Application for the approval of reserved matters for Plot E of London Dock to provide a secondary school with six forms of entry and a sixth form, a basement, public realm and school play space facilities, parking and associated highways works pursuant to Condition 3 of planning permission PA/19/00764, related to the provision of details of the appearance, landscaping, layout, scale and mix of the school.
- 3.5 PA/19/00764 – Permitted on 20/11/2019: Minor Material Amendments to Planning permission (Plot E) Ref: PA/17/02112, Dated 05/03/2018 (as amended by non-material amendments: PA/18/00210 and PA/18/01920)

Amendments include:

- Changes to maximum floorspace;
- Changes to height and massing;
- Changes to access; and
- Changes to play space.

Amendments sought:

- Repositioning of play space from the Water Gardens to the Market Gardens (Building C)
 - Internal design changes to Building C1 including reconfigured entrance lobby and replacement of commercial floorspace at 2nd floor with 2 x residential units (1 x 1 bed and 1 x 2 bed)
 - Elevational amendments including changes to material above third floor level
 - Installation of a Building Maintenance Unit (BMU) on the roof of the west block at level 25
 - Increase in number of homes within Building C1 from 128 units to 141 units maintaining the overall residential provision of 1,800 homes.
- 3.8 PA/17/02112 – Permitted on 05/03/2018: Minor material amendment under s73 of the Town and Country Planning Act by varying condition 4 (approved plans) of Planning Permission ref: PA/14/02819, Dated 12/01/2015 (as amended by non-material amendments PA/15/00998, PA/15/02618, PA/15/02697, PA/16/00628, PA/16/00760, PA/16/02821, PA/17/00303 and PA/17/00748)
- 3.9 PA/16/02851 – Permitted on 27/01/2017: Application for the approval of reserved matters (appearance, landscaping, layout, scale and mix) for Plot D of the London Dock redevelopment site pursuant to condition 3 of planning permission PA/14/02819 dated 12/1/15
- 3.10 PA/14/02819 – Permitted on 12/01/2015: Application for variation of Condition 5 (approved drawings - detailed component) of Planning Permission reference PA/13/01276, dated 26

March 2014, for a proposed minor material amendment to the design and layout of Buildings C1 and C2/C3 and associated landscaping, including:

- Minor amendments to the profile of the west elevation of Building C1;
- Minor amendments to the profile and detailing of Building C2/C3, including a 500mm increase in height;
- Replacement of winter gardens with set-back open balconies within Building C1;
- Moving the footprint of Building C1 west by 1.2 metres;
- Introduction of a 2 storey commercial unit within the base of Building C1;
- Changes to the position of windows and balconies within Building C2/C3;
- Increase of 85 homes within Buildings C1 and C2/C3 (without a change to overall maximum number of homes approved under permission PA/13/01276

Further explanation (not forming part of the formal description of the development set out above):

Further details submitted with the application explain that the Proposed Development could deliver up to 1,800 new homes of which 529 new homes are included in the Detailed Component, in new buildings A (8 to 20 storeys), B (8 storeys) and C (4 to 25 storeys)

3.11 PA/13/01277 – Permitted on 26/03/2014: Works to the Grade II Listed Pennington Street Warehouse both internally and externally comprising:

- The creation of three new openings to the Pennington Street elevation, within the existing un-bonded brick arches, to provide new circulation cores to the building and pedestrian access routes leading through to the wider development;
- The creation of nine new openings to the Pennington Street elevation, within the existing un-bonded brick arches, to provide new air intake to the vaults and glazing to the upper level;
- Repairs and modifications to the existing roof structure including new glazed elements;
- Removal of later internal additions to the building;
- Formation of eight new voids between the vaults and the main floor level for light and air;
- Forming four new openings in the vaults for access, light and air;
- Repair and restoration works;
- Alterations to the modern gable end to the West of the building; and
- Fitting out of the building to allow for flexible retail (Use Class A1, A2, A3, A4 and A5), commercial (Use Class B) and community and leisure uses (Use Class D1 and D2) within

3.12 PA/13/01276 – Permitted on 26/03/2014: Outline submission for demolition of all buildings and structures on the site with the exception of the Pennington Street Warehouse and Times House

and comprehensive mixed use development comprising a maximum of 221,924 sq m (GEA) (excluding basement) of floorspace for the following uses:

- residential (C3);
- business uses including office and flexible workspace (B1);
- retail, financial and professional services, food and drink uses (A1, A2, A3, A4 & A5);
- community and cultural uses (D1);
- a secondary school (D1);
- assembly and leisure uses (D2);
- energy centre, storage, car and cycle parking; and
- formation of new pedestrian and vehicular access and means of access and circulation within the site together with new private and public open space.

Detailed submission for 82,596 sq m GEA of floorspace (excluding basement) in five buildings - the Pennington Street Warehouse, Times House and Building Plots A, B and C comprising residential (C3), office and flexible workspaces (B1), community and leisure uses (D1/D2), retail and food and drink uses (A1, A2, A3, A4, A5) together with car and cycle parking, associated landscaping and new public realm.

Neighbouring Sites

- 3.13 The relevant planning history that relates to the sites in close proximity to the application site is set out below:

60-70 & 100 The Highway and 110 Pennington Street

- 3.14 PA/21/02513 – Refused on 05/12/2022. Allowed at appeal on 24/08/2023: Demolition of the existing buildings. Erection of a part five and part eight storey building plus lower ground floor fronting The Highway comprising a self-storage facility (Use Class B8) and flexi office/workspace accommodation (Use Class E). Construction of two blocks of up to eight storeys plus lower ground floor to provide 114 residential units (Use Class C3), ground and lower ground floor flexible commercial/ business/ service units (Use Class E) and night time cultural venue and photography/ filming studio venue (Sui Generis). Ancillary works comprising vehicular access, service yard, parking, refuse store, landscaping and associated works

- 3.15 At this time, the consent is extant but does not appear to have been implemented as yet.

Unit 2, 110 Pennington Street

- 3.16 PA/99/00076 – Permitted on 07/06/1999: Conversion of part (65%) of ground floor unit to wine bar/nightclub and new shop front

134 to 140 (even) Pennington Street & 130, 136 & 154 to 162 The Highway

- 3.17 PA/11/01278 – Permitted on 07/02/2012: Redevelopment of the site to provide a 242 room hotel (class C1), 63 serviced apartments (sui-generis) and retail (class A1) building with publicly accessible courtyard together with provision of vehicular and pedestrian access

- 3.18 The consent was not built out and it is unclear whether it was implemented.

122-132 Pennington Street

- 3.19 WP/96/00184 – Permitted on 27/03/1997: Redevelopment by the erection of a building comprising 4585 sq. metres floorspace, for use as A1/A3/D2 (retail, restaurant, nightclub and leisure) with bridge link across Chigwell Hill
- 3.20 This consent was not built out and appears to have lapsed.

102-126 and 128 The Highway

- 3.21 PA/19/00559 – Permitted on 29/07/2022: Demolition of existing petrol filling station (sui generis use class) and drive-through restaurant (A3 use class) and redevelopment of site to provide buildings ranging in height from 5-7 storeys, comprising 80 residential dwellings (C3 use class) and 587sqm (GIA) commercial floorspace (flexible A1/A2/A3/A4/B1/D1/D2 use classes) plus associated servicing, parking and refuse stores, amenity space and public realm enhancement. Refurbishment of existing public house (302sqm)
- 3.22 At this time, the consent is extant but does not appear to have been implemented as yet.

Tobacco Dock

- 3.23 PA/22/00916 – Permitted on 11/11/2022: Application for Certificate of Lawfulness in respect of the existing use of parts of the site as an Events and Exhibition Centre (comprising the hosting of temporary: events, exhibitions, trade shows, corporate conferences and expositions, corporate and private celebration events, art exhibitions, screenings, immersive theatre, music and nightclub (up to 15 dates per calendar year) events, graduation ceremonies, comedy nights, filming and photography, food and drink festivals, computer/console gaming competitions, product launches, indoor markets, drinks receptions, meetings and training all with associated hospitality [food and beverage provision], along with ancillary office, storage and servicing areas) (Sui Generis Use Class)

Floors Nine to Twelve, Pennington Street Car Park, Tobacco Dock

- 3.24 PA/23/01219 – Temporary consent permitted (until 1 January 2027) on 28/02/2024: Retrospective application for the continued use as a Bar (A4) and erection of associated structures. Minor Material Amendments to Planning permission Ref: PA/21/02715, Dated 20/05/2022: Amendments include: - Variation of Condition 1 attached to planning permission reference PA/21/02715 to allow operation until 1 August 2028 or until first residential occupation of plots H and J of the London Dock development site, whichever happens first. [For clarification, the Local Planning Authority amended the date of condition 1 to allow operation until 1 January 2027]

4. STAKEHOLDER ENGAGEMENT AND PUBLICITY

- 4.1 The applicant undertook extensive pre-application engagement with the Council, including consultation with local residents, ward councillors and other relevant stakeholders, as well as presentation at the Council's Quality Review Panel (QRP). The Statement of Community Involvement submitted with the planning application provides a more detailed summary of the consultation to date and ongoing engagement for the future. Letters were sent out to properties, a public exhibition took place as well as an online exhibition and site tour with ward councillors.
- 4.2 Notification letters for the planning application were posted to 1,527 neighbouring properties by the Council on 30/11/2023. Site notices were erected on and around the site on 29/11/2023. The application was also advertised in the local press on 30/11/2023.

- 4.3 A total of 8 letters of representation have been received with 8 in objection and 0 in support. The concerns that were raised following public consultation are outlined and categorised below. It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

Issues raised by public in objection

- Buildings would entirely obstruct the sight line of St George in the East church along with Ornamental Canal. This view is the best in Wapping. This historical panorama is of great importance to Wapping's cultural and historical landscape and should be safeguarded.
- Changes to location, form and height of Building J have brought bulk closer to southern boundary than previously submitted, significantly exceeding that originally consented and may further reduce light from windows.
- Bulk of blocks H and J would be detrimental to the publicly accessible canal-side environment in terms of drying out of surfaces, moss prevention and enjoyable sunlight.
- Ramp access to the canal should not remove trees.
- If the canal bridge is re-opened then it will result in extreme intrusion to the privacy of Waterman Way properties.
- Any influx of residents would only exacerbate the strain on local healthcare provision.
- Additional strain on overcrowded primary schools.
- Height and overall footprint of the development should be decreased to facilitate more harmonious integration with surrounding neighbourhood.
- Inadequacy of car parking facilities in Wapping underscores the impracticality of this solution.
- Developer contributions should be exclusively allocated to projects and services that directly serve the needs of Wapping residents.
- Buildings look packed in and we do not need any more high rise buildings in the area.
- Cannot see how the development would provide real amenity to local residents. Other high rise buildings in the area are bought by overseas investors, lie empty and are not affordable to people living and working in the area.
- Studio Spaces operates an iconic cultural venue which must be protected as recognised in previous decisions. The operation of Studio Spaces must not be curtailed as a result of the grant of any planning permission, and Studio Spaces Limited expressly invokes the Agent of Change principle. Insufficient mitigation of noise for residential units and does not take into consideration the full range of noise from E1 nightclub. Submission does not mention important daytime cultural uses such as filming and music recording.
- Right of Light compensation required.
- Will overlook local properties.
- Construction noise will have a negative impact on quality of life.
- Rental income and property values of local properties will be reduced.
- Noise impact assessment is misleading and inaccurate. Site is not suitable for such residential flats because of noise from events at Tobacco Dock and Skylight Bar.

Officer response: Ramp access to the Ornamental Canal would be off-site works on Council land and a financial contribution would be secured. Indicative plans provided by the applicant have minimised the impact on trees and LBTH Parks/ Highways teams have reviewed these. Issues of Right of Light, property prices and rental income are not planning matters. Other issues raised are covered in section 7 of this report.

5. CONSULTATION RESPONSES

- 5.1 Below is a summary of the consultation responses received from both internal and external consultees from initial consultation stage, including various re-consultations.

- 5.2 It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

Internal responses

LBTH Arboriculture:

- 5.3 If the application was to be approved, conditions would be required to secure at least 50% of new trees must be native and there should not be planting of any inappropriate species such as oak (OPM) or Robinia (invasive).

LBTH Biodiversity:

- 5.4 If the application was to be approved, conditions would be required to secure a biodiversity mitigation and enhancement plan.

LBTH Energy Efficiency Unit / Sustainability:

- 5.5 If the application was to be approved, S106 legal agreement to secure; carbon offsetting contribution.
- 5.6 If the application was to be approved, conditions would be required to secure; as-built calculations to demonstrate delivery of anticipated carbon savings and monitoring requirements of the GLA 'Be Seen' policy; maximisation of renewable energy generating technologies on-site; BREEAM excellent for all commercial units >500m² at the latest BREEAM methodology relevant to that phase.

LBTH Environmental Health (Air Quality):

- 5.7 If the application was to be approved, conditions would be required to secure; dust management plan; mechanical ventilation details; PM10 monitoring; kitchen extract standards for commercial uses, construction plant and machinery details.

LBTH Environmental Health (Contaminated Land):

- 5.8 If the application was to be approved, conditions would be required to secure details in order to identify the extent of the contamination and the measures to be taken to avoid risk when the site is developed.

LBTH Environmental Health (Noise & Vibration):

- 5.9 If the application was to be approved, conditions would be required to secure details of noise insulation verification for residential uses, noise from plant, S61 restrictions on demolition and construction activities.
- 5.10 If the application was to be approved, S106 legal agreement would be required to secure noise notification details for buyers of new homes in relation to the nearby nightclub.

LBTH Environmental Impact Assessment:

- 5.11 The submission has been accompanied by an Environmental Statement which has been assessed along with the Council's external consultant (Temple). Further details are included in section 7 of this report.

LBTH Lead Local Flood Authority:

- 5.12 No response.

LBTH Growth and Economic Development:

- 5.13 If the application was to be approved, S106 legal agreement required to secure provision of financial contributions towards construction phase and end use phase job opportunities, and non-financial obligations towards construction phase apprenticeships, local job opportunities and local procurement.

LBTH Housing:

- 5.14 Following clarifications provided, the proposed housing unit mix, tenure split and affordable housing provision is considered acceptable and can progress via the Fast Track route, not requiring financial viability testing.

LBTH Housing (Accessible Housing):

- 5.15 Detailed layout advice for wheelchair accessible affordable rented housing has been provided.

LBTH Transportation and Highways:

- 5.16 If the application was to be approved, conditions would be required to secure; 'Permit Free' agreement which restricts all future residents (other than those that are exempt) from applying for parking permits on the surrounding public highway; all blue badge parking bays (17) to be retained and maintained for their approved use only for the life of the development, Car Park Management Plan, Travel Plans for all uses, Deliveries and Service Management Plan, Construction Management Plan, Cycle Parking Management Plan.
- 5.17 If the application was to be approved, S106 legal agreement would be required to secure: s278 legal agreement to secure highways improvement works including ATZ improvements; financial contribution to mitigate increase in footfall to Pennington Street.

LBTH Waste:

- 5.18 No objection following clarifications provided, subject to a site waste management plan condition if the application was to be approved.

External responses

Canal and River Trust

- 5.20 The application falls outside the notified area for its scale and location.

Environment Agency

- 5.21 Advice provided on NRMM, sequential test, exception test, flood issues/ resistance/ resilience/ warning/ emergency response, SuDs.

Greater London Authority (GLA)

- 5.21 Land use principles: The principle of residential development on this site is already established by an extant consent and is therefore acceptable.
- 5.22 Affordable housing: The proposed 43% affordable housing offer meets the threshold requirements of the Fast Track Route in accordance with London Plan Policies H5 and H6, subject to the necessary planning obligations regarding affordability and an Early Stage Viability Review being secured in the S106 agreement.
- 5.23 Urban design: The proposed building heights, massing and layout are broadly acceptable. Improvements to the design of the communal amenity and play spaces relative to the extant consent are welcome.

- 5.24 **Heritage:** Less than substantial harm, at the low to middle level of the range, has been identified to the setting of certain nearby heritage assets. The harm must be weighed against the public benefits of the proposal at the Mayor's decision-making stage.
- 5.25 **Transport:** Further work is required on updating the Travel Plan, DSP and CLP. The Council should secure additional financial contributions towards pedestrian crossing and highway improvements on the TLRN, the provision of on-site cycle parking, and parking for disabled people and ECVP provisions.
- 5.26 Other issues on energy, circular economy, whole life carbon and the environment also require resolution prior to the Mayor's decision making stage.

Health & Safety Executive (HSE)

- 5.27 Initial response received raised concerns relating to Fire Service Access. Further response, following clarifications and amendments from the applicant, restated these concerns. Applicant subsequently sent in revised plans.

Officer response: Please see commentary at paragraphs 1.119 to 1.222.

Historic England

- 5.28 In this case, not offering advice.

Historic England (Greater London Archaeological Advisory Service (GLAAS))

- 5.29 Subject to approval, conditions would required to secure a stage 1 written scheme of investigation, and detailed scheme showing the complete scope and arrangement of the foundation design and other below ground works, to protect archaeological remains.

London City Airport

- 5.30 If the application was to be approved, an informative on crane heights above 100m should be added.

London Fire and Emergency Planning Authority

- 5.31 No response.

Metropolitan Police

- 5.32 No objection, subject to approval, condition required to that the scheme achieves Secure by Design standards to the satisfaction of the Metropolitan Police.

National Air Traffic Services (NATS) Safeguarding

- 5.33 No safeguarding objection.

Natural England

- 5.34 No objection

Port of London Authority

- 5.35 Following clarifications provided, no further comments.

Thames Water

- 5.36 No objection, if the application was to be approved, conditions would be required to secure; piling method statement, no occupation beyond the 100th dwelling until water infrastructure network upgrades including development and infrastructure phasing plan.

Transport for London (TfL)

- 5.37 No objection, if the application was to be approved, conditions would be required to secure; cycle parking provision, Car Parking Management Plan, Deliveries and Servicing Management Plan, Construction Logistics Plan. Furthermore a S106 legal agreement would be required to; impose 'car free' restriction, Travel Plans, £75,000 towards crossing improvements on The Highway, s278 highways improvement works, as well as Mayoral CIL towards Crossrail.

Sport England

- 5.38 The increase in population from the proposal will generate additional demand for sports facilities. The projected population has been based on the average household census data release in May 2023, which was 2.36, and as such, the population of the 547 homes is estimated to be up to around 1,291. If this demand is not adequately met it may place additional pressure on existing sports facilities, thereby creating or exacerbating deficiencies in facility provision.
- 5.39 Sport England seeks to ensure that the development meets any new community sports facility needs arising because of the development. It is considered that offsite provision in the form of a financial contribution secured through CIL or a planning obligation towards the provision or improvement of off-site facilities would be the most suitable form of provision on this occasion.
- 5.40 Sport England's Sports Facility Calculator can help to provide an indication of the likely demand that will be generated by a development for sport facilities. The population for the detailed proposal would be approximately 1,291 which would generate a demand of 0.05 artificial grass pitches (£73,615 if 3G, £66,512 if sand), 0.01 of indoor bowls (£4,058), 0.41 sport hall courts and 0.10 sport halls (£368,466), and 0.07 pools, 0.27 lanes and 14.48sqm of swimming pools (£371,780).

Officer response: The provision of CIL as well as sports facilities available for wider public use within the built out London Dock secondary school secured by the hybrid consent would mean that financial contributions are not considered to be appropriate for the uplift in residents compared to the hybrid consent for Buildings H and J.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.
- 6.2 In November 2023, the Tower Hamlets Draft New Local Plan (Regulation 18 Consultation Version) was published and public consultation ran from 6 November 2023 to 18 December 2023. This is currently considered to carry minimal weight in the decision making process.
- 6.3 The Development Plan comprises:
- London Plan (2021)
 - Tower Hamlets Local Plan 2031 (2020)
- 6.4 The key Development Plan policies relevant to the proposal are:
- 6.5 Land Use (*residential, employment, retail, restaurant, cultural*)

- London Plan policies: H1, E1, E2, E3, E4, E7, E9, HC5, HC6
- Local Plan policies: S.H1, S.EMP1, D.EMP2, D.TC3, D.TC4, D.TC5, S.CF1, D.CF2, D.CF3

Housing (*affordable housing, housing mix, housing quality*)

- London Plan policies: D6, D7, H4, H5, H6, H10
- Local Plan policies: S.H1, D.H2, D.H3

Design and Heritage (*layout, townscape, massing, height, appearance, materials, heritage*)

- London Plan policies: D1, D3, D4, D5, D8, D9, D11, D12, HC1, HC2, HC3, HC4
- Local Plan policies: S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH7

Amenity (*privacy, outlook, daylight and sunlight, noise, construction impacts*)

- London Plan policies: D3, D6, D9
- Local Plan policies: D.DH8, D.ES9

Transport (*sustainable transport, highway safety, car and cycle parking, servicing*)

- London Plan policies: T2, T4, T5, T6, T6.1, T7
- Local Plan policies: S.TR1, D.TR2, D.TR3, D.TR4

Environment (*air quality, biodiversity, contaminated land, flooding and drainage, energy efficiency, waste*)

- London Plan policies: G5, G6, G7, SI1, SI2, SI5, SI8, SI12, SI13
- Local Plan policies: S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.MW3

Other policies and guidance

6.6 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2023)
- Planning Practice Guidance (2021)
- National Design Guide (2019)

Greater London Authority

- Affordable Housing LPG (Draft)
- Development Viability LPG (Draft)
- Digital Connectivity Infrastructure LPG (Draft)
- Fire Safety LPG (Draft)
- Air Quality Positive LPG (2023)
- Air Quality Neutral LPG (2023)
- Characterisation and Growth Strategy LPG (2023)
- Housing Design Standards LPG (2023)
- Optimising Site Capacity LPG (2023)
- Urban Greening Factor LPG (2023)
- Circular Economy Statements LPG (2022)
- Sustainable Transport, Walking and Cycling LPG (2022)
- Whole Life Carbon LPG (2022)
- Be Seen Energy Monitoring LPG (2021)

- Public London Charter LPG (2021)
- Affordable Housing and Viability SPG (2017)
- Housing SPG (2016)
- City Fringe Opportunity Area Planning Framework (2015)
- Social Infrastructure SPG (2015)
- Accessible London: Achieving an Inclusive Environment SPG (2014)
- The Control of Dust Emissions during Construction and Demolition SPG (2014)
- Play and Informal Recreation SPG (2012)
- All London Green Grid SPG (2012)
- Planning for Equality and Diversity in London SPG (2007)

Tower Hamlets

- Planning Obligations SPD(2021)
- Reuse, Recycling and Waste SPD (2021)
- High Density Living SPD (2020)
- Development Viability SPD (2017)

Other

- Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenity
- v. Highways and Transport
- vi. Environment
- vii. Infrastructure
- viii. Human Rights & Equalities

LAND USE

Policy Context

7.2 The London Plan identifies the application site as falling within the City Fringe Opportunity Area. The City Fringe Opportunity Area Planning Framework (OAPF) sets out the strategic policy directions for these areas and provides minimum guidelines for housing and employment capacity (15,500 new homes and 50,500 new jobs). London Dock is listed as a Key Site in Aldgate in the City Fringe OAPF. Development proposals within Opportunity Areas are expected to optimise residential and non-residential output and densities, contributing to the minimum guidelines for employment and housing numbers.

7.3 London Plan Policy SD1 identifies Opportunity Areas as significant locations with development capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity. Opportunity Areas typically contain capacity for at least 5,000 net additional jobs or 2,500 net

additional homes or a combination of the two. Opportunity Areas are designated as areas that are expected to receive the most significant change and have the potential to deliver a substantial amount of the new homes and jobs that London needs. London Plan Policy GG2 prioritises the development of brownfield land particularly within Opportunity Areas, surplus public sector land, and sites within and on the edge of town centres.

- 7.4 Within the Local Plan, the application site is identified within 'Sub-area 1: City Fringe'. The Vision for City Fringe states that the area will become a more attractive place to live, work and visit, and that new communities will be well integrated into the area, benefiting from the close proximity to existing and new employment, retail and leisure uses within the wider area. Policy S.SG1 states that new development within the borough will be directed towards opportunity areas.

Site Allocation

- 7.5 The Plot H and J site falls within the wider London Dock Site Allocation in the Local Plan (illustrated in figure 3). Land use requirements specified for the site allocation are for housing, employment (a range of floorspace sizes, including small and medium enterprises). The proposal is housing-led and includes a ground floor unit which could be utilised as employment floorspace, therefore the land use proposed would be in accordance with site allocation requirements.
- 7.6 Infrastructure requirements for the site allocation are for a small open space (minimum 0.4 hectares), secondary school and health facility. Public open space is provided as part of the proposal (4,650sqm) as well as the wider London Dock development (18,052sqm). Overall, the wider London Dock development including the proposed provision within H and J would provide 22,702sqm (2.2 hectares) of public realm, including a number of consolidated spaces, to meet the 0.4 hectare open space requirement.
- 7.7 A secondary school on the wider site is almost complete. Provision for a health facility on the wider site was secured by S106 legal agreement, however it is understood that the NHS have requested to take the option of a financial contribution rather than physical space. Therefore, the infrastructure requirements for the proposal would be in accordance with site allocation requirements.
- 7.8 Design principles for the site allocation are that development will be expected to:
- a) respond positively to the existing character, scale, height, massing and fine urban grain of the surrounding built environment, specifically to the north, south and east
 - b) protect or enhance heritage assets on site (including the existing listed warehouses) and in the surrounding areas, (including the grade I listed Tobacco Dock)
 - c) provide open space which is consolidated and integrated with the green grid route along Vaughan Way, The Highway and adjacent to the site along the canal
 - d) provide green grid connections along Wapping Lane and Pennington Street to connect to Swedenborg Gardens to the north
 - e) improve walking and cycling connections to, from and within the site, specifically to address permeability through the site. These should align with the existing urban grain to support permeability and access to Thomas More Neighbourhood Centre, St Katharine Docks, Tobacco Dock and the Wapping Canal, and
 - f) improve the public realm at active site edges, specifically along The Highway and Vaughan Way.

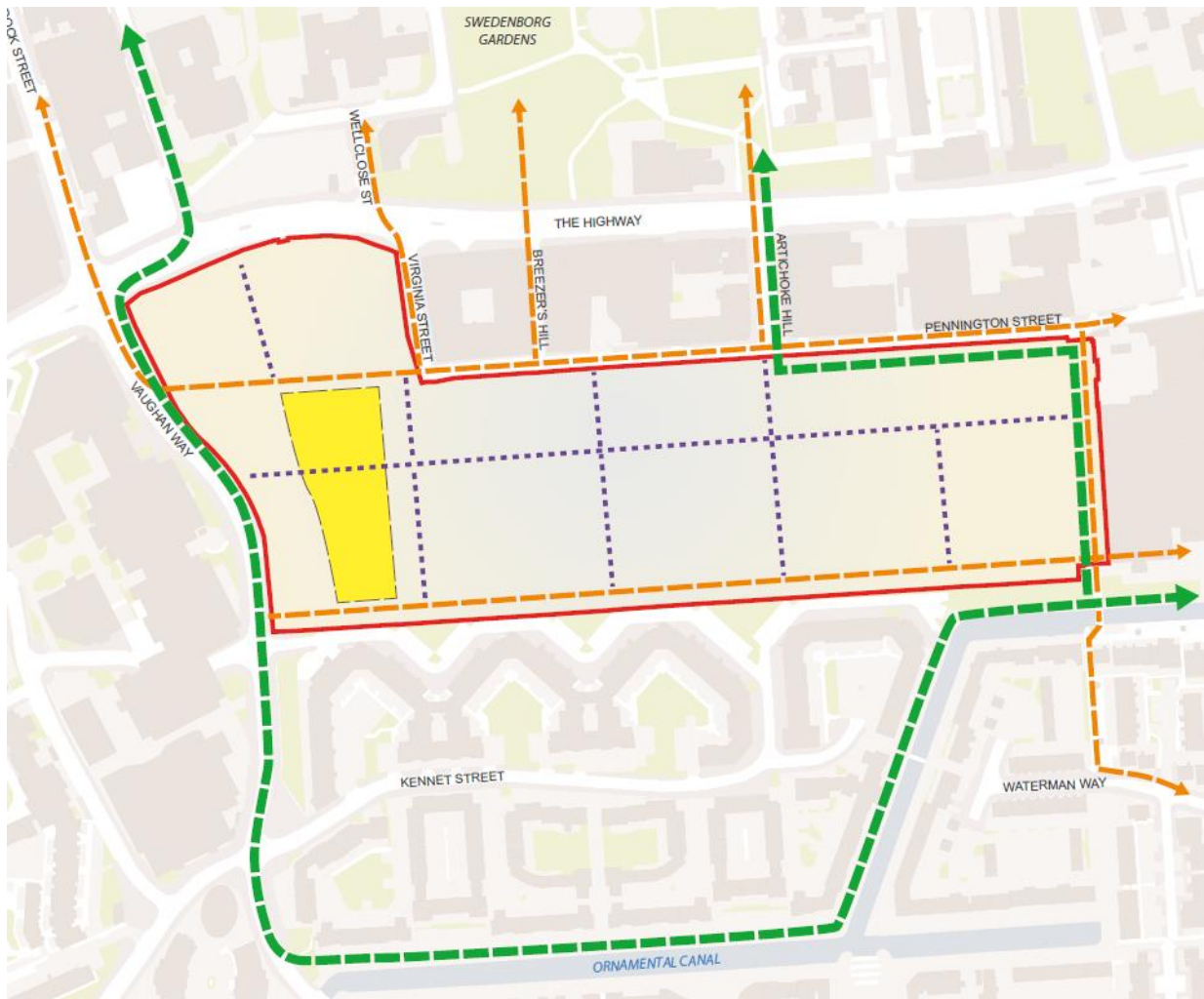


Figure 3: Local Plan London Dock Site Allocation (Site Allocation boundary in red; public square in yellow; strategic pedestrian/ cycling routes in orange; green grid in green; local pedestrian/ cycling routes in purple)

- 7.9 Delivery considerations for the site allocation are as follows:
- a) Safe access route(s) to the secondary school are required, and development will need to deliver improved pedestrian and cycling routes.
 - b) Development should accord with any flood mitigation and adaptation measures stated within the borough's Strategic Flood Risk Assessment and the sequential test.
- 7.10 An assessment against Local Plan site allocation design principles and design considerations will be made in the 'Heritage and Design' section of this report.

Existing Status of the Site

- 7.11 Prior to the wider London Dock development hybrid consent in 2014, the site was occupied by News International printworks in the form of a monolithic, rectilinear building (approximately 280m long) that rose to 33-40m AOD in height (roughly equivalent to 11-13 residential storeys). The print works contained 121,685sqm of office (Use Class E) and general industrial (Use Class B2) floorspace and was built in 1986.
- 7.12 Following the London Dock consented development, the printworks were demolished. The Plot H and J application site is currently cleared and used to facilitate construction works of Building F and Building G of the wider London Dock development.

- 7.13 Condition 1 of the most recent planning permission (PA/19/00764) for the wider London Dock development states that *'All applications for the approval of Reserved Matters in Building Plots D, E, F, G, H and J within the Outline Component shall be made to the Local Planning Authority no later than the expiration of 10 years from the date of the parent planning permission, reference PA/13/01276 (thus on or before 26th March 2024).'* Reserved Matters Applications for Plots D, E, F and G have already been approved. No Reserved Matters Applications for Plots H or J were submitted.
- 7.14 In light of the above, the outline planning consent for Plots H and J has now expired. Therefore, a new full planning permission is required for any development to take place on Plots H or J. The form of development consented on Plots H and J that was consented by the wider London Dock hybrid planning permission remains a material planning consideration for the current application.

Proposed Residential Uses

- 7.15 The proposed development would provide 547 residential units. Chapter 11 of the NPPF requires planning policies and decisions to promote an effective use of land and paragraph 118 (c and d) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and promote and support the development of under-utilised land and buildings.
- 7.16 London Plan Policy H1 sets a strategic expectation that the Borough will need to deliver 34,730 homes as a 10-year housing target between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery is targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.
- 7.17 Policy S.H1 refers to the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year. Provision is to be focussed in Opportunity Areas. The City Fringe Sub-area is expected to deliver at least 10,334 new homes by 2031.
- 7.18 Taking into consideration the local and strategic policy designations, as well as the NPPF and the wider London Dock development, the provision of housing in this location is strongly supported by the Development Plan.

Proposed Flexible Commercial Uses

- 7.19 The site is located within a Tower Hamlets Activity Area, whereby policy S.TC1 supports a mix of uses which make a positive contribution to health and well-being, promotes active uses at ground floor level and supports the delivery of new retail and leisure floorspace to meet identified needs. The proposal would provide 418sqm of flexible commercial floorspace (Use Class E), split into 3 units on the ground floor of Building H of 97sqm, 115sqm and 77sqm respectively.
- 7.20 The hybrid consent parameter plans for the wider development showed commercial space in the proposed location at Building H, to the north fronting the Quayside. The wider site parameters plans also showed that non-residential floorspace should be at the ground floor level on all sides of Building J. The proposed development provides residential uses at the ground floor level of Building J, however it is understood that the wider site would still be able to provide the necessary initially consented quantum of commercial space overall.
- 7.21 Policy D.TC3 supports the provision of new retail development (E(a)), subject to a sequential test and an impact assessment where units exceed 200sqm. None of the units would exceed 200sqm and they are designed so that they could not be amalgamated. The principle of commercial floorspace in this location has been established by the approved hybrid permission, where a Town Centre Uses Assessment was carried out to confirm that the appropriate level of

commercial floorspace was being provided such that it did not undermine the vitality and viability of nearby town centres.

- 7.22 Owing to its location, 311m from the nearest town centre (Thomas More Neighbourhood Centre), along with the new residential units at the site which the proposed commercial could help serve, a sequential test is not considered to be required – the level of potential retail would not significantly detrimentally affect the viability and viability of town centres.
- 7.23 Policy D.TC5 supports the provision of new cafes and restaurants E(b) in Tower Hamlets Activity Areas. Policy D.TC4 supports the provision of financial and professional services (E(c) use class) outside town centres where they would be local in scale, with a reasonable prospect of the unit being occupied. The proposed units would be sufficiently local in scale and would be acceptable as one a number of flexible commercial uses.
- 7.24 Policies S.CF1 and D.CF3 support the provision of new community facilities such as E(d) (indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink), E(e) (medical or health services) and E(f) (creche, day nursery or day centre), as long as they are in location which are accessible to their catchments depending on the nature and scale of the proposal and if an up-to-date and robust local need can be demonstrated. The proposed units would be sufficiently local in scale and are considered to be acceptable as one a number of flexible commercial uses.
- 7.25 In relation to E(g) use class space (business – offices, research and light industrial), policy D.EMP2 supports such employment floorspace within Tower Hamlets Activity Areas. The previous employment floorspace on the site is also a material consideration.

Land Use Conclusion

- 7.26 The proposed residential-led development with flexible commercial space at ground level would be acceptable in principle, subject to all other policy considerations.

HOUSING

- 7.27 The proposed development would deliver 547 new homes (1,563 habitable rooms), comprising 61,354sqm GIA of residential floorspace.

Unit Mix and Tenure Split

- 7.28 Policy D.H2 sets out target unit mixes for new housing in the borough, responding to the identified housing need within Tower Hamlets. This is considered to be a vital component of achieving mixed and balanced communities. The proposed housing unit mix has been tabulated below in figure 4.
- 7.29 The scheme would provide slightly more 1-bedroom affordable homes (29.1%) than the policy target (25%) and significantly less 2-bedroom affordable homes than the policy target (30%). However, the proportion of family-sized affordable rented units would be 52.7% which is significantly above the policy target of 45%. This is helped by the proportion of 4-bedroom homes (22.8%) being significantly above the policy target (15%).
- 7.30 Within the intermediate tenure, there would be an underprovision of 2-bedroom homes (30%) against the policy target (40%). The provision would be heavily weighted towards 1-bedroom homes (70%), significantly in excess of the policy target (15%) and there would not be any family-sized intermediate units. Officers accept that there are significant challenges in providing family-sized and even 2-bedroom intermediate units in areas of high property value, whereby such homes would still be difficult to afford for families with a £90,000 salary cap, taking into account that the average price for a flat in Wapping is currently listed as £757,000 (Foxtons).

Unit Size	Total Units	Market Sale			Affordable Housing					
		Units	As a %	Policy Target %	Intermediate			Affordable Rented		
					Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	41	41	12.8%	-	0	0%	-	0	0%	-
1 Bed	162	55	17.1%	30%	70	70%	15%	37	29.1%	25%
2 Bed	207	154	48.1%	50%	30	30%	40%	23	18.1%	30%
3 Bed	108	70	21.9%	20%	0	0%	45%	38	29.9%	30%
4 Bed	29	0			0			29	22.8%	15%
Total	547	320	100%	100%	100	100%	100%	127	100%	100%

Figure 4: Overall housing unit mix

- 7.31 Within the market sale tenure, the unit mix is broadly in accordance with policy targets, although there would be a proportion of studio units (12.8%) proposed (referred to as Manhattens), although studio units are not expressly sought by policy D.H2. Studios and 1-bedroom units put together would be 29.9% against the 1-bedroom policy target of 30%. Policy D.H2 provides a tenure split target for affordable housing of 70% affordable rented and 30% intermediate housing, measured by habitable rooms. Based on the 670 affordable habitable rooms, 66% would be affordable rented and 34% would be intermediate.
- 7.32 Policy H6 of the London Plan states that “Where affordable homes are provided above 35 per cent, their tenure is flexible, provided the homes are genuinely affordable, and should take into account the need to maximise affordable housing.” The affordable housing products proposed are recognised as ‘genuinely affordable’ by the London Plan.
- 7.33 Overall, it is considered that there is sufficient justification for a degree of flexibility in relation to the tenure split, provision of market sale studio units, along with the lack of larger intermediate homes, taking into consideration the very favourable proportion of overall affordable housing at 43%, significantly above the 35% target, including the high proportion of family-sized affordable rented dwellings at 52.7%.

Affordable Housing

Policy background

- 7.34 Development Plan Policies promote mixed and balanced communities and seek to secure the maximum reasonable amount of affordable housing. London Plan Policy H5 of the London Plan and the Mayor of London’s Affordable Housing and Viability SPG set a strategic target of 50% affordable housing.
- 7.35 In line with the above, policy S.H1 outlines an overall target 50% of all new homes to be affordable housing. The policy sets a minimum of 35% affordable housing to be provided by developments that provide 10 new residential units or more (subject to viability).
- 7.36 London Plan Policy H6 and the Affordable Housing and Viability SPG set out a ‘threshold approach’ whereby schemes meeting or exceeding a specific threshold of affordable housing are able to progress via the Fast Track route whereby they are not required to submit viability information, nor be subject to a late stage viability mechanism.
- 7.37 In order to maximise the affordability of affordable rented homes for Tower Hamlet’s residents, policy D.H2 stipulates that 50% of the units should be secured as London Affordable Rent (LAR) (as set by the GLA) and 50% as Tower Hamlets Living Rent (THLR). Affordable housing is

allocated to those on the Council’s Common Housing Register waiting list based on priority of housing need. Current affordable rent levels are shown in Figure 5.

Homes	London Affordable Rent (LAR) 2022/23 (per week)	Tower Hamlets Living Rent (THLR) 2022/23 (per week, inclusive of service charges)
1-bed	£187.03	£250.64
2-bed	£198.01	£275.71
3-bed	£209.01	£300.77
4-bed	£220.01	£325.83

Figure 5: Current affordable rent levels

7.38 In terms of intermediate housing, London Shared Ownership (LSO) and London Living Rent (LLR) are the preferred recognised products. LSO allows a proportion (25% to 75%) of the value of a property to be purchased with rent paid on the remaining share, along with the ability to staircase upto 100% leasehold ownership (available to households on incomes of up to a maximum of £50,000 for a 1-bedroom property to £90,000 for a 4-bedroom property).

7.39 LLR (available to households on incomes of up to a maximum £60,000) offers discounted rents for Londoners to save a deposit and eventually purchase a property through LSO. As a final affordability safeguard, the rent for any individual home must be at least 20% below its assessed market rent. In addition, London Living Rent benchmarks are capped at £1,400 a month for all homes (inclusive of service charges).

Assessment

7.40 The scheme proposes 43% (by habitable room) affordable housing comprising 227 homes out of the 547 overall. Figure 6 shows residential core locations in both buildings and the location of different tenures. Affordable rented, intermediate and market sale housing units would be located in the Building H. Affordable rented housing would be located in the north-western section of Building H at levels 0-10 (H3 on figure 6), served by an entrance from the Garden Square to the east and from Quayside to the north. Intermediate housing would be located in Building H, mixed with market sale units at levels 0-10. Market sale units would be located on levels 0-22 of Building H and would benefit from shared access with intermediate units from Market Square to the west (H1) and Garden Square to the east (H4).

7.41 Affordable rented and market sale homes would be located within Building J. The entrance for affordable rented homes would be from the Play Mews (J2). Five family-sized affordable rented homes would also benefit from separate front door access from the Play Mews. Affordable rented homes would be located at levels 0-10 of Building J. Market sale units would be accessed from the Garden Square (J1) and would be located at levels 0-16 of Building J.

7.42 Essentially the current development is proposed in place of a Reserved Matters Application (which only expired on 26 March 2024 for plots H and J) for Buildings H and J, in order to optimise overall development on the London Dock site. As residential building plots D, F, G, H and J were only consented in outline, now that we have now arrived at the last two plots, H and J, it has become clear that the unit numbers originally forecasted and consented were underestimated. After obtaining reserved matters approvals for residential plots D, F and G, there are only 299 units of the consented 1,800 remaining, which would mean that there would

be a significant amount of space leftover for additional homes, if the building plots H and J were built out to match their maximum parameters.

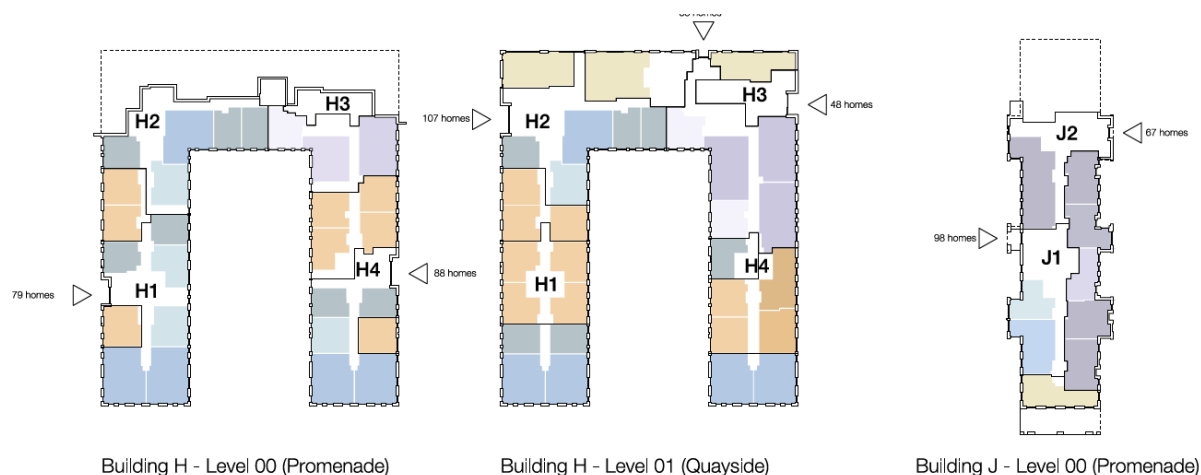


Figure 6: Residential core locations. Building H is U-shaped. Building J is rectilinear. Purple-shade units are affordable rented. Orange-shade units are intermediate. Blue-shade units are market sale.

7.43 The proposed development could therefore be seen as consisting of a residual balance (299 units leftover as part of the hybrid consent) and an uplift number of homes (248) in order to optimise the site, taking into consideration the maximum parameters of building massing previously consented. The wider London Dock development was consented with 1,800 new homes at 30% affordable housing (by habitable room) consisting of 486 affordable dwellings. The proposed development would provide 248 additional homes above the original overall 1,800 and would ensure that the overall site, when calculated together, would still deliver 30% affordable housing, as initially envisaged. 61 additional affordable homes (36 affordable rented and 25 intermediate) therefore are able to be provided above the hybrid consent (for the wider site overall). In total, overall, on the wider London Dock site, 585 affordable homes would be delivered rather than the 486 consented by the wider development (however it must be made clear that there was a discrepancy in that 486 units would not have equated to 30% affordable homes in the hybrid consent. 524 affordable homes would have had to be provided to meet the 30% target, which is why it has been concluded that 61 additional affordable homes would be delivered by the proposal, more than the hybrid consent). These figures demonstrate that the proposed development has allowed the wider site to be optimised for the delivery of affordable housing.

7.44 The proposal also ensures that a better quality of affordable housing would be delivered on the site, compared to the wider development, in terms of the uplift in housing. The affordable rented homes in the proposal (127) would be delivered as Tower Hamlets Living Rent (THLR) and London Affordable Rent (LAR) in accordance with policy D.H2 (rent levels shown in figure 5). In the hybrid consent, the affordable rented units were delivered as Affordable Rent (Affordable Rent secured in the 2014 hybrid consent was listed as 80% of local market rents) and Social Rent. THLR and LAR are generally more affordable than the Affordable Rent product secured in 2014. The proposed development would provide 36 additional affordable rented homes, ensuring the provision of more affordable types of affordable housing, as compared to the wider London Dock hybrid consented development.

7.45 In terms of intermediate homes, the residual 75 units would be delivered as First Time Buyer properties (as per the 2014 hybrid consented development), which are essentially the same as Shared Ownership properties, apart from that they are only eligible to first time buyers. In terms of the uplift 25 intermediate homes, the proposed development these would be delivered as any contemporary intermediate product, which would be most appropriate locally, such as London Shared Ownership, London Living Rent, or another version of discounted market sale/ rent.

- 7.46 At 43% affordable housing, the scheme would provide in excess of the 35% required to progress via the Fast Track route stipulated by London Plan policy H6. The unit mix and tenure split is also considered to be broadly in accordance with policy D.H2. For the reasons above, also following recommendations from LBTH Housing, LBTH Development Viability and the GLA, officers accept that the affordable housing provision can progress via the Fast Track route and is acceptable in compliance with Development Plan policies. The affordable housing provision would be secured by S106 legal agreement, if the application was to be approved, including an early stage viability review.

Density

- 7.47 London Plan Policy D4 states that higher density residential developments of over 350 dwellings/ hectare should undergo a local borough process of design scrutiny review. The proposal seeks to deliver 547 homes, which broadly equates to a residential density of 486 dwellings/ hectare (547 dwellings/ 1.125 hectares). The quantum of proposed development has been informed through an iterative and comprehensive design-led process, including extensive pre-application discussions with Council officers and design scrutiny review by the LBTH Quality Review Panel, consisting of external professionals. The proposed density is considered acceptable and further discussion around compliance with supporting policies, such as residential quality, design and impacts on surroundings can be found throughout this report.

Quality of Residential Accommodation

Internal Space

- 7.48 Policy D.H3 of the Local Plan requires that new dwellings meet up-to-date space and accessibility standards prescribed within the London Plan with particular regard for minimum internal space standards for unit types, minimum floor to ceiling heights and the provision of 10% 'wheelchair accessible and adaptable housing'. The policy also highlights the requirement that affordable housing should not be of a distinguishable difference in quality.
- 7.49 The 547 residential units would be located within the U-shaped Building H and the I-shaped Building J on the east side of the wider London Dock site, surrounded by pedestrianised public realm. All proposed new homes would meet or exceed minimum internal space standards in regard to floor area and floor-to-ceiling heights. All cores (shown in figure 6) would be provided with two lifts with direct access to the basement accessible car park. Each core would also have access to its own refuse and cycle stores in the basement. Standard 12 of the Housing SPG states that each core should generally be accessible to no more than 8 units on each floor. Only 8 of 89 cores per floor would contain more than 8 units per core per floor. These cores would need to be conditioned to secure additional security measures including audio-visual verification to the access control system (in accordance with standard 13 of the Housing SPG) if the application was to be approved.
- 7.50 In regard to outlook, 61% of new homes would benefit from dual aspect outlook. Only 6 units would be single aspect and north-facing but these would not be family-sized homes – they would be located at levels 2 and 3 of Building H and would benefit from longer views across the Quayside and over the tops of Pennington Street Warehouses.

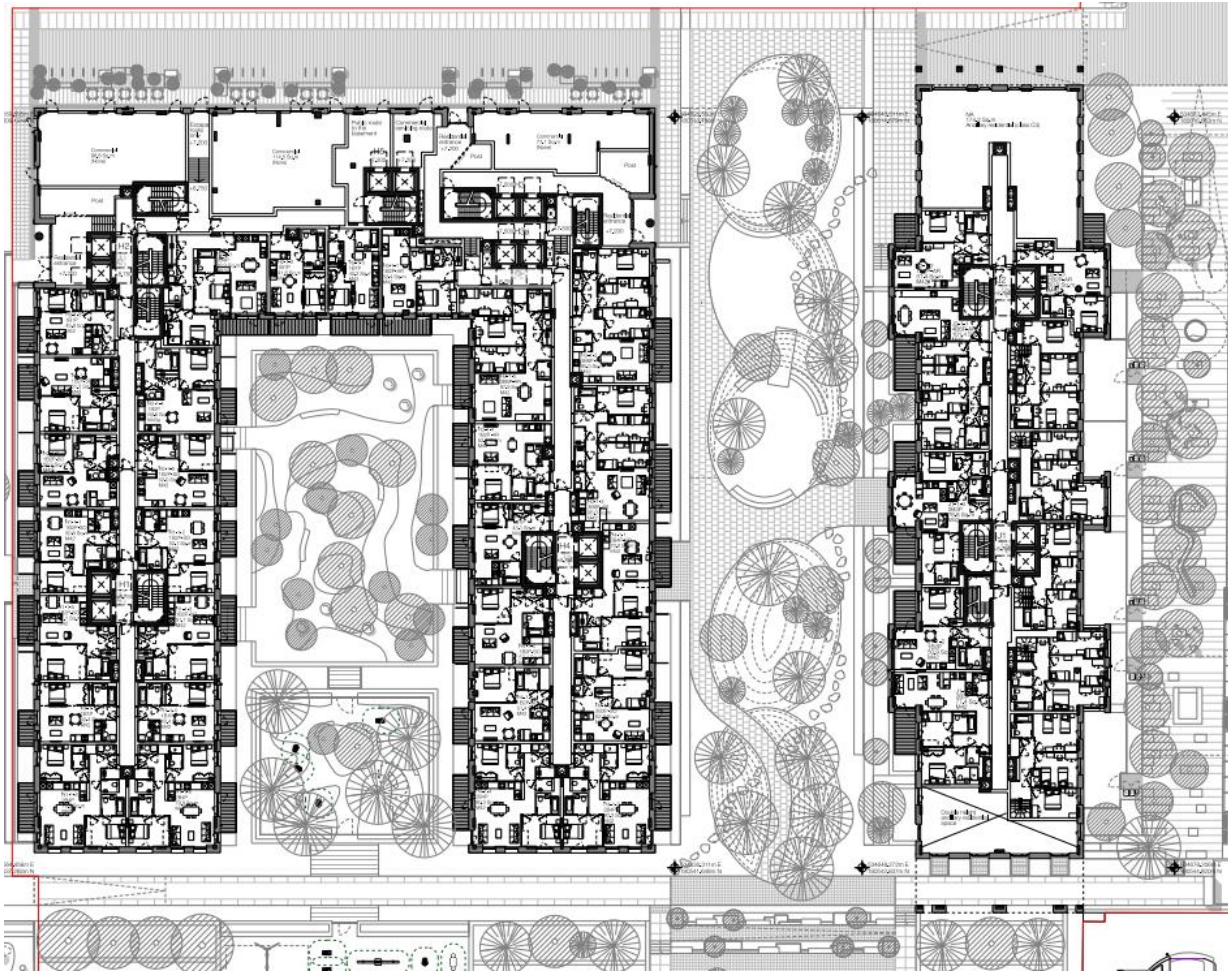


Figure 7: Level 1 residential floorplans. Building H to left, Building J to right

- 7.51 New homes on the west side of Building H would benefit from outlook with a separation distance of 19.8m to the neighbouring Building G. New homes facing each other over the internal courtyard (Water Garden) of Building H would be separated by over 24m. The separation distance between facing windows of Building H and Building J would be 25m. The separation distance from east-facing windows of Building J would be 15.3m to the 3 storey Pennington Street Car Park of Tobacco Dock would be. New homes facing south would overlook the Ornamental Canal and existing homes at Asher Way, 25m away. Supporting text of policy D.DH8 specifies a guidance separation distance between facing habitable room windows of 18m. Separation distances and outlook proposed would therefore be acceptable.
- 7.52 At levels 4-8 of Building H (north-west), some facing windows would have had only 9.4m separation. Affected homes would all benefit from dual aspect outlook and directly impacted windows have been amended to bay windows angling away and providing clear outlook over Quayside to the north, removing the conflict. At levels 9-16 of Building H (north-west), some facing windows would have had only 12.5m separation. Affected homes would all benefit from dual aspect outlook and directly impacted windows at levels 9-14 have been amended to bay windows angling away and providing clear outlook over Quayside to the north, removing the conflict. These angled bay windows were not designed into other buildings in the wider development with similar conflicts, therefore the proposal has improved the situation compared to the parent consent. At levels 15 and 16, although there is a limited separation distance between facing windows of market sale units, the building massing is naturally angled between dwellings at this height and the impacted rooms would be dual aspect living rooms, therefore these relationships would be acceptable.

7.53 Ground floor family-sized maisonettes of Building J would benefit from front gardens with planting to protect the privacy of windows. South-facing ground floor level windows of new homes of Building H would include windows in close proximity to passers-by on the Promenade, however there would be defensible water space in-between and higher aquatic planting would be secured by condition in this location, to maintain privacy (an improvement on similar positioned homes in other buildings in the wider development). Other ground floor windows around the site would benefit from adequate defensible space and planting to maintain privacy.

Accessible Housing

7.54 Development Plan policies require 90% of new housing units to meet Building Regulation requirement M4(2) as 'accessible and adaptable dwellings,' and 10% of new housing units to meet Building Regulation requirement M4(3)(2)(a)/(2)(b) as 'wheelchair user dwellings' (designed to be wheelchair adaptable (2a) or wheelchair accessible (2b)). Within the 10% provision, ideally these units should be provided as fully wheelchair accessible (2b), especially within the affordable rented tenure.

7.55 All proposed homes would meet the M4(2) 'accessible and adaptable dwellings' standard and 10% of homes would meet the M4(3)(2) 'wheelchair user dwellings' built out standard. The 10% 'wheelchair user' dwellings would be distributed across the three building cores in the development and at different floor levels to enable the greatest choice, size and positioning. With this approach, the applicant has sought to ensure that wheelchair units are not concentrated in a particular location.

7.56 54 of 547 (9.9%) residential units overall would be 'wheelchair user dwellings' in accordance with Development Plan policies. 13 of 127 (10.2%) affordable rented dwellings would be 'wheelchair accessible' units (comprising 3 x 1-bed, 3 x 2-bed, 5 x 3-bed, 2 x 4-bed homes). 10 of 100 (10%) intermediate dwellings would be 'wheelchair adaptable' units (comprising 1 x 1-bed, 9 x 2-bed homes). 31 of 320 (9.7%) market sale units would be able to be provided as 'wheelchair adaptable' units (consisting of 14 x 1-bed, 9 x 2-bed, 8 x 3-bed homes). All 13 of the affordable rented wheelchair accessible dwellings would be allocated an individual allocated disabled persons' car parking space.

7.57 The LBTH Housing (Occupational Therapist) team has reviewed the proposed wheelchair units within the affordable rented part of the scheme and has provided detailed comments on internal layouts. The provision of two lifts throughout the development and from the car park is noted and welcomed. The provision of the 7 x family-sized affordable rented units as 'wheelchair accessible' is another significant positive of the proposed scheme. Full details of layouts for the 13 affordable rented wheelchair accessible dwellings and residential circulation spaces shall be secured by condition, if the application was to be approved.

Internal Daylight and Sunlight

7.58 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2022).

7.59 The applicant has provided an Internal Daylight, Sunlight and Overshadowing Report (IDSOR), undertaken by GIA, dated 07/11/2023. This has been reviewed by an independent consultant, BRE on behalf of the Council. The IDSOR provides results for all of the proposed habitable rooms to be created within the proposed development.

- Methodology

- 7.60 Section 2.1 and Appendix C of the Building Research Establishment (BRE) guidance on Site Layout Planning For Daylight and Sunlight (2022) sets out two methods for assessing the daylighting conditions within new homes. These are Illuminance and Daylight Factor, which are taken from BS EN 17037.
- 7.61 Luminance is a measure of light falling on a surface, usually measured in lux. BS EN 17037 contains illuminance recommendations based around the illuminances that would be met or exceeded over half of the room, over half of daylight hours over the year. It involves using climatic data for the location of the site (via the use of an appropriate, typical or average year, weather file within the software) to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year.
- 7.62 Target illuminance (ET) should be achieved across at least half of the reference plane in a daylight space for at least half of the daylight hours. Minimum Target Illuminance (E_{TM}) should also be achieved across 95% of the reference plane for at least half of the daylight hours; this is the minimum target illuminance to be achieved towards the back of the room. BRE target illuminances are set out in Figure 8.

Room	Target Illuminance (lx) for half of assessment grid
Kitchen	200
Living Room	150
Bedroom	100

Figure 8: Target illuminance for UK dwellings

- 7.63 The Daylight Factor is the illuminance at a point on the reference plane in a space, divided by the illuminance on an unobstructed horizontal surface outdoors. The CIE standard overcast sky is used, and the ratio is usually expressed as a percentage. This method of assessments considers an overcast sky, and therefore the orientation and location of buildings is not relevant. In order to account for different climatic conditions, Annex A within the BS EN 17037 sets equivalent daylight factor targets (D) for various locations in Europe. The median daylight factor (MDF) should meet or exceed the target daylight factor relative to a given illuminance for more than half of daylight hours, over 50% of the reference plane. Figure 9 shows Daylight Factor guidance relevant to London.

Location	Target Daylight Factor for 200 lx kitchen	Target Daylight Factor for 150 lx living room	Target Daylight Factor for 100 lx bedroom
London	1.4%	1.1%	0.7%

Figure 9: Daylight factor for 'hard to light' dwellings

- 7.64 The BRE guidance in respect of sunlight quality for new developments is within section 3.1 of the handbook. The BRE handbook states that the main requirement for sunlight is in living rooms, where it is valued at any time of day but especially in the afternoon. Sunlight is also required in conservatories. It is viewed as less important in bedrooms and in kitchens, where people prefer it in the morning rather than the afternoon. The BRE guide states that, in general, a dwelling will appear reasonably sunlit provided at least one main window wall faces within 90 degrees of due south, and a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March (spring equinox). In order to comply with BRE

guidance, an amenity area should receive more than 50% coverage of sun-on-the-ground for 2 hours on 21 March (spring equinox).

- Assessment

- 7.65 The IDSOR shows that 1143 (71%) of the tested 1607 proposed habitable rooms would meet or exceed the BRE recommendations for daylight illuminance. Overall, the results indicate that 64% (698 of 1093) of habitable rooms in Building H and 87% (445 of 514) of habitable rooms in Building J would meet target illuminance recommendations per room type used for bedrooms and kitchens. The results therefore suggest that there is the potential for a significant number of rooms to have poor daylight provision, particularly in Building H, however Building J compliance appears relatively acceptable.
- 7.66 The Council's consultant has suggested that the U shape of Building H contributes to the higher proportion of daylight failures, which are to be expected with the design of the building, especially with rooms looking out to the internal courtyard at lower floors and in the inner corners. For example, in the lower floors (from ground to fifth floor) all living areas but the ones to the far south of the building would not meet the minimum illuminance target recommendations.
- 7.67 In regard to sunlight, for Building H, 485 of 1094 (44%) habitable spaces would meet the minimum recommendations for sunlight provision. For Building J, 418 of 514 (81%) habitable spaces would meet the minimum recommendations for sunlight provision. It is impractical to expect all units to meet the sunlight provision recommendation, as this would require windows to face within 90 degrees of due south.
- 7.68 All proposed public realm has been tested for sun-on-the-ground compliance. Overall, 61% of the public realm would receive 2 or more hours of sunlight on the spring equinox in line with BRE guidance. Individual spaces have not been split out, however it can be seen that the Water Garden, Garden Square and Promenade would appear to receive adequate levels of sunlight. The Quayside area to the north would not receive adequate levels of sunlight, however this is more of a route through rather than an amenity space. It appears that the Play Mews in general would fall below sun-on the-ground targets levels for 21 March, however the southern section would have the potential to be well sunlit. The two roof terraces of Building J would both be well sunlit. Overall, the overshadowing to amenity spaces is considered to be acceptable on balance.
- 7.69 The design, height, massing and layout of the proposed development is shaped by the masterplan, design guide and parameter plans of the wider hybrid consent. The proposed buildings are broadly very similar to those previously consented on the site and were found to be acceptable. Therefore, any optimised development which comes forward on the site would be expected to have similar impacts and quality of accommodation as those proposed.
- 7.70 Overall, and with the benefit of advice provided by the Council's appointed independent consultant, although there would be some failures against BRE guidance, on balance the scheme would provide a satisfactory level of adherence to daylight and sunlight guidelines for a dense housing development, as assessed against the relevant BRE guidance.

Amenity Space and Child Play Space

- 7.71 All residential units would benefit from private outdoor amenity space in the form of balconies or terraces at least 1.5m depth in accordance with policy D.H3. Policy D.H3 requires the provision of a minimum 50sqm communal amenity space for the first 10 units of a development and a further 1sqm for every additional unit. With the proposed 547 residential units, this equates to a minimum provision requirement of 587sqm across the development. In terms of space that can be used by both buildings, there is 418sqm allocated to the north of the Garden Square, between Buildings H and J and 172sqm to the south, equating to 590sqm. The space to the

south would overlook the Ornamental Canal, however in the future it is envisaged that this would be a circulation space, providing access to the canal footpath.

- 7.72 A number of other communal amenity spaces are provided around the site, but not included in calculations. The Water Garden would be a private garden of 541sqm only available to residents of Building H. Ancillary internal residential space (255sqm) at ground level of Building J is provided. At roof level of Building J, private, landscaped terrace gardens containing opportunities for communal gardening for market sale homes (242sqm) and affordable rented homes (249sqm) have been provided. Amenity spaces should be shared between different tenures, however these communal spaces have been provided as additional to the policy requirement.



Figure 8: Indicative play space locations (0.4rs is purple; 5-11yrs is green; 12-17yrs is pink)

- 7.73 Policy D.H3 requires major developments to provide a minimum of 10sqm of high quality play space for each child, calculated using the LBTH 'child yield' calculator. The development would generate a predicted child yield of 283 total children, which requires 2,826sqm of play space according to the Tower Hamlets calculator (as shown in Figure 9). The play space would be located in public ground floor areas (as shown in Figure 8) with shared accessibility to all tenures.
- 7.74 Although there would be a 611sqm shortfall in play space for over 12s, this is partially a result in the increased number of overall homes and affordable homes, compared to the initial 2014 hybrid consent. The 'Text Trail,' a linear installation of public art spanning the northern width of the Quayside, has been approved and counted as play space in earlier phases of the London Dock development. Practically the 'Text Trail' is not designed or used as play space, however

it is an attractive piece of art in the public realm. 238sqm of 'Text Trail' has been provided in the proposal – this has not been counted towards the play space provision in the current application.

Age Group	No. of Children estimated	Area Required (sqm)	Area Proposed (sqm)
0-4	102	1,018	1,018
5 – 11	87	872	872
12-18	94	936	325
Total	283	2,826	2,215

Figure 9: Child yield and play space for the development

- 7.75 Supporting text of policy D.H3 states that “Where there are demonstrable site constraints, play space for under five-year-olds must be on site and older children’s play space must be within the GLA’s specified recommended distances.” The GLA’s Play and Informal Recreation SPG explains that if there is existing provision of over 12s play space within 800m of the site, then a financial contribution towards off-site play space can be provided to satisfy policy requirements. 167sqm of over 12s play space is provided on-site and over 12s space can also be found in the wider London Dock development site, as well as off-site at Wapping Gardens (274m to the south) and Ropewalk Gardens (438m to the north). Although an off-site financial contribution could be provided to satisfy play space policy requirements, officers have pushed to secure a site-wide play strategy by S106 legal agreement. This strategy would include storage space for a range of portable play/ sports equipment to be managed by the site and an annual programme of regular (at least 12 per year), free play and community events on-site, for the lifetime of the development.
- 7.76 Amendments have been secured to increase the quality and range of play equipment to be installed around the site, including slides and swings (both of which are not found within the wider development site), spinners, balance beams, see-saws, outdoor table tennis, callisthenics installations and resistance gym machines. The public play space within the Water Garden is also significantly larger than the equivalent spaces in other parts of the wider development site. The provision of a Play Mews, specifically designed as a linear park of street play, is significantly beneficial to the site. The importance of high quality play space is paramount, especially taking into consideration that the wider development site lacks a full range of playable opportunities.
- 7.77 Overall, the landscaped public realm and play spaces are considered to be well-designed, very attractive and vibrant green spaces (further details can be found in the ‘Heritage and Design’ section). Public realm within the site would include raised mounds, water spaces, stepping stones and even if not designated formally as play spaces, they would be essentially playable, likely attracting people from the surrounding locality to use them.
- 7.78 For the reasons above, the provision of play space on the site is acceptable and in accordance with Development Plan policies. Full details of play space layouts, equipment specifications and landscaping would be secured by condition, if the application was to be approved.

Internal Noise and Overheating

- 7.79 A Noise Impact Assessment by BWB (dated 09/11/2023) has been provided in regard to external noise impacting on future residential units of the development. The principal external noise sources affecting new homes would be traffic from The Highway, large scale music events

and fixed mechanical plant from Tobacco Dock, E1 nightclub on Pennington Street, as well as children in play spaces on the site.

- 7.80 Skylight Bar is located in the Pennington Street Car Park of Tobacco Dock, only 15.3m away from Building J, however this venue does not benefit from agent of change protection against new homes at London Dock (which was consented prior to first use of the bar). Further details can be found in the 'Amenity' section. Noise from Skylight Bar would therefore not need to be taken into consideration for new homes at London Dock, as it is not envisaged that Skylight Bar would be operating at time of residential occupation.
- 7.81 Tobacco Dock has a certificate of lawful existing use which includes 15 large scale music events per year, although it is understood that they have not run since 2022. Noise levels are predicted to exceed the guideline limit for external amenity space during events at Tobacco Dock, if they start operating again, however due to the limited instances of these daytime events per year, it is considered that future occupants would not, on balance, be subject to a significant adverse impact.
- 7.82 In terms of the E1 nightclub on Pennington Street, noise levels are predicted to be such that windows would need to be closed during the events in order to maintain habitable noise levels. Acoustic performances for glazing at the facades of Buildings H and J have been recommended which are considered to be sufficient to meet the adopted internal noise level criteria and alternative means of providing ventilation and thermal comfort have been proposed.
- 7.83 LBTH Environmental Health (Noise) have assessed all noise submissions provided and are satisfied with proposed noise mitigation measures (such as insulation, glazing and soundproofing) proposed and that internal residential units would achieve acceptable noise levels, subject to imposition of conditions in relation to: post-completion noise testing to ensure internal noise levels are met; noise verification report in regard to protection against external noise sources; a condition managing plant noise compliance levels. The LBTH Sustainable Development team and GLA have also assessed the development in relation to overheating and find this to be acceptable.

Housing Conclusion

- 7.84 Overall, it is considered that the proposed new homes would be acceptable in terms of provision of affordable housing, tenure split, unit mix and quality of accommodation.

HERITAGE AND DESIGN

- 7.85 Development Plan policies requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Developments should be of an appropriate scale, height, mass, bulk and form in its site and context. Policy S.DH3 requires that the significance of heritage assets are preserved in any development scheme.
- 7.86 Policy D.DH2 of the Local Plan requires development to contribute to improving and enhancing connectivity, permeability and legibility across the borough. Developments should optimise active frontages towards public streets and spaces, provide clear definition of building frontage and massing and allow connection and continuity of pedestrian desire lines at a human scale.
- 7.87 Policy S.DH1 of the Local Plan requires development to be of the highest standard which respond an responds positively to its local context, is appropriate in scale height, and form, complements streetscape rhythm and complements its surroundings. Policy D.DH6 requires that developments with tall buildings are of a height, scale and massing proportionate to their role, function and importance, achieve exceptional architectural quality and are directed towards

Tall Building Zones, unless exceptions are met. London Plan policy D3 advocates a design-led approach to optimising the capacity of development sites, taking into consideration form, layout, experience, quality and character.

Height, Scale and Massing

- 7.88 Building H would range between 4 and 22 storeys, with the tallest element sitting on the north-east part of the building. The north-eastern element of Building H (11 storeys, adjacent to the north-south, landscaped public open space, 'Garden Square,' would extend to a maximum height of 79.625m AOD (including rooftop plant) and the north-western element of the building located towards Building G would be 61.25m AOD in height.
- 7.89 Building J as proposed ranges between 8 and 17 storeys, with the tallest element sitting on the south part of the building. Building J comprises residential floorspace only. Building J would extend to a maximum height of 63.50 m AOD (including lift overrun). The building would be lower in height at its northern and southern extents (41.375m AOD and 31.60m AOD respectively).

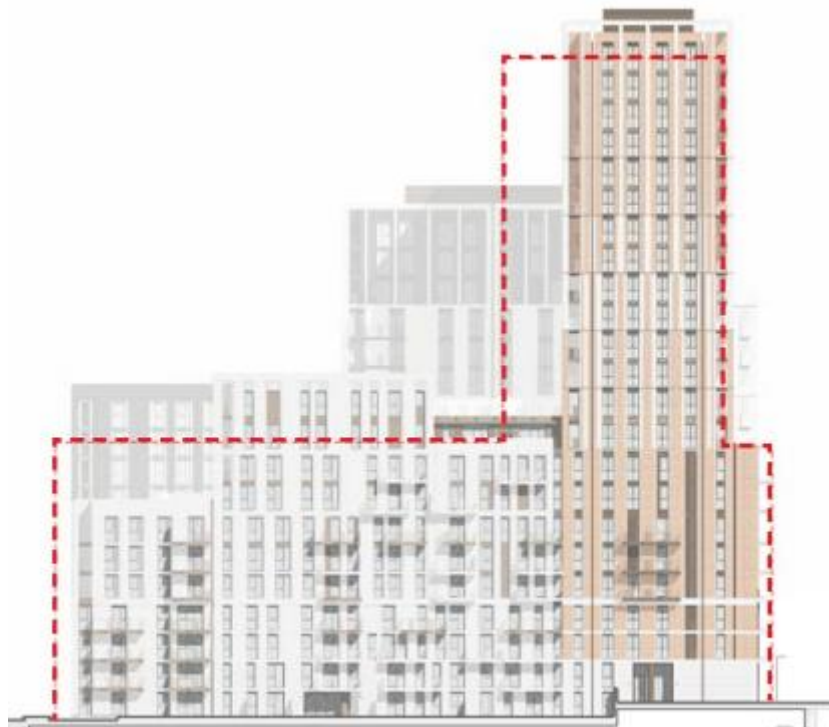


Figure 10: Building H east elevation (approved parameter massing from hybrid consent in red)

- 7.90 As shown in figure 10, the proposed Building H massing is broadly in line with the approved parameter massing of the hybrid consent. To the south, the height and bulk has been reduced from the parameter massing before rising higher. The main tower element is not as bulker as was previously consented however would rise a storey higher.



Figure 11: Building J west elevation (approved parameter massing from hybrid consent in red)

7.91 As shown in figure 11, the proposed Building J massing is generally slightly taller and slightly more bulky than the approved parameter massing of the hybrid consent. To the south, the height and massing would be slightly increased and moved further south-wards to accommodate a new colonnade feature over the Promenade walkway, acting as a gateway to the Play Mews on the east of the site.

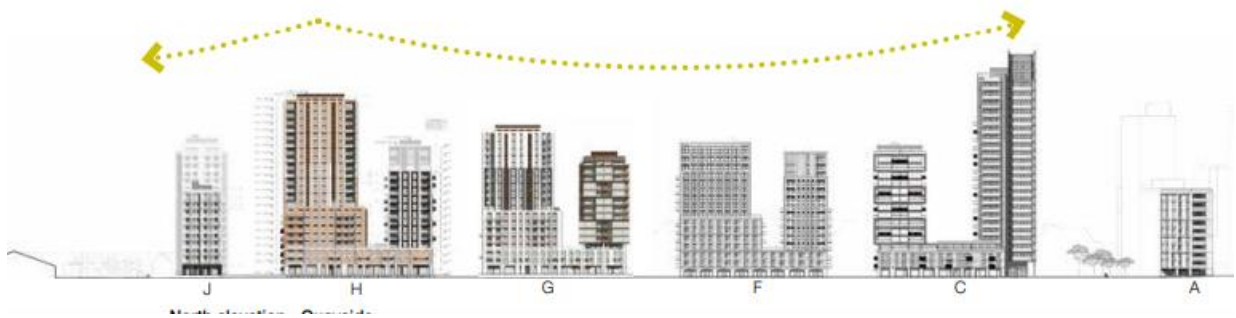


Figure 12: London Dock site-wide south elevation

7.92 Figure 12 shows the proposed Buildings H and J height, scale and massing in relation to other consented, neighbouring buildings on the wider site, illustrating the wider design rationale. Building G (currently under construction), to the west of Building H, will rise to 69.650m AOD, including plant. The west elevation of Building G will extend to a maximum height of 58.775m AOD including plant and the south elevation facing the promenade will extend to 34.675m AOD including plant. The proposed development would relate well to other buildings on the wider development site and is designed broadly in accordance with the overall family of buildings and general design rationale.

7.93 Building J steps down from Building H, towards to the 3 storey Pennington Street Car Park of Tobacco Dock. The southern elements of the Building H (7-11 storeys) and Building J (8 storeys) are designed to step down towards the Ornamental Canal and 5-8 storey residential flats at Asher Way. Building J steps down from 17 storeys to 10 storeys towards the 2 storey Pennington Street Warehouses. Building H would have a very minor setback to the north, but its tower element would be prominent on this side, in line with other buildings on the wider site.

7.94 The proposed buildings both constitute tall building development as defined by policy D.DH6, being significantly taller than the local context, with a significant impact on the skyline, more than 30 metres and more than twice the height of surrounding buildings. Although the proposal is not located in a Tall Building Zone, the proposed tall buildings are considered to be acceptable on this site, due to the unique circumstances of the site allocation hybrid consent, which gave permission to broadly similar height, scale and massing. The remainder of the hybrid consented buildings are now either occupied or under construction. In accordance with policies S.DH1 and D.DH6, the proposed development is considered to be of a height, scale, mass and volume proportionate to the existing and emerging site context.

Impact on Heritage Assets

7.95 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) requires that special regard is paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. With regard to impacts on conservation areas, section 72 of the PLBCA requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

7.96 London Plan Policy HC1 states that proposals affecting heritage assets, and their settings should conserve their significance, avoid harm, and identify enhancement opportunities. The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. The NPPF states that in weighing applications that affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. Furthermore, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

7.97 Development Plan policies require proposals affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Policy S.DH3 requires development to protect and enhance the borough's conservation areas including their setting.

Grade I listed Tobacco Dock

7.98 The proposed development would introduce significant additional bulk and massing that would affect the backdrop of the Grade I listed Tobacco Dock buildings. The effect of proposed Buildings H and J would be particularly pronounced relative to the earlier completed phases, due to their closer proximity. Clear views of Tobacco Dock in relation to the proposal are limited, due to the low scale of the listed buildings and other taller buildings nearby. The relationship with Tobacco Dock (Grade I) is shown in figure 13 (View 16 of the Townscape Visual Heritage Assessment (TVHA)). The impact can also be seen in figure 14 (view 20 of the TVHA). The proposed development would result in less than substantial harm to the setting of the Grade I listed building. The impact would be very similar to, with negligible differences, that of the hybrid consented development, which was found to be acceptable.



Figure 13: View showing Building J in the background of Tobacco Dock (View 16 of TVHA)

Grade II listed Pennington Street Warehouses

- 7.99 The proposed development would be in close proximity to the Grade II listed Pennington Street Warehouses, however clear views of the warehouses in relation to the proposal are limited, due to the low scale of the listed buildings and other taller buildings nearby. The relationship with Pennington Street Warehouses (Grade II) is shown in figure 14 (View 20 of the TVHA). The proposed development would result in less than substantial harm to the setting of the Grade II listed building. The impact would be very similar to, with negligible differences, to that of the hybrid consented development, which was found to be acceptable. A number of other consented developments (outlined in red and blue in figure 14) would also impact similarly on the listed buildings.

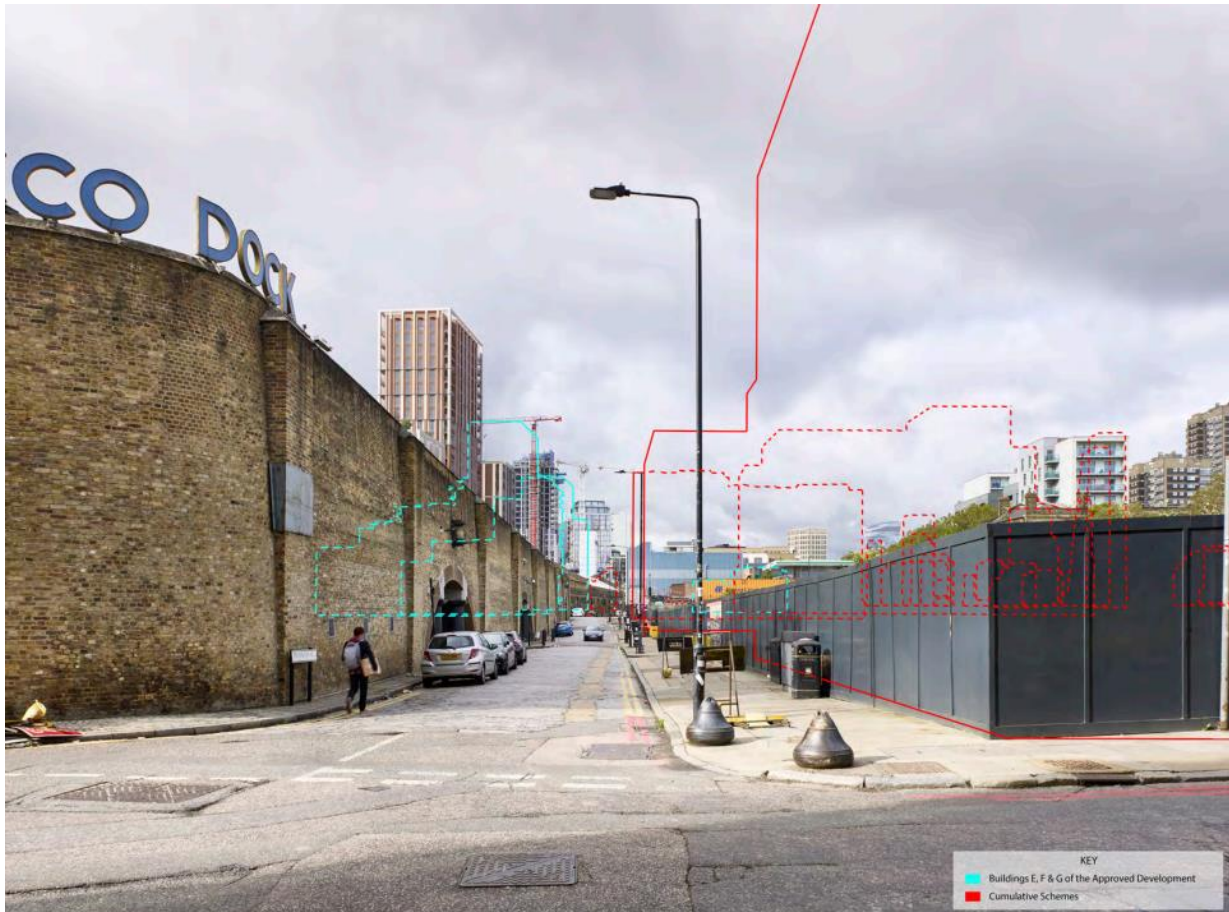


Figure 14: View showing proposal in the background (to left) of Tobacco Dock and Pennington Street Warehouses (View 20 of TVHA)

Grade I listed St George in the East and conservation area

- 7.100 The proposed development would be visible within the setting of the Grade I Listed St George in the East church and its Grade II listed wall, however it would appear subservient (sitting below the eaves line of the church in figure 15) to these assets, given the distance from the site and mature vegetation located between the scheme and the heritage assets. The presence of the proposal behind the treeline whilst marginally increasing the sense of enclosure to the church, would not impact in any significant way on the sky-space around the church. Given the separation distance, it is considered that the proposal would preserve the settings and those features of special architectural or historic interest which the listed buildings possesses.
- 7.101 In view 19 of the TVHA, the proposed development can be seen from St George's Gardens, very prominently in the background of The Old Rose public house, a non-designated heritage asset building which sits within the conservation area (the conservation area was extended across The Highway solely to include this building). Currently the public house benefits from clear skyspace around it due to the vacant plots to the east and south, and the low rise petrol station and drive-thru restaurant directly to the west. The proposed development would cause less than substantial harm to the setting of The Old Rose public house from this viewpoint. However, taking into account consented development in the area which will alter the setting of The Old Rose, with new development in closer proximity than the current scheme, the impact of the proposal would be limited. Overall, it is considered that the proposal would preserve the character and appearance of the conservation area.

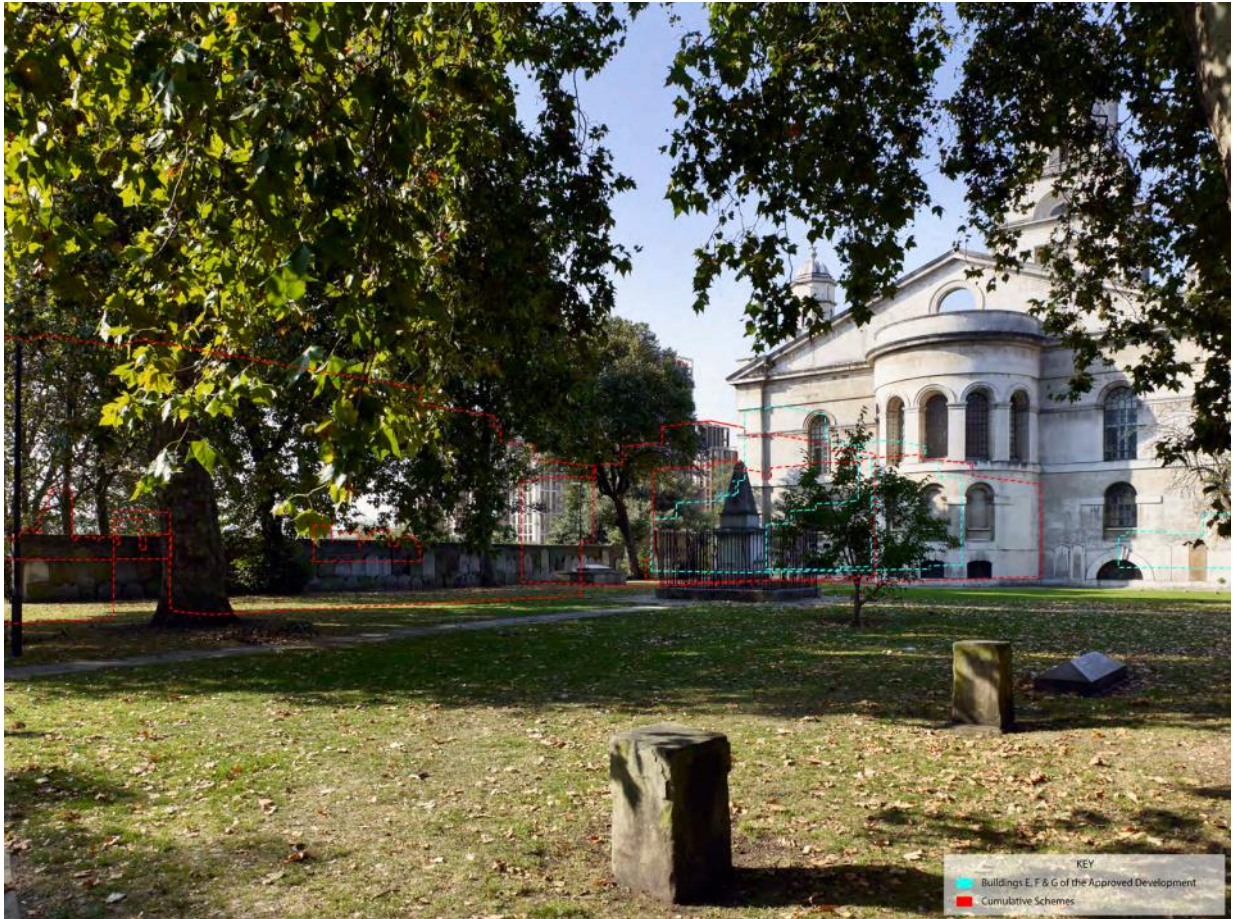


Figure 15: View showing proposal in the background of St George in the East church along with consented development (outlined in red) and wider London Dock development (outlined in blue) (View 17 of TVHA)

Strategic and Local Views

- 7.102 The proposed development would be seen from within a number of strategic protected viewpoints in London, found within the London View Management Framework (LVMF). The proposed developments lies within the backdrop of the following Protected Vistas: LVMF 5A.2 (Greenwich Park, the General Wolfe statue), LVMF 6A.1 (Blackheath Point, orientation board), LVMF 11B.1 (south end of London Bridge), LVMF 25A.1, 25A.2 and 25A.3 (City Hall, Queens Walk).
- 7.103 Although the proposal may be seen from the LVMF 5A.2, 6A.1, 11B.1 and 25A.3 strategic viewpoints across London, it would generally not be a prominent feature, blending in with or concealed by existing and/ or consented buildings. The strategic views that the proposal would feature most prominently in would be 25A.1 and 25A.2, looking from Queens Walk towards Tower Bridge. From these views, the proposed development could be seen protruding above the central span of Tower Bridge looking east. Due to the distance from the proposal, any harm from the proposed development is considered to be less than substantial, however the proposed development would preserve the setting of the Grade I listed bridge. Any additional proposed height compared to the hybrid development would be negligible from the perspective of strategic views.



Figure 16: View showing the Grade I listed St George in the East church from the Ornamental Canal to the south (View 23 of TVHA)

- 7.104 The development would be more prominent in local views, such as from the Borough Designated View from Wapping Wall Bridge over Shadwell Basin where the proposal would protrude off-centre above the local 5 storey dock-side blocks. A cluster of tall buildings from The City would loom above the height of the proposal in the centre of this view.
- 7.105 Figure 16 shows an attractive local view which is not specifically protected (the proposed view can be seen in appendix 2.4). This view of the Grade I listed Hawksmoor church from the Ornamental Canal is locally valued, however it has only been revealed following the demolition of the former News International printworks, after the hybrid consent was permitted in 2014. Prior to demolition of the printworks, this view would not have been available since before 1986 when the printworks were completed. It appears to be possible that the direction of the canal was designed/ consented in the 1970s with the view of the church in mind.
- 7.106 It is unfortunate that this view would again be lost by intervening development, however the 1980s printworks did previously block this view and subsequently, the massing of the hybrid consented buildings also obscured this view and allowed even taller development than the printworks in 2014 (see appendix 2.5). The massing of the hybrid consented buildings (very similar with negligible differences from this view) is a strong material planning consideration in this case, therefore the loss of this view would be acceptable. If a clear view of the church was to be maintained then the quantum of housing would have to be significantly decreased. It should also be noted that appendix 2.4 (proposed view) shows that other consented development around and in-between in the locality would largely block this view in any case.

Public Benefits v Heritage Harm

7.107 In the context of the NPPF (paras 205-208), where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Officers have identified less than substantial harm to the setting of Tobacco Dock (Grade I listed), Pennington Street Warehouses (Grade II listed) and The Old Rose public house (non-designated heritage asset), as well strategic and local views. This harm would therefore need to be weighed against the public benefits of the proposal, which are listed as follows:

- The provision of 547 new homes
- The provision of 227 affordable new homes
- The provision of new public realm and public play space with significant greening
- The regeneration of the site utilising high quality design of buildings and landscaping
- Construction and end user phase employment opportunities
- Financial contributions towards new pedestrian connection to Ornamental Canal and a new pedestrian crossing on The Highway

7.108 It is considered that any less than substantial harm identified to the setting of heritage assets is significantly outweighed by public benefits of the proposal as outlined above. The level of harm to heritage assets is considered to be very much the same as that resulting from the hybrid consented massing on the site, which was found to be acceptable. It must also be said that the public benefits on the current plot H and J proposal would be significantly greater than that of the hybrid consented plot H and J scheme. Historic England have not objected to the proposal and the GLA have come to the same heritage conclusions in terms of public benefits clearly outweighing any harm identified. For the reasons above, the impact on heritage assets would be acceptable and in accordance with Development Plan policies.

Layout, Landscaping, Public Realm and Site Allocation

7.109 The proposed site layout is shown in figure 17. The Quayside is a pedestrian route to the north running west-east. The Promenade is a pedestrian route to the south running west-east. The Play Mews and Garden Square are areas of public realm and play space running north-south. The Water Garden is a private amenity space for Building H but also includes areas of public plays space to the south. Roof terraces (Terrace Gardens) are also shown atop Building J.

7.110 The proposed site layout mimics that consented on the wider development with the U-shaped Buildings C, F and G. The proposed development provides an improvement in terms of the quality of layout, landscaping and public realm, offering more public play and more open, interactive and flexible green spaces. The hybrid consent plan for this site was more hard landscaped and did not include a Play Mews. In hybrid consent plans for this site, to the north of the Play Mews there would have been a ramp for vehicles to head down towards basement car park and servicing area – this has proven to be unneeded and removed from plans. Current vehicular and servicing access from site is from Vaughan Way (the proposal includes a basement car park which would connect to the site-wide car park – further details in the 'Highways and Servicing' section).

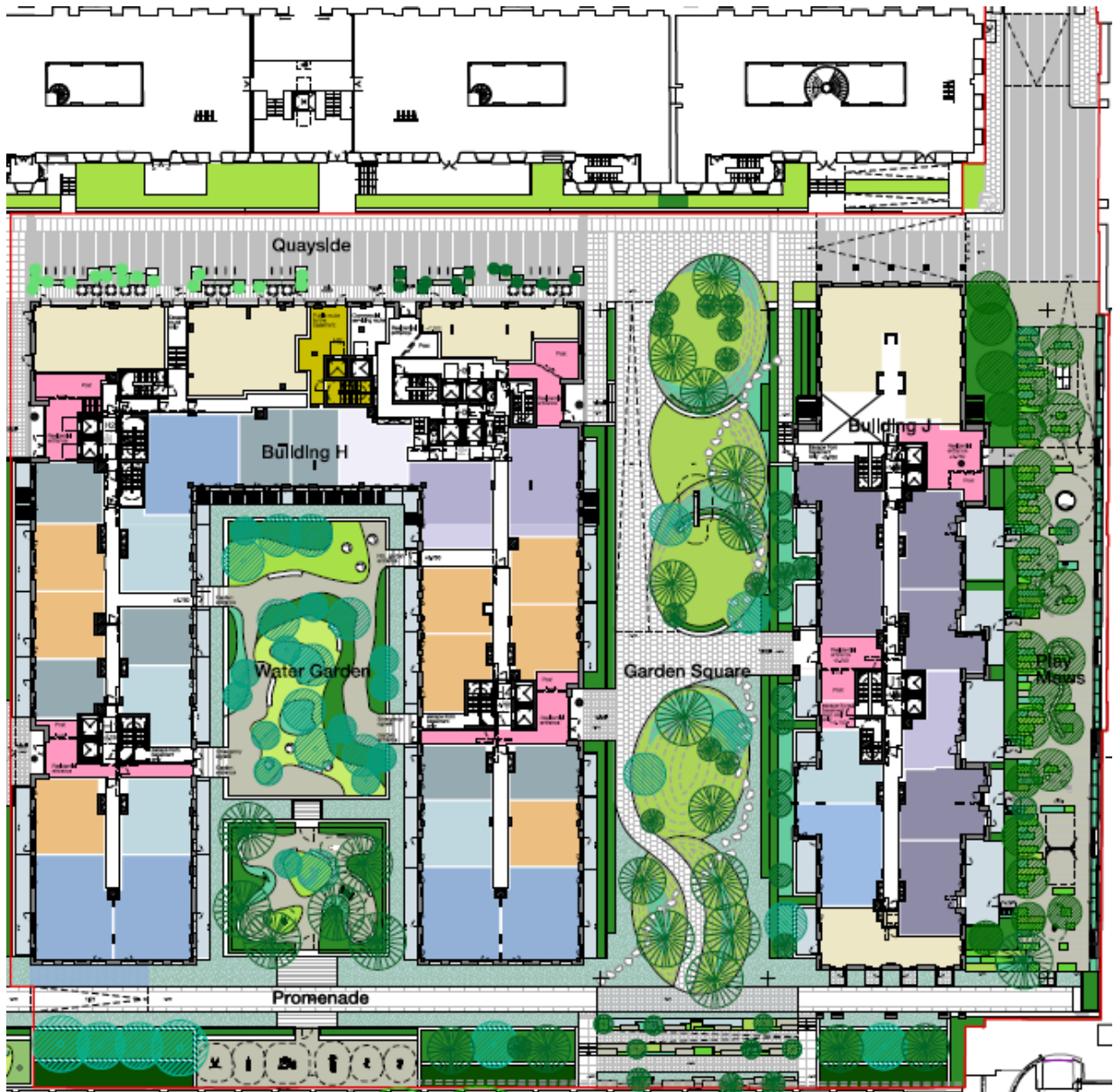


Figure 17: Areas of proposed landscaping (this has since been

7.111 Pedestrian access is from the north-east of the site from Pennington Street. Currently there are two sets of gates (shown in appendix 2.6) – the applicant has agreed to remove these in order to provide a welcoming and better-connected pedestrian access to the site. Pedestrian access is also from the west on the Quayside and Promenade. The wider development permission has also secured future north-south pedestrian access through Pennington Street Warehouses. To the south of the Garden Square, a zig-zagging ramp can be seen, providing an area where the Ornamental Canal can be overlooked. The hybrid planning permission included provisions for a new pedestrian route to be opened up to the south, to create new connectivity to the footpath of the Ornamental Canal.

7.112 The aspiration for this new pedestrian connection is emphasised in the Site Allocation section of the Local Plan which illustrates a strategic pedestrian/ cycling route and Green Grid running south to join the canal. The applicant has committed to providing a financial contribution for the Council to deliver the connection on the other side of the southern site boundary – this would be planned as a ramp and stairs, minimising impact on existing trees. The canal is currently well-used and a new north-south route in this location would be a significant public benefit, as a shortcut and also allowing people into the site to access public green areas and play spaces,

as well as future commercial offerings. The GLA in their stage I report confirmed that *“The provision of a future connection beyond the site to the Ornamental Canal to the south is welcomed; the applicant is encouraged to continue to work with the LPA and other stakeholders to facilitate its provision. Without this link, the permeability of the site would be compromised with no links to the south.”*

- 7.113 The new north-south pedestrian link would help to improve and enhance legibility, permeability and connectivity within the area and address severance of this large site, in accordance with objectives and development principles of the Local Plan’s ‘Vision for City Fringe.’ The proposed development, in accordance with the hybrid planning permission layout, would help to achieve other aspirations of the Site Allocation, delivering Green Grid and a west-east pedestrian route at the north of the site on the Quayside and going south down the Play Mews, as well as a west-east pedestrian route (Promenade), and a local north-south pedestrian route (Garden Square). The site does not promote cycling connections within the public realm, however cycle parking is provided for all uses at basement level.
- 7.114 Overall, it is considered that the proposed layout would allow provide a good amount of active frontage and passive surveillance, including improved public realm and permeability around the site. Full details of hard and soft landscaping features would be secured by condition, subject to approval. For the reasons above, the proposed layout is considered to accord with Development Plan.

Architecture and Materials

- 7.115 The architectural principles for the majority of Building H follow those established in Buildings F and G of the wider London Dock site. These are based on a hierarchy of elements, such as a base/ plinth referencing former warehouses, rhythms of piers, horizontal banding, balcony strategy, materials and the depth and intricacy of openings. Building H is meant to resemble a cluster of warehouses (see figure 18). This architectural rhythm occurs across Buildings F, G and H to create a clear, unified and simplified elevational expression across this family of buildings. Building H includes a marker tower with a combination of alternative coloured window frames, light colour bricks and an exposed top. A wide range of references, materials and details are present around Building H, so that elevations are relatively busy, however they do relate well to their local surroundings.
- 7.116 Building J is a predominantly masonry precast / GRC ‘urban edge block’ most similar to Building A at London Dock and with a more simple palette of materials. The building has applied masonry screens to the north and south elevations which enables a 3 storey colonnade at the southern end, and a 1.5 storey colonnade at the north facing the Quayside. The materiality and expression of the southern colonnade references Building A of the wider London Dock site, reinforcing the relationship between these two buildings that bookend the east-west Promenade. Bay windows articulate the eastern and western sides of Building J with metal balconies sliding out from behind these screens to give amenity to the homes located behind.



Figure 18: Image from south-west of site looking in Water Garden play area of Building H

7.117 1:20 sections are required to demonstrate the details of both brickwork and GRC/ reconstituted stone, opening reveals, brick coursing detail, plinth element, balcony, balustrade, soffit, parapet, signage, entrances/ external doors and gates. Full details and samples of external materials would be secured by condition, if the application was to be approved. In order to ensure that design quality is maintained throughout the construction process, the Council would also seek to ensure that the scheme architect is retained or that a design certifier is appointed – this would be secured by s106 legal agreement, subject to approval. Conditions ensuring clear glazing for ground floor commercial uses, and restrictions of aerials, pipework, external plant and fencing would be required, subject to approval. Overall, the materials and overall appearance of the building are considered to be consistent with guidance within the Development Plan.

Fire Safety

7.118 Policy D12 of the London Plan seeks to ensure that development proposals achieve the highest standards of fire safety, beyond what is covered by Part B of the Building Regulations, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, considering issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.

7.119 All residential cores would include a fire evacuation lift in addition to the firefighting lift. It appears that all residential cores in buildings over 30m would be served by two staircases. The GLA concluded that the submitted fire statement contains all the information policy requirements.

7.120 As part of the Gateway One process, the HSE considered the submitted fire statements and provided an initial substantive response dated 19 December 2023. This response requested clarification and amendments, particularly relating to fire service access. The applicant team provided a formal response to the HSE's substantive response on 15 February 2024, this response included both clarifications and amendments to the fire statement and strategy.

- 7.121 Accordingly, the HSE provided a second consultation response on 14 March 2024. In this response, the HSE restated concerns relating to ‘Poor Fire Service Access’ and stated that landscaping changes would be required to allow tenders to reach the appropriate 18 metre distance from residential cores. The applicant’s proposed response had been to continue with the strategy implemented on earlier phases of the London Dock site whereby fire tenders would be stationed on the east west ‘Quayside’, outside of the 18m.
- 7.122 In light of these concerns, the applicant has now revised both their fire strategy and landscaping strategy so that tenders may access further south into the site, in order to be within the requisite 18 metres. These revisions, including full swept path analysis as shown in figure 19 below, have been forwarded to the HSE in the form of an additional consultation request.

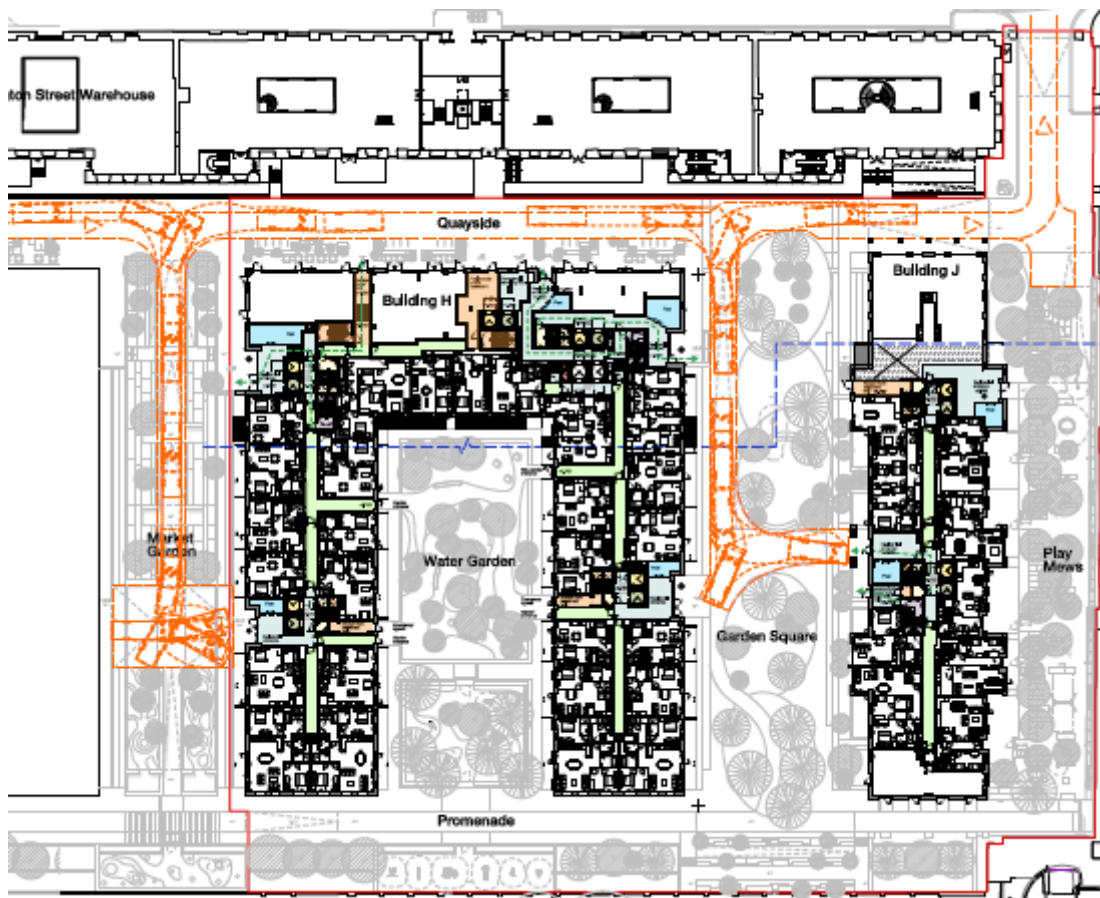


Figure 19: Proposed fire tender access to buildings on the site

- 7.123 The submitted revisions show how the HSE issue can be resolved. Officers recommend that HSE final approval on landscaping and strategy is obtained prior to the decision notice being issued by the Local Planning Authority (LPA) and before the GLA Stage 2 referral is made by the LPA.

Designing-out Crime

- 7.124 Development Plan policies seek to ensure that new development would result in a safer environment for future residents and visitor to the site and reduce the fear of crime. The application has been reviewed by the Designing-out Crime Officer from the Metropolitan Police. Subject to approval, a condition would be required to deliver a Secure by Design scheme and achieve a Certificate of Compliance from the Metropolitan Police.

Archaeology

- 7.125 Policy S.DH3 states that *“where the development includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, field evaluation will be required. Where harm can be fully justified, we will require archaeological excavation and/or recording as appropriate, followed by analysis and publication of the results.”*
- 7.126 In regard to future construction works, the piled foundations and secant basement wall would entirely remove any surviving remains of the former dock wall, and the extent of its survival would need to be established through archaeological evaluation, before approval of the foundation design. Furthermore, the site lies within an historically braided area of the River Thames with an elevated area in the south and a palaeochannel in the north. Thick deposits of alluvium exist across much of the site, within which significant deposits of peat have been recorded. The presence of peat raises the potential for the site to contain archaeological and palaeoenvironmental remains, beyond the footprint of the infilled London Dock, and these are likely to be impacted by the proposed development works.
- 7.127 If the application was to be approved, conditions would be required to secure foundation design along with stage 1/ stage 2 written schemes of investigation.

NEIGHBOUR AMENITY

- 7.128 Development Plan policies seek to protect and where possible enhance neighbour amenity by safeguarding privacy, avoiding unreasonable levels of overlooking, sense of enclosure, outlook, noise, light, odour, fumes, dust and ensuring acceptable daylight and sunlight conditions.

Outlook, Overbearingness, Sense of Enclosure and Privacy

- 7.129 In terms of height, scale and massing, it is considered that the proposed development would achieve an acceptable relationship with the surrounding, existing built environment. The proposal would result in there being a taller building on the site in relation to nearby residential buildings shown on figure 20. The nearest residential buildings around the site would be Building G, 19.8m to the west, 1-70 China Court, Asher Way, 25m to the south, 54-80 Waterman Way, 46.5m to the south, 67-78 Discover Walk, 47m to the south-east and 2-4 Artichoke Hill, 60m to the north-west.
- 7.130 The proposed development would result in some loss of outlook and increased sense of enclosure most particularly for Building G, 1-70 China Court and 67-78 Discovery Walk; however, these properties would be significantly more than 18m away in terms of the guideline acceptable separation distance stated in the supporting text of policy D.DH8. It should also be understood that these buildings (apart from Building G, which is only under construction) have benefitted from looking over a cleared site, since the demolition of the News International Printworks resulting from the London Dock hybrid application being consented. It must also be noted that the height and massing approved from the hybrid application was very broadly similar. Building G was approved as part of the same hybrid consent as parameter plan massing for plots H and J, and so was already designed taking into consideration development in broadly the same form as that proposed.



1. 1-10 Waterman Way
2. 54-80 Waterman Way
3. 81-88 Waterman Way
4. 67-78 Discovery Walk
5. 1-8 Wellington Terrace
6. 1-13 (odds) Mace Close
7. 1-70 China Court
8. 1-76 Leeward Court
9. 94-112 (pairs) Kennet St
10. 118-132 (pairs) Kennet St
11. 1-4 Fowey Close
12. 2-4 Artichoke Hill
13. 1-36 Breezers Court
14. Pennington Court
15. 50 The Highway
16. 131 The Highway
17. Chi Apartments
18. Orchid Apartments
19. The Old Rose

Figure 20: Site in relation to existing (blue) and consented (orange) residential uses

- 7.131 Consented development sites (shown in figure 20) at the BP petrol station/ McDonalds drive thru restaurant site (102-126 & 128 The Highway), Big Yellow self-storage site (60-70 & 100 The Highway and 110 Pennington Street) and new hotel site opposite Tobacco Dock (134 to 140 (even) Pennington Street & 130, 136 & 154 to 162 The Highway) have also been taken into consideration. The separation distance to the Big Yellow development site is 42m and to the other sites would be significantly greater. It is not considered that the proposed development would have a significant impact on outlook, overbearingness, sense of enclosure or privacy in relation to consented development sites. The BP petrol station/ McDonalds drive-thru restaurant and Big Yellow development sites were designed to take into consideration the London Dock hybrid consent. In relation to the largely vacant site at 120-132 Pennington Street, the proposed development would be sufficient separation distance away, in line with the Big Yellow site.
- 7.132 Overall, the proposed development is considered to provide an acceptable relationship in respect of separation distances, outlook, sense of enclosure, privacy and overlooking to nearby residential units and potential development sites.

Daylight, Sunlight & Overshadowing

Guidance

- 7.133 Policy D.DH8 seeks to ensure that development must not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development and must not result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. Supporting text of the policy states that a daylight and sunlight assessment, following the most recent version of the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2022) ('BRE handbook') must accompany all major planning applications.
- 7.134 The BRE handbook provides guidance on daylight and sunlight matters. It is important to note, however, that this document is a guide whose stated aim 'is to help rather than constrain the designer.' The BRE handbook states that for calculating daylight to neighbouring properties affected by a proposed development, vertical sky component (VSC) and daylight distribution (NSL – no sky line) assessments are to be undertaken.

- 7.135 VSC is a daylight measure that represents the amount of visible sky that can be seen from the mid-point of a window, from over and around an obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky, and, therefore, represents the amount of daylight available for that particular window; however it does not take into account the number or sizes of windows to a room, room dimensions or the properties of the window itself. The BRE handbook suggests that a window should retain at least 27% VSC or retain at least 80% of the pre-development VSC value to ensure sufficient daylight is still reaching windows. The 27% VSC value is a target applied for all building typologies and urban environments.
- 7.136 No-sky line (NSL) is a separate daylight measure assessing the distribution of diffuse daylight within a room, otherwise known as daylight distribution (DD). NSL assesses where daylight falls within the room at the working plane (850mm above floor level in houses). Daylight distribution assessment is only recommended by the BRE Report where room layouts are known, however they can also be useful when based on estimated layouts. The NSL simply follows the division between those parts of a room that can receive some direct skylight and those that cannot. Where large parts of the working plane lie beyond the NSL, the internal natural lighting conditions will be poor regardless of the VSC value, and where there is significant movement in the position of the NSL contour following a development, the impact on internal amenity can be significant.
- 7.137 When comparing the NSL for existing buildings against that proposed following development, BRE guidelines state that if the NSL moves so that the area of the existing room which receives direct skylight is reduced to less than 0.8 times its former value, then this will be noticeable to the occupants, and more of the room will appear poorly lit.
- 7.138 The BRE handbook states that when calculating sunlight to neighbouring properties affected by a proposed development, annual probable sunlight hours (APSH) is a measure of direct sunlight that a given window may expect over a year period. The BRE handbook recommends that in existing buildings, sunlight should be checked for all habitable rooms and conservatories of dwellings if they have a window facing within 90° of due south. The BRE handbook recommends that the APSH received at a given window in the proposed case should be at least 25% of the annual total available, including at least 5% in winter (winter probable sunlight hours (WPSH)). Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.

Reduction to daylight (VSC & NSL) and Sunlight (APSH & WPSH)	Effect classification
Negligible effect	0% to 20% reduction
Minor adverse effect	20.1% to 30% reduction
Moderate adverse effect	30.1% to 40% reduction
Major adverse effect	more than 40% reduction

Figure 21: Daylight and sunlight effect classification

- 7.139 In terms of overshadowing BRE guidance suggests that for an amenity area, like a garden, to appear sunlit throughout the year, at least 50% of the garden or amenity area should receive 2 hours of sunlight on 21st March (21st March is the equinox month and is the set day for testing overshadowing in accordance with the BRE criteria). If existing open spaces do not meet the above criteria as a result of proposed development, and the area which can receive 2 hours of sun on 21st March reduces by more than 20% of its former value, then the loss of sunlight may be noticeable, representing an adverse impact.

7.140 There is no definitive categorisation for impacts that exceed BRE guidelines, however the significance criteria banding within figure 21 is used as a guideline when summarising the overall daylight and sunlight effects to surrounding buildings.

Assessment

7.141 The application is supported by a Daylight Sunlight, and Overshadowing chapter of the Environmental Statement by GIA. The Council have appointed an independent consultant (BRE) to review the assessment submitted by the applicant. Figure 20 is from the BRE (Council’s consultant) review and shows the range of properties assessed in the locality.

7.142 Officers have had regard to the results of the daylight and sunlight assessments. It is noted that a proportion of the windows tested would experience a material deterioration in the amount of daylight and/or sunlight that they receive. It can be confirmed that 1811 windows in the locality have been tested for VSC daylight impacts and 1412 (78%) would not be significantly impacted. 1244 rooms were tested for NSL daylight impacts in the locality and 1051 (84.5%) would not be significantly impacted. In terms of APSH sunlight, it can be confirmed that 673 windows in the locality have been tested and 653 (97%) would not be significantly impacted. The assessment below will focus on the properties which would suffer some significant effects (see figure 22).

Properties	Compliance for VSC daylight	Compliance for NSL daylight	Compliance for APSH sunlight
Building G	470/744 windows (63.2%)	328/505 rooms (65%)	210/221 (95%)
61-66, 67-72, 73, 74, 75, 76, 77, 78 Waterman Way	27/67 windows (40.3%)	48/49 rooms (98%)	N/A
2-4 Artichoke Hill	207/230 windows (90%)	129/129 rooms (100%)	112/130 (86.2%)
118-124, 132 Kennet Street	32/36 windows (88.9%)	27/28 rooms (96.4%)	N/A
1-70 China Court	149/204 windows (73%)	95/109 rooms (87.2%)	N/A
78 Discovery Walk	8/9 windows (88.9%)	5/5 rooms (100%)	N/A
1-76 Leeward Court	115/117 (98.3%)	84/84 rooms (100%)	N/A

Figure 22: Daylight and sunlight summary of impacts on neighbouring buildings

- Building G, London Dock

7.143 With the proposed development in place, 470 of 744 windows tested would meet BRE guidance for changes in VSC daylight received. Of the remaining 274 windows, 33 would experience a minor adverse impact, 28 a moderate adverse and 213 a major adverse impact. With the proposed development in place, 328 of the 505 rooms would meet the BRE guidance for NSL daylight. Of the remaining 273 rooms, 17 would experience a minor adverse, 16 a moderate adverse and 144 a major adverse impact.

- 7.144 In regard to APSh sunlight, 210 of 221 windows tested facing within 90° of due south would all be BRE compliant. 1 would see a moderate adverse impact and 10 would experience a major adverse impact. In regard to WPSH sunlight, 6 windows tested facing within 90° of due south would experience a major adverse impact.
- 7.145 The most serious failures are found on east-facing part of the building facing the proposed development. A number of windows in this property are served by overhanging balconies. It is accepted in the BRE handbook that existing windows with balconies above them typically receive less daylight because the balcony cuts out light from the top part of the sky; therefore even a modest proposed development set opposite may result in a large relative impact on daylight or sunlight.
- 7.146 Building G has been designed in consideration of massing of the consented outline parameters of Plots H & J. Whilst increased impacts may occur in places, it is understood that the retained levels of light within Building G remain similar to those levels expected when Buildings G, H and J were planned together in the hybrid consent, as the massing proposed for Buildings H and J broadly follows the approved parameters of plots H and J.
- 7.147 Overall, the proposal would result in some significant daylight impacts to Building G. The Council's consultant has assessed the daylight impacts on Building G as major adverse. Taking into consideration the separation distance, negligible impact on sunlight, dual aspect outlook of some impacted units, with some habitable rooms facing away from the development site, along with the reality of massing of Building G and plots H and J being designed together as part of the hybrid development permission, it is considered that the retained amenity to Building G would be acceptable on balance, and would not warrant refusal of the scheme, also taking into consideration the extensive planning benefits of the scheme.
- 61-66, 67-72, 73, 74, 75, 76, 77, 78 Waterman Way
- 7.148 With the proposed development in place, 27 of 67 windows tested would meet BRE guidance for VSC daylight. Of the remaining 40 windows, 28 would see a minor adverse, 10 a moderate adverse and 2 a major adverse impact. With the proposed development in place, 48 of the 49 rooms would meet the BRE guidance for NSL daylight. The 1 remaining window would see a minor adverse impact.
- 7.149 The Council's consultant has assessed the daylight impacts on nos. 61-66 and 78 as minor adverse, on nos. 67-72 and 73-75 as moderate adverse, and on nos. 76-77 as minor to moderate adverse. A number of windows in this property are served by overhanging balconies. It is accepted in the BRE handbook that existing windows with balconies above them typically receive less daylight because the balcony cuts out light from the top part of the sky; therefore even a modest proposed development set opposite may result in a large relative impact on daylight or sunlight.
- 7.150 The London Dock hybrid planning permission was consented with broadly very similar height and massing for plot H and J. The proposed development would not introduce significantly greater height and massing, although Building J has moved by approximately 2m to the west. It should also be understood that these buildings have benefitted from looking over a cleared site, since the demolition of the News International Printworks resulting from the London Dock hybrid consent. Results in comparison to the News International Printworks massing would have been less contrasting.
- 7.151 Overall, the proposal would result in some significant daylight impacts to residential properties at 61-66, 67-72, 73, 74, 75, 76, 77, 78 Waterman Way. Taking into consideration the separation distances, 98% compliance with NSL daylight room compliance, no impact on sunlight, dual aspect outlook of some impacted units, with some habitable rooms facing away from the development site, along with the acceptability of hybrid consent plots H and J massing and

height being, it is considered that the retained amenity to 61-66, 67-72, 73, 74, 75, 76, 77, 78 Waterman Way would be acceptable on balance, and would not warrant refusal of the scheme, also taking into consideration the extensive planning benefits of the scheme.

- 1-70 China Court, Asher Way

- 7.152 With the proposed development in place, 149 of 204 windows tested would meet BRE guidance for VSC daylight. Of the remaining 55 windows, 11 would see a minor adverse, 24 a moderate adverse and 20 a major adverse impact. With the proposed development in place, 95 of the 109 rooms would meet the BRE guidance for NSL daylight. Of the remaining 14 windows, 6 would see a minor adverse, 4 a moderate adverse and 4 a major adverse impact.
- 7.153 The Council's consultant has assessed the daylight impacts on 1-70 China Court as moderate to major adverse overall. The results suggest that most of the impacted windows would be at ground and second floor level. The London Dock hybrid planning permission was consented with broadly very similar height and massing for plot H and J. The proposed development would not introduce significantly greater height and massing, although Building J has moved by approximately 2m to the west. It should also be understood that these buildings have benefitted from looking over a cleared site, since the demolition of the News International Printworks resulting from the London Dock hybrid consent. Results in comparison to the News International Printworks massing would have been less contrasting.
- 7.154 Overall, the proposal would result in some significant daylight impacts to residential properties at 1-70 China Court. Taking into consideration the separation distances, 87% compliance with NSL daylight room compliance, no impact on sunlight, dual aspect outlook of some impacted units, with some habitable rooms facing away from the development site, along with the acceptability of the previous hybrid consent plots H and J massing and height, it is considered that the retained amenity to 1-70 China Court would be acceptable on balance, and would not warrant refusal of the scheme, also taking into consideration the extensive planning benefits of the scheme.

- 2-4 Artichoke Hill

- 7.155 With the proposed development in place, 207 of 230 windows tested would meet BRE guidance for VSC daylight. Of the remaining 23 windows, 14 would see a minor adverse, 3 a moderate adverse and 6 a major adverse impact. With the proposed development in place, all 129 rooms would meet the BRE guidance for NSL daylight.
- 7.156 In regard to APSH sunlight, 112 of 130 windows tested facing within 90° of due south would all be BRE compliant. 3 windows would see a minor adverse impact and 2 would experience a moderate adverse impact. In regard to WPSH sunlight, 18 windows tested facing within 90° of due south would experience a major adverse impact.
- 7.157 The Council's consultant has assessed the daylight impacts on 2-4 Artichoke Hill as moderate adverse overall, with impacts to sunlight potentially moderate adverse, when taking into account consented future developments. A number of windows in this property are served by overhanging balconies. It is accepted in the BRE handbook that existing windows with balconies above them typically receive less daylight because the balcony cuts out light from the top part of the sky; therefore even a modest proposed development set opposite may result in a large relative impact on daylight or sunlight.
- 7.158 The London Dock hybrid planning permission was consented with broadly very similar height and massing for plot H and J. The proposed development would not introduce significantly greater height and massing, although Building J has moved by approximately 2m to the west. It should also be understood that these buildings have benefitted from looking over a cleared site, since the demolition of the News International Printworks resulting from the London Dock hybrid

consent. Results in comparison to the News International Printworks massing would have been less contrasting.

7.159 Overall, the proposal would result in some significant daylight and sunlight impacts to residential properties at 2-4 Artichoke Hill. Taking into consideration the separation distances, full compliance with NSL daylight room compliance, dual aspect outlook of some impacted units, with some habitable rooms facing away from the development site, along with the acceptability of the previous hybrid consent plots H and J massing and height, it is considered that the retained amenity to 2-4 Artichoke Hill would be acceptable on balance, and would not warrant refusal of the scheme, also taking into consideration the extensive planning benefits of the scheme.

- *78 Discovery Walk*

7.160 With the proposed development in place, 8 of 9 windows tested would meet BRE guidance for VSC daylight. The 1 remaining window would experience a minor adverse impact. 7 of the VSC failures would retain VSC levels over 15. With the proposed development in place all rooms would meet the BRE guidance for NSL daylight. The Council's consultant has assessed the daylight impacts as negligible overall and there would be no impact on sunlight.

- *118-124, 132 Kennet Street*

7.161 With the proposed development in place, 32 of 36 windows tested would meet BRE guidance for VSC daylight. The remaining 4 windows would see a major adverse impact. With the proposed development in place, 27 of the 28 rooms would meet the BRE guidance for NSL daylight. The 1 remaining window would see a minor adverse impact. The Council's consultant has assessed the daylight impacts to nos. 118-124 and 132 as minor adverse overall and there would be no impact on sunlight.

- *1-76 Leeward Court*

7.162 With the proposed development in place, 115 of 117 windows tested would meet BRE guidance for VSC daylight. Of the remaining 2 windows, 1 would see a moderate adverse and 1 a major adverse impact. All of the rooms would meet the BRE guidance for NSL daylight. The Council's consultant has assessed the daylight impacts to 1-76 Leeward Court as minor adverse overall and there would be no impact on sunlight.

- *Impacts on consented developments*

7.163 The applicant has undertaken daylight and sunlight assessments in relation to impacts on nearby consented residential developments at the BP petrol station/ McDonalds drive thru restaurant site (102-126 & 128 The Highway) and the Big Yellow self-storage site (60-70 & 100 The Highway and 110 Pennington Street). Figure 20 shows the surrounding context including nearby consented developments. These two sites have planning permission for residential development however it is understood that works are yet to commence on-site.

7.164 VSC and NSL daylight and APSH and APSH sunlight assessments have been undertaken, indicating that the applicant's believe that these developments may be built out prior to Buildings H and J. Ideally, internal daylight and sunlight assessments would have been undertaken for the consented developments, such as assessing illuminance and sunlight quality using the same methodology as that of the internal units of Building H and J in order to fully comply with BRE guidance, although the impacts can still be estimated adequately from the report.

7.165 In regard to 102-126 & 128 The Highway, the Council's consultant has assessed the daylight impacts as minor adverse and sunlight impacts as negligible. In regard to 60-70 & 100 The Highway and 110 Pennington Street, the Council's consultant has assessed the daylight

impacts as minor to major adverse and sunlight impacts as moderate adverse. A number of windows in this property are served by overhanging balconies. It is accepted in the BRE handbook that existing windows with balconies above them typically receive less daylight because the balcony cuts out light from the top part of the sky; therefore even a modest proposed development set opposite may result in a large relative impact on daylight or sunlight.

7.166 Taking into consideration the separation distance, the self-impact of balconies, with some habitable rooms facing away from the development site, along with the fact that these two developments were designed already taking the hybrid consented massing of Buildings H and J into consideration, it is considered that the retained amenity to future consented development would be acceptable.

Overshadowing to Amenity Spaces

7.167 Two private residential communal amenity/ play spaces for the Big Yellow development site would suffer significant overshadowing impacts from the proposed development – one of these spaces would go from 55% to 25% of area receiving 2 hours of sunlight on 21st March, whereas the BRE target is 50%, suffering a major adverse impact. The other space assessed in the Big Yellow development site would receive a moderate adverse impact, still complying with guidance but going from 80% to 50%. 4 private residential communal amenity/ play spaces for the BP petrol station/ McDonalds drive-thru restaurant development site would comply with BRE guidance for overshadowing impacts. It should be taken into account that these two development sites were designed already taking the hybrid consented massing of London Dock into consideration.

Daylight and Sunlight Conclusion

7.168 Officers have had regard to the daylight and sunlight results relating to the properties surrounding the proposed development listed above. Whilst the proposal would give rise to adverse effects to nearby residential windows, officers consider these impacts to be acceptable in the context of overall retained amenity. Officers have reached this conclusion based on the factors listed below:

- The proposed development sits within an emerging context where changes to amenity (including daylight and sunlight) experienced by neighbouring properties are expected. The existing site consists of a cleared site, where the previous large scale building was demolished only after the hybrid development was consented in 2014. The application site is within an Opportunity Area. A commensurate scale of development is expected in line with the hybrid development parameter plan height and massing consented and is expected to give rise to some degree of adverse impacts, as has been set out above.
- Acceptable separation distances are maintained around the site. The development is generally not considered to significantly adversely impact on outlook, sense of enclosure, overlooking and privacy and as such the adverse amenity impacts in respect of daylight are not coinciding/ being layered upon other adverse neighbouring impacts.
- Impacts on sunlight are relatively minimal taking into consideration the scale of development.
- Many of the residential properties impacted by the proposed development benefit from dual aspect outlook and as such these homes are liable to have other windows and rooms which remain unaffected.

7.169 Under the chapter titled 'Achieving appropriate densities' in the NPPF, paragraph 129 (c) states that for housing applications, a flexible approach to applying daylight and sunlight policies or

guidance should be applied where they would otherwise inhibit an efficient use of the site (as long as the resulting scheme would provide acceptable living standards,

- 7.170 To conclude, in the context of Policy D.H8, the proposed development would result in material deterioration to the daylight and sunlight levels at neighbouring properties and therefore, result in a level of impact to neighbouring amenity. Nevertheless, in the context of the factors set out above, and taking into consideration the planning benefits offered by the proposed development, officers consider these impacts to be acceptable and that the scheme would comply with paragraph 129 of the NPPF.

Impact on Cultural Venues

- 7.171 The proposed development has been designed in terms of noise and overheating mitigation measures, to take noise impacts from the E1 nightclub across Pennington Street into consideration. Insulation measures, glazing and mechanical ventilation would ensure that future residents would be protected from noise from the E1 nightclub.
- 7.172 Tobacco Dock has a certificate of lawful existing use to run up to 15 large scale music events per year. These events happen during the daytime until around 10.30pm, although none have taken place since the start of 2023. Due to the heritage roof form of the Grade I listed Tobacco Dock, noise leakage is an issue when these events are running. The submitted noise assessment accepts that when these events are running, there would be some incidences of outdoor amenity spaces being excessively noisy. Due to the limited frequency of these events, during daytime hours mainly, it is not considered that the identified impacts on outdoor amenity spaces would be significant to warrant refusal of the scheme, taking into consideration the extensive benefits of the proposed development and that indoor spaces would still comply with noise targets.
- 7.173 Skylight Bar was granted temporary planning permission for 1 year in 2021, which was extended by 1 year in 2022. Recently the temporary planning permission for Skylight Bar was extended to 1 January 2027. As Skylight Bar only started operating and was granted temporary planning permission after the London Dock hybrid development was granted consent in 2014, the rooftop bar would not benefit from agent of change protection from new residential development on the application site. The London Dock development was consented for intensive residential use on the site prior to Skylight operating. Being in such close proximity to plots H and J, Skylight Bar would not be compatible with new homes on the site – for this reason, Skylight Bar only has temporary planning permission and should not be granted extensions of its consent after residential occupation of plots H and J. For the reasons above, Skylight Bar is not a source of noise that needs to be tested in relation to internal noise of new homes, as it would not be in place at the time of occupation.

Conclusion

- 7.174 Although some adverse amenity impacts have been identified, along with mitigations proposed, it is considered that retained amenity for neighbours would be acceptable overall.

HIGHWAYS AND TRANSPORT

Development Plan policies promote sustainable modes of travel and seek to limit car parking and car use to essential user needs. These policies also seek to secure safe and appropriate servicing arrangements to ensure developments are managed effectively and efficiently.

Trip Generation and Public Realm

7.175 The development proposes an uplift in residential units which will take the total number of units on the London Dock site to over the approved number approved previously. The main impact of this would be an increased footfall along both local roads, Pennington Street in particularly as well as the smaller roads leading to The Highway. As part of the hybrid consent for the wider site, the applicant has previously made a financial contribution towards improvements along Pennington Street but given the potential large increase in footfall LBTH Highways have sought a further financial contribution to go towards active travel improvements outside of the Pennington Street boundary, including issues identified by the Active Travel Zone (ATZ) assessment.

7.176 Officers consider that the provision of a new pedestrian route through the site heading south to the Ornamental Canal footpath would be a significant public benefit to the locality, increasing permeability and connectivity. The applicant has agreed to help to facilitate this route by agreeing a scope of works to agree a financial contribution to be secured by s106 legal agreement to ensure this route is delivered, if the application was to be approved. TfL have requested a £75,000 financial contribution towards the delivery of new pedestrian crossings over The Highway, which would also be secured by s106 legal agreement. Other developments including the wider London Dock hybrid consent have previously secured such funding. A s278 legal agreement would also need to be entered into in order to secure general highways improvement works necessary around the site.



Figure 24: Parking and servicing areas

Car Parking

7.177 The proposed basement car parking and servicing areas of the site are shown in Figure 24 – this would be connected to the sitewide basement car parking and servicing area. The applicant

has committed to a 'car free' development with the exception of 18 accessible (blue badge) car parking bays and 1 for commercial use, accessed from Vaughan Way. All spaces would be provided with electric vehicle charging provision with 20% active and 80% passive provision. A condition is required that these spaces can only be used by registered blue badge holders who are resident within these plots and not by any other user. The bays shall not be allowed to be leased / rented / sold to any users who is not a registered blue badge holders resident within the development. The 'car free' nature of the development is considered acceptable given the good public transport accessibility of the site (PTAL 3/4). The provision of the development as 'car free' would need to be secured through a legal agreement.

- 7.178 Based on current on-site monitoring results the applicant anticipates that any increased demand for disabled parking can be accommodated across existing provision within the wider London Dock development. TfL and LBTH Highways are satisfied with the level of car parking provided. The accessible car parking bays, electric charging points, and a car park management plan would be secured by condition, subject to approval.

Cycle Parking

- 7.179 It is proposed that residential cycle parking will be provided within a shared basement with 1,016 spaces, of which 972 would long stay, located nearest to the building cores. In addition, 6 long-stay non-residential spaces would be in the basement with 38 visitor spaces in the public realm along the Quayside (comprised of 23 non-residential and 15 residential visitor spaces). It is considered that the proposed cycle parking meets the minimum standards in London Plan Policy T5, however the design of the facilities must be in line with London Cycle Design Standards (LCDS). Full details of long stay and short stay residential and commercial cycle parking would be secured by condition, subject to approval. A minimum of 5% (preferably more) of stands should be of the 'Sheffield' type and be provided for larger / adapted cycles. Cargo bike storage (and use for servicing) is also strongly encouraged.

Servicing and Deliveries

- 7.180 The proposed servicing and delivery arrangements for the residential building would be accessed from Vaughan Way. The proposed servicing and deliveries arrangement would follow that of the wider London Dock development from the sitewide basement. If the application was to be approved then a deliveries and servicing management plan would be secured by condition.

Waste

- 7.181 Development Plan policies require adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements. The proposed waste management strategy would follow that of the wider London Dock development from the sitewide basement. LBTH Waste team have reviewed the proposal and are satisfied that subject to securing the final details of the site waste management plan by condition, the proposal would be acceptable.

Travel Planning

- 7.182 Draft Travel Plans have been provided for residential and self-storage components of the development would need to be secured by condition, subject to approval. Final versions of Travel Plans would be secured and monitored by S106 legal agreement, subject to approval.

Demolition and Construction Traffic

- 7.183 Should the application be approved, the impact on the road network from demolition and construction traffic would be controlled by way of conditions requiring the submission and approval of Demolition and Construction Management Plans. The Demolition and Construction

Management Plan will need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

ENVIRONMENT

Environmental Impact Assessment

- 7.184 The planning application constitutes an Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations) and is accompanied by an Environmental Statement (ES) coordinated by Arup.
- 7.185 Regulation 3 prohibits the Council from granting planning permission without consideration of the 'environmental information' that comprises the ES, including any further information submitted following request(s) under Regulation 25 and any other information, any representations made by consultation bodies or by any other person about the environmental effects of the development.
- 7.186 The submitted ES assesses the environmental impacts of the development under the following topics:
- Air Quality
 - Climate change
 - Greenhouse gases
 - Human health
 - Daylight, sunlight and overshadowing
 - Noise and vibration
 - Socio-economics
 - Townscape and visual impact
 - Wind microclimate
- 7.187 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.188 The Council has appointed Temple Group Consulting to independently examine the ES, to prepare an Interim Review Report (IRR) and to confirm whether the ES satisfies the Regulations. This is supported by reviews by the Authority's internal environmental specialists. The IRR dated 23 January 2024 identified clarifications and potential 'further information' required under Regulation 25. Clarifications were sought across a broad range of topics, with potential Regulation 25 'further information' identified.
- 7.189 In response to the IRR, the Applicant provided an Interim Review Report Response on 28 February 2024. On the 13 March 2024, Temple Group issued a Final Review Report (FRR) that took account of the Applicant's Interim Review Report Responses which identified that there were still a number of clarifications sought. Officers have subsequently had a meeting with the applicant on the FRR and are satisfied with the responses to these clarifications and with benefit of additional justification are satisfied in relation to a concern in relation to the Non-technical Summary (NTS) and the reporting of significant effects.
- 7.190 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the likely significant effects of the proposed development, which forms the basis of the assessment presented in this report.

Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations.

Energy & Environmental Sustainability

- 7.191 In terms of carbon reduction targets, LBTH policy maintains that new residential development should be zero carbon and non-residential developments should achieve a 45% carbon reduction target beyond Part L 2013 of the Building Regulations. Local Plan policy D.ES7 requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining regulated carbon dioxide emissions up to 100%, to be off-set through a cash in lieu contribution. Policy SI2 of the London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.
- 7.192 Development Plan policies further require the use of sustainable design assessment tools to ensure that new development has maximised use of climate change mitigation measures. The current interpretation of this policy is to require non-residential development to achieve BREEAM 'Excellent' standards. The Local Plan further requires new non-residential development, greater than 500sqm, to meet at least BREEAM 'Excellent' standards.
- 7.193 The LBTH's Sustainable Development team and the GLA's Energy team have reviewed the submitted Energy Statement and Sustainability Statement, prepared by Silcock Dawson and Partners. Their comments are incorporated into the assessment below.
- 7.194 The energy assessment (Energist) sets out the proposals to reduce energy demand through energy efficiency measures, connecting to the London Dock Heat Network and renewable energy technologies (PV array 16.6kWp) to deliver the following CO2 emissions.
- 7.195 The site wide proposals are for a 58% reduction in regulated carbon emissions which exceeds the policy D.ES7 requirements. The regulated carbon profile of the proposals are:
- Baseline – 532.9 tonnes/CO2/year
 - Proposed Development – 165.2 tonnes/CO2/yr
- 7.196 This results in a carbon offsetting contribution identified in the energy assessment of £470,820 to offset the remaining 165.2 tonnes CO2 and achieve net zero carbon. This figure is based on the £95 per tonne rate over a 30 year period as identified in the London Plan. This contribution should be secured with payment prior to commencement.
- 7.197 In relation to sustainability, policy D.ES7 requires BREEAM Excellent rating for all non-residential elements above 500m2. This should be secured via condition for submission of 'Final BREEAM' certificates to show delivery to a BREEAM Excellent rating. An Overheating Strategy for residential units has been provided and would also be secured by condition, subject to approval. The proposal would comply with the Development Plan in terms of current energy standards, representing an improvement on that secured by the 2014 hybrid consent for the site.

Air Quality

- 7.198 Development Plan policies require major developments to be accompanied by assessments which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution. The Local Plan identifies that the application site falls within an area of poor air quality with NO2 Annual Mean concentration greater than 40 (μgm^{-3}).

- 7.199 The application is accompanied by an Air Quality chapter (by Air Quality Consultants Ltd) of the Environmental Statement. The application has had regard to the potential impact of the proposed development on air quality at nearby residential properties and the impact of existing local air quality conditions on future residents. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment.
- 7.200 The 'Environmental Statement' submitted is satisfactory. It includes adequate air quality baseline and Air Quality Positive Statement. The 'Dust Risk Assessment' included in the 'Environmental Statement' has assessed all 4 construction sub-phases of the proposed development: demolition, earthworks, construction, and trackout. Demolition is not proposed. From a dust magnitude perspective, the three construction sub-phases (earthworks, construction, and trackout) have been classified as large categories. Therefore, according to 'The Control of Dust and Emissions During Construction' (Mayor of London, SPG 2014), PM10 continuous monitoring is required during all works to prevent both dust nuisance and air pollution.
- 7.201 The 'Air Quality Neutral' included in the 'Environmental Statement' is satisfactory. Buildings H and J Development are air quality neutral, because they will be connected to the approved development energy centre located in Building D. Buildings H and J will not cause any building emissions. With regard to emissions from transport, the 'Environmental Statement' has provided relevant Transport Emission Benchmarks (TEBs), and Buildings H and J are car free developments (with the exception of disabled parking). The proposed development is air quality neutral in terms of transport emissions, as the total trip rate is less than the TEB. Subject to approval, conditions are required to secure submission of; Dust Management Plan and PM10 monitoring, details of mechanical ventilation for residential units, details of kitchen extraction for relevant future commercial uses, details of construction plant and machinery.

Biodiversity and Arboriculture

- 7.202 Development Plan policies seek to safeguard and provide for net gains for biodiversity. Policy D.ES3 requires major developments to deliver net gains in biodiversity that contribute to the Local Biodiversity Action Plan (LBAP). The site is within 50 metres of the Shadwell and Hermitage Basins, Wapping canal, and Wapping Wood Site of Importance for Nature Conservation (SINC), identified as being of borough importance.
- 7.203 The ecological assessment submitted notes that due to the proximity to the SINC, there is a risk of construction-related impacts through noise, light and dust pollution. Therefore, a Construction Environment Management Plan (CEMP) should be secured by planning condition and approved prior to construction. The recommendations in the Preliminary Ecological Appraisal should be implemented or robust justification should be given as to why they cannot be. The applicant should prepare an Ecological Management Plan (EMP) to support long-term maintenance and habitat creation. The EMP should be secured by planning condition and approved.
- 7.204 There is no significant habitat on site, so there are no ecological constraints. In terms of biodiversity net gain (BNG), the applicant has provided quantitative evidence that the proposed development would secure a BNG score of 3388%, The proposed roof plan shows biodiverse roofs over most of the roof area of the proposed buildings. The biodiverse roofs should be designed in accordance with best practice guidance published by Buglife and would therefore contribute to a LBAP target.
- 7.205 Proposed landscaping includes new trees and extensive and varied planting around the site, mainly at the Water Garden, Play Mews, roof terraces and in water areas. The proposed water feature could be excellent for wildlife and will contribute to a LBAP target. This should consist exclusively of native wetland and aquatic plants. This is because non-native aquatic plants are much more likely than terrestrial plants to become invasive.

- 7.206 Of the four tree species marked as “native”, only alder and oak (but see below) are actually native. And of the other trees listed, only silver birch is definitely native, while the cherry and crab apple might be depending on species choice. Officers would like to see a much higher proportion of native trees within the tree planting. Two of the proposed tree species require changing. Due to the prevalence of the invasive oak processionary moth, oaks cannot be planted in the borough. False acacia (*Robinia pseudacacia*) is an invasive non-native species identified as a species of concern by the London Invasive Species Initiative – policy D.ES3 states that such species must not be planted in developments. It is noted that box (*Buxus sempervirens*) is among the proposed shrubs – due to the prevalence in the borough of box blight disease and the invasive box-tree moth, officers would strongly advise against planting this species, as it will inevitably die within a short time. The proposed ornamental planting includes a reasonable range of good nectar plants, but could be improved with a wider diversity of nectar-rich shrubs and perennials.
- 7.207 Biodiversity enhancements should be secured through a condition, of the application was to be approved to provide biodiverse roofs; landscaping to include a good diversity of nectar-rich plants to provide food for bumblebees and other pollinators for as much of the year as possible; a water feature designed to provide good wildlife habitat and planted exclusively with native aquatic and wetland species; tree planting to include at 50% native species (and not to include oak or false-acacia); bat boxes and nest boxes for appropriate bird species, including house sparrow, and vertical planting. Conditions would also be required in order to protect the existing trees around the site and in respect of full details of proposed trees.
- 7.208 London Plan policy G5 states that predominantly residential developments should meet the Urban Greening Factor target score of 0.4 in regard to the quality and proportion of urban greening proposed. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.39 for the residential-led part of the site. If the application was to be approved then a condition would be required to secure that landscaping is revised to achieve the target 0.4 score.

Flood Risk and Drainage

- 7.209 Development Plan policies seek to manage flood risk, encourage the use of Sustainable Urban Drainage Systems (SuDS) and sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. The site is located in Flood Zone 2/3. The Environment Agency have reviewed the submitted Flood Risk Assessment (FRA) and have not objected on flood risk grounds. The GLA also consider that it adequately assesses the risk of flooding from fluvial/ tidal, pluvial, sewer, groundwater and reservoir flooding and generally complies with London Plan Policy SI 12.
- 7.210 The drainage strategy proposes to restrict runoff to the greenfield runoff rate for the 100-year event plus 40% climate change. Attenuation would be provided through a combination of bioretention systems and below ground attenuation tanks which is supported. Pumping is not a sustainable solution, and the drainage strategy should be re-visited to incorporate the attenuation volume above ground where possible, or robust justification provided for its inclusion. The proposed SuDS measures are generally supported include an element of rainwater harvesting.
- 7.211 The application is supported, subject to a condition to require submission of a final detailed surface water drainage scheme. Thames Water have advised that, in regard to water capacity, a condition would be required to ensure that water network infrastructure to accommodate the needs of this development proposal, or a plan to demonstrate how this can be planned, are provided prior to occupation of the first 100 dwellings. Thames Water have also requested a piling method statement condition. Conditions would be secured if the application was to be approved.

Land Contamination

- 7.212 The application has been reviewed by the Council's Environmental Health Land Contamination Officer and subject to standard conditions, the proposals are considered to be acceptable. Any contamination that is identified can be addressed within the condition discharge process and will ensure that the land is made safe prior to any construction or demolition work takes place.

INFRASTRUCTURE

- 7.213 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £12,246,480.72 (after deducting likely social housing relief and subject to indexation) and Mayor of London CIL of £2,682,586.36 approximately (after deducting likely social housing relief and subject to indexation). These figures are indicative only and have been estimated using the most up to date available information provided by the developer on floorspace and current indexation values. This estimate is also subject to a full in-depth assessment following the grant of planning permission as required by the CIL Regulations.
- 7.214 The CIL Regulations 2010 (as amended) allow CIL to be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. The levy can be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan and the London Plan in London).
- 7.215 Alongside CIL, Development Plan Policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure. These financial and non-financial planning obligations are expected to be secured by S106 legal agreement. The requested planning obligations have been assessed by officers to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.
- 7.216 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as listed in the 'Recommendation' section below.

Local Finance Considerations

- 7.217 Assuming that the annual housing target of 3,931 units is delivered, the Council would be liable for a New Homes Bonus payment. Due to the threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus that the proposed development would deliver

HUMAN RIGHTS & EQUALITIES

- 7.218 The Equality Act (2010) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall, amongst other duties, have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.219 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

7.220 More generally, the proposed development would result in a number of positive impacts on protected characteristic groups and other groups through the provision of affordable housing units, wheelchair accessible housing units, public amenity and child play space, disabled persons car parking and job opportunities.

7.221 In accordance with the Equality Act, the Local Planning Authority needs to ensure that the following aims are met within the planning application, to the best of its ability:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

7.222 Officers are satisfied that the proposed development would not result in adverse impacts upon equality or social cohesion. In conclusion, the Council as the Local Planning Authority has exercised its functions adequately in respect of this planning application with satisfactory regard to the statutory duties set out in the Equalities Act in respect of the nine protected characteristics.

8. RECOMMENDATION

8.1 That subject to any direction by the Mayor of London, **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:

8.2 Financial obligations

- £95,402.93 towards construction phase employment skills training
- £1,183.11 towards end-user phase employment skills training
- £470,820 toward carbon emissions off-setting
- £75,000 towards upgraded pedestrian crossings on The Highway
- Scope of works to be agreed with financial contribution to provide a pedestrian connection to the Ornamental Canal footway on adjoining Council land
- £55,118.10 towards development co-ordination and integration
- £42,120.30 towards monitoring (this figure is liable to be recalculated once the s106 agreement is drafted in case of changes to the Heads of Terms. The final monitoring fee will be calculated in accordance with the Planning Obligations SPD (2021))

8.3 Non-financial obligations:

- a. Affordable housing (227 residential units) across the development (43% by habitable room with a 66/34 split between affordable rented and intermediate housing)
 - 127 affordable rented homes comprising 50% London Affordable Rent units / 50% Tower Hamlets Living Rent units
 - 100 intermediate units (including 75 First Time Buyer homes)
 - Early Stage Viability Review
 - b. Economic incentives
 - Access to employment
 - 20% local goods/ services procurement
 - 20% local labour in construction workforce
 - 17 x construction phase apprenticeships
 - c. Transport matters:
 - Permit free development (residential)
 - Highways improvement works (S278 legal agreement)
 - Residential and Commercial Travel Plans
 - d. Design Certification
 - e. Sitewide play space strategy
 - f. Public realm access and management including compliance the principles of the Public London Charter
 - g. 'Be Seen' energy monitoring
- 8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
- 8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

Planning Conditions

- 8.6 The draft heads of conditions recommended, subject to approval, are listed below.

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
4. Removal of PD rights for erection of fences following completion
5. Energy and sustainability
6. Noise standards for mechanical plant and equipment
7. Energy and efficiency standards
8. Non-road mobile machinery
9. No additional plant, water tanks, air units on roof not on plans
10. No additional pipes on building faces

11. Majority (75%) active ground floor frontages for non-residential spaces
12. No external roller shutters
13. Environmental Statement mitigation measures
14. Commercial units restriction to Use Class E

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording:

15. Piling method statement
16. Construction Environmental Management Plan and Construction Logistics Plan/ Code of Construction
17. Details of all mechanical plant
18. Surface water drainage capacity including development and infrastructure phasing plan and completion of wastewater network upgrades
19. Water infrastructure network upgrades including development and infrastructure phasing plan
20. Dust Management Plan and PM10 monitoring
21. Land Contamination Remediation Scheme, including (subject to post completion verification)
22. Fire strategy
23. Potable water and wastewater network upgrades
24. Air quality – mechanical ventilation
25. Circular Economy

Pre-superstructure works

26. Details of external facing materials and architectural detailing
27. Details of hard and soft landscaping of all public realm and open spaces (including details relating to play equipment (ensuring a range of play including climbing, swinging and jumping opportunities), street furniture, signage, wind mitigation measures, communal gardening, 0.4 Urban Greening Factor)
28. Written Scheme of Investigation (WSI) (Archaeology)
29. Biodiverse mitigation and enhancement strategy
30. Water efficiency calculator for new dwellings from Building Regulations Approved Document Part G
31. Sustainable urban drainage strategy
32. Digital connectivity
33. Details of arials – removal of PD rights
34. Inclusive communal and play space details
35. Overheating strategy
36. Cycle Parking Management Plan
37. Deliveries and Servicing Plan
38. Site Waste Management Plan

39. Noise impact assessment and mitigation
40. Secured by design details

Prior to occupation

41. Details of proposed trees
42. Water infrastructure capacity network upgrades including development and infrastructure phasing plan prior to occupation of 100 dwellings
43. Car Parking Management Plan (including details of residential and non-residential disabled persons car parking spaces, safe access routes and ECVPs)
44. Flexible commercial space curating strategy
45. Additional security access measures for floors with more than 8 units per core
46. Post-completion internal residential noise level testing against nightclub
47. Noise verification report for internal residential units against external noise
48. Full details and implementation of 13 x London Affordable Rent / Tower Hamlets Living Rent 'wheelchair user' dwellings (to M4 (3)(b) standard)
49. Wheelchair accessible residential units marketing, 9 months prior to completion
50. Details of kitchen extraction for commercial units and flue emissions

Post-occupation

51. Submission of a post-construction assessment to report on the development's actual Whole Life Carbon emissions

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.

APPENDIX 1

Drawings and Documents List

Drawing Title	Drawing Reference
Planning Application Boundary Plan	412-PTA-HJ-ZZ-DR-A-1200_S4-P07
Site Location Plan (Existing)	412-PTA-HJ-ZZ-DR-A-1201_S4-P02
Site Location Plan and Landscaping Plan	412-PTA-HJ-ZZ-SK-A-0002_S4-P24
Buildings H and J General Arrangement Plan Level 00	412-PTA-HJ-L00-DR-A-1001_S4-P14
Buildings H and J General Arrangement Plan Level 01	412-PTA-HJ-L01-DR-A-1001_S4-P12
Buildings H and J General Arrangement Plan Level 02	412-PTA-HJ-L02-DR-A-1001_S4-P08
Buildings H and J General Arrangement Plan Level 03	412-PTA-HJ-L03-DR-A-1001_S4-P08
Buildings H and J General Arrangement Plan Level 04	412-PTA-HJ-L04-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 05	412-PTA-HJ-L05-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 06	412-PTA-HJ-L06-DR-A-1001_S4-P08
Buildings H and J General Arrangement Plan Level 07	412-PTA-HJ-L07-DR-A-1001_S4-P10
Buildings H and J General Arrangement Plan Level 08	412-PTA-HJ-L08-DR-A-1001_S4-P10
Buildings H and J General Arrangement Plan Level 09	412-PTA-HJ-L09-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 10	412-PTA-HJ-L10-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 11	412-PTA-HJ-L11-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 12	412-PTA-HJ-L12-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 13	412-PTA-HJ-L13-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 14	412-PTA-HJ-L14-DR-A-1001_S4-P09
Buildings H and J General Arrangement Plan Level 15	412-PTA-HJ-L15-DR-A-1001_S4-P10
Buildings H and J General Arrangement Plan Level 16	412-PTA-HJ-L16-DR-A-1001_S4-P10
Buildings H and J General Arrangement Plan Level 17	412-PTA-HJ-L17-DR-A-1001_S4-P08

Buildings H and J General Arrangement Plan Level 18	412-PTA-HJ-L18-DR-A-1001_S4-P07
Buildings H and J General Arrangement Plan Level 19	412-PTA-HJ-L19-DR-A-1001_S4-P07
Buildings H and J General Arrangement Plan Level 20	412-PTA-HJ-L20-DR-A-1001_S4-P07
Buildings H and J General Arrangement Plan Level 21	412-PTA-HJ-L21-DR-A-1001_S4-P07
Buildings H and J General Arrangement Plan Level 22	412-PTA-HJ-L22-DR-A-1001_S4-P03
Buildings H and J General Arrangement Plan Level B1 basement	412-PTA-HJ-LB1-DR-A-1001_S4-P11
Buildings H and J General Arrangement Plan Roof Plan	412-PTA-HJ-LRF-DR-A-1001_S4-P07
Buildings H and J General Arrangement Elevation North - Quayside	412-PTA-HJ-ZZ-DR-A-1001_S4-P08-compressed
Buildings H and J General Arrangement Elevation South - Promenade	412-PTA-HJ-ZZ-DR-A-1003_S4-P09-compressed
Buildings H and J General Arrangement Elevation East - Garden Square	412-PTA-HJ-ZZ-DR-A-1005_S4-P08-compressed
Building H General Arrangement Elevation West – Market Garden	412-PTA-HJ-ZZ-DR-A-1004_S4-P06-compressed
Buildings H and J General Arrangement Section West Courtyard - Water Garden	412-PTA-HJ-ZZ-DR-A-1008_S4-P08
Building H General Arrangement Section East – Water Garden	412-PTA-HJ-ZZ-DR-A-1007_S4-P05
Building J General Arrangement Elevation West – Garden Square	412-PTA-HJ-ZZ-DR-A-1006_S4-P06
Buildings H and J General Arrangement Section South courtyard and Garden Square	412-PTA-HJ-ZZ-DR-A-1009_S4-P08
Building J General Arrangement Elevation East – Play Street Mews	412-PTA-HJ-ZZ-DR-A-1002_S4-P06
Plots H and J Urban Greening Factor	412-PTA-HJ-ZZ-SK-A-0063_S4-P09
Plots H and J Playspace quantum and location and communal open space	412-PTA-HJ-ZZ-SK-A-0021_S4-P12
Building H - Affordable Wheelchair Home Layouts Level 04	412-PTA-H-L04-DR-A-1023_S2-P02
Building H - Affordable Wheelchair Home Layouts Level 05	412-PTA-H-L05-DR-A-1023_S2-P02
Building H - Affordable Wheelchair Home Layouts Level 06	412-PTA-H-L06-DR-A-1023_S2-P02
Document	Document Reference
Environmental Statement (Vol. 1)	Dated November 2023
Environmental Statement (Vol. 2)	Dated November 2023
Environmental Statement (Vol. 3)	Dated November 2023
Environmental Statement (Vol. 4)	Dated November 2023
Arboricultural Impact Assessment	Dated November 2023

Archaeology Impact Assessment	Dated November 2023
Biodiversity and Ecology Survey	Dated November 2023
Circular Economy Statement	Dated November 2023, Supplementary Circular Economy Technical Note Dated March 2024
Construction Environmental Management Plan	Dated November 2023
Daylight and Sunlight Report	GIA report (November 2023); Supplementary GIA Response (ref: 1242- 20240321-LT)
Design and Access Statement (inc. Landscaping Scheme, Lighting Assessment and Schedule of Materials and Finishes)	Dated March 2024 (Revision P13)
Energy Statement	Dated February 2024 (Revision 04)
Fire Statement	8317-LD H & J-CNS-GLA- Issue 07
Flood Risk Assessment	Dated November 2023
Gateway 1 Fire Statement	8317-LD H & J-CNS-G1- Issue 07
Noise Impact Assessment and Sound Insulation Details	MCP2408_London Dock Buildings H and J Noise Impact Assessment_P04
Overheating Assessment	Dated November 2023
Preliminary Ecological Appraisal	Dated November 2023
Planning Statement	Dated November 2023
Reuse, Recycle and Waste Plan	Dated November 2023
Statement of Community Involvement	Dated November 2023
Transport Assessment	Dated November 2023
Travel Plan	Dated November 2023
Utilities Assessment	Dated November 2023
Whole Lifecycle Carbon Assessment	Dated November 2023

APPENDIX 2: Selection of Plans and Images



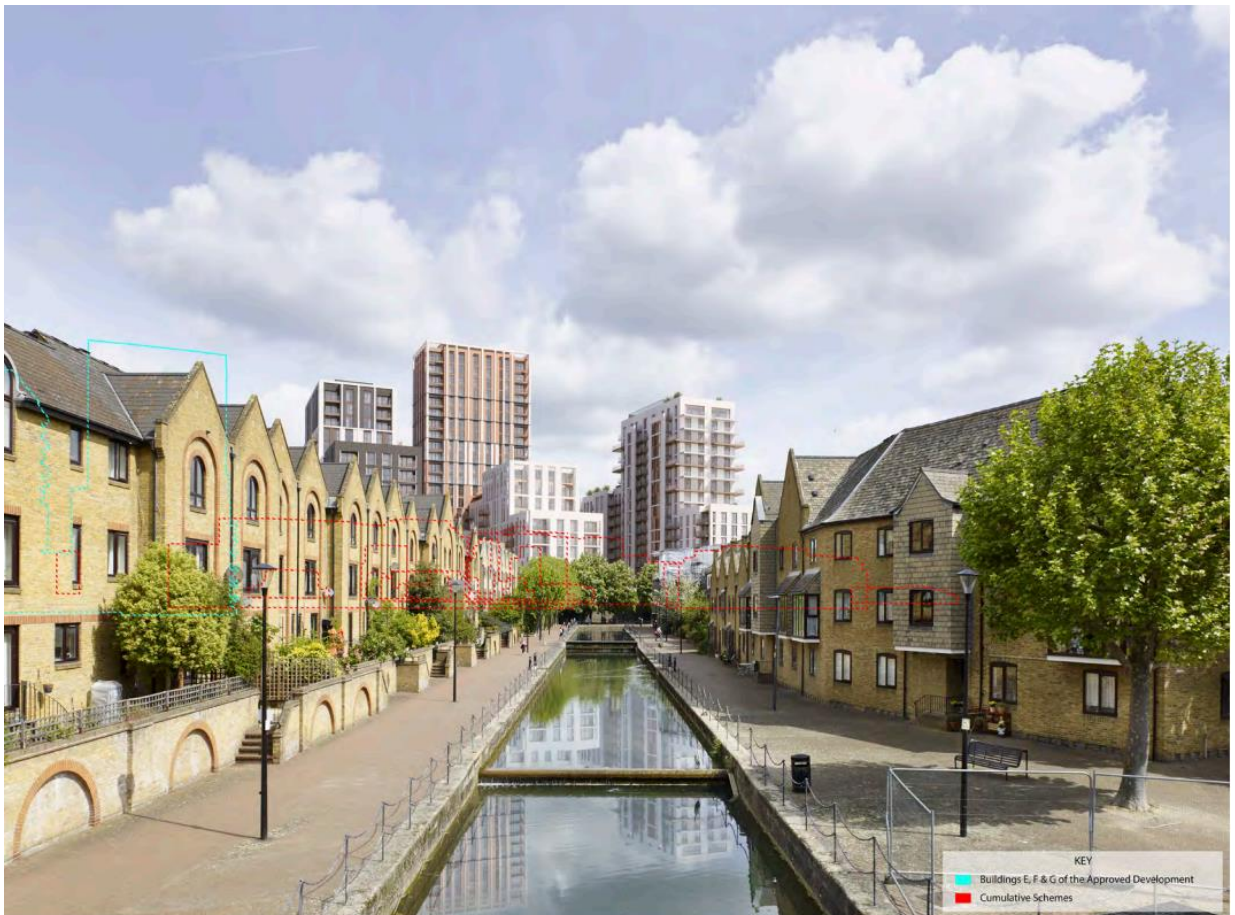
Appendix 2.1: Proposed birds eye CGI from over Pennington Street Warehouses looking south



Appendix 2.2: Proposed CGI from Promenade looking north over Garden Square towards Building J



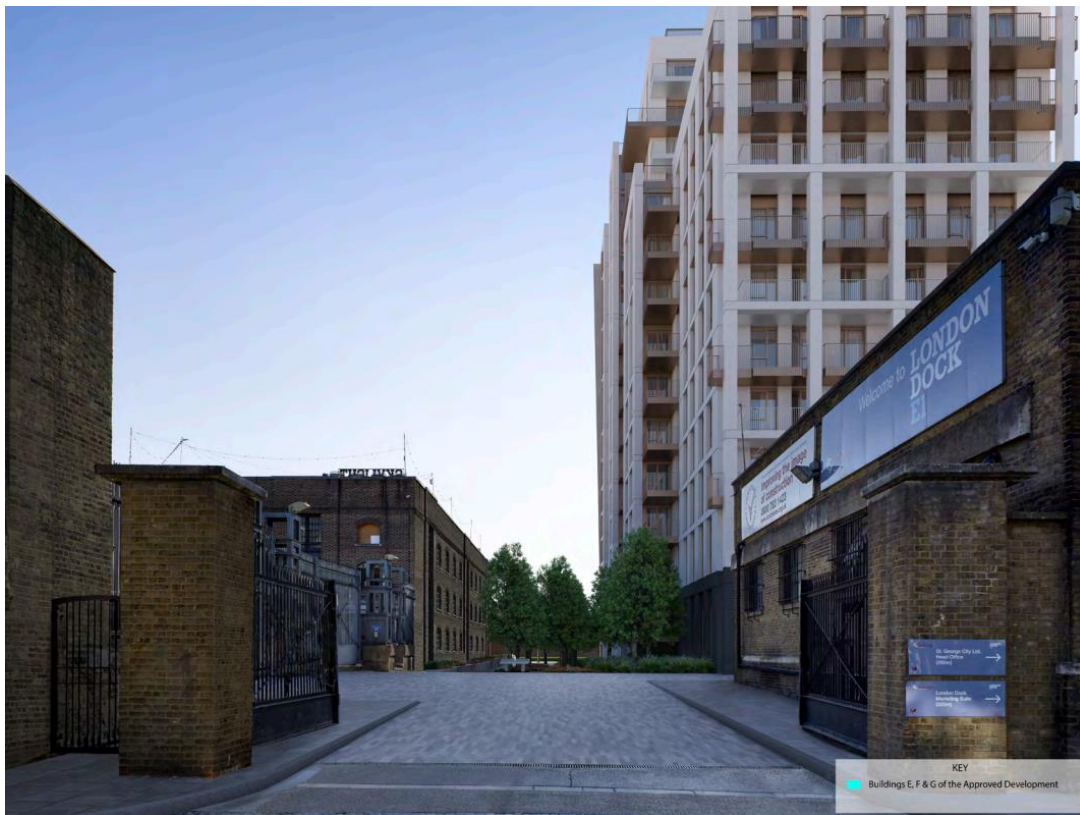
Appendix 2.3: Proposed CGI looking north over Play Mews towards Building J



Appendix 2.4: Proposed view from Ornamental Canal looking north (View 23 of TVHA)

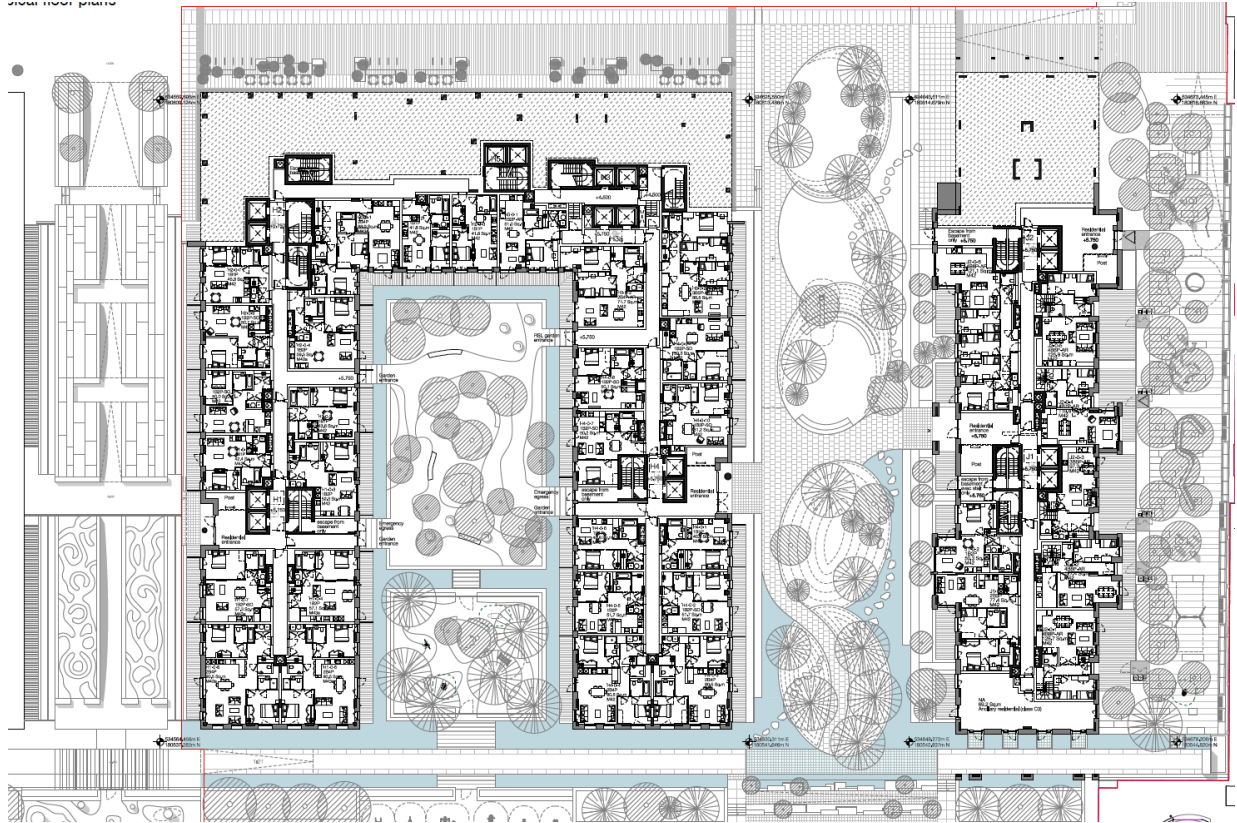


Appendix 2.5: Pre-demolition view (prior to 2014) from Ornamental Canal looking south (from hybrid consent documents)



Appendix 2.6: Proposed view from Pennington Street looking south towards Building J (View 21 of TVHA)

over roof plans



Appendix 2.7: Proposed ground floor plan

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STRATEGIC DEVELOPMENT COMMITTEE

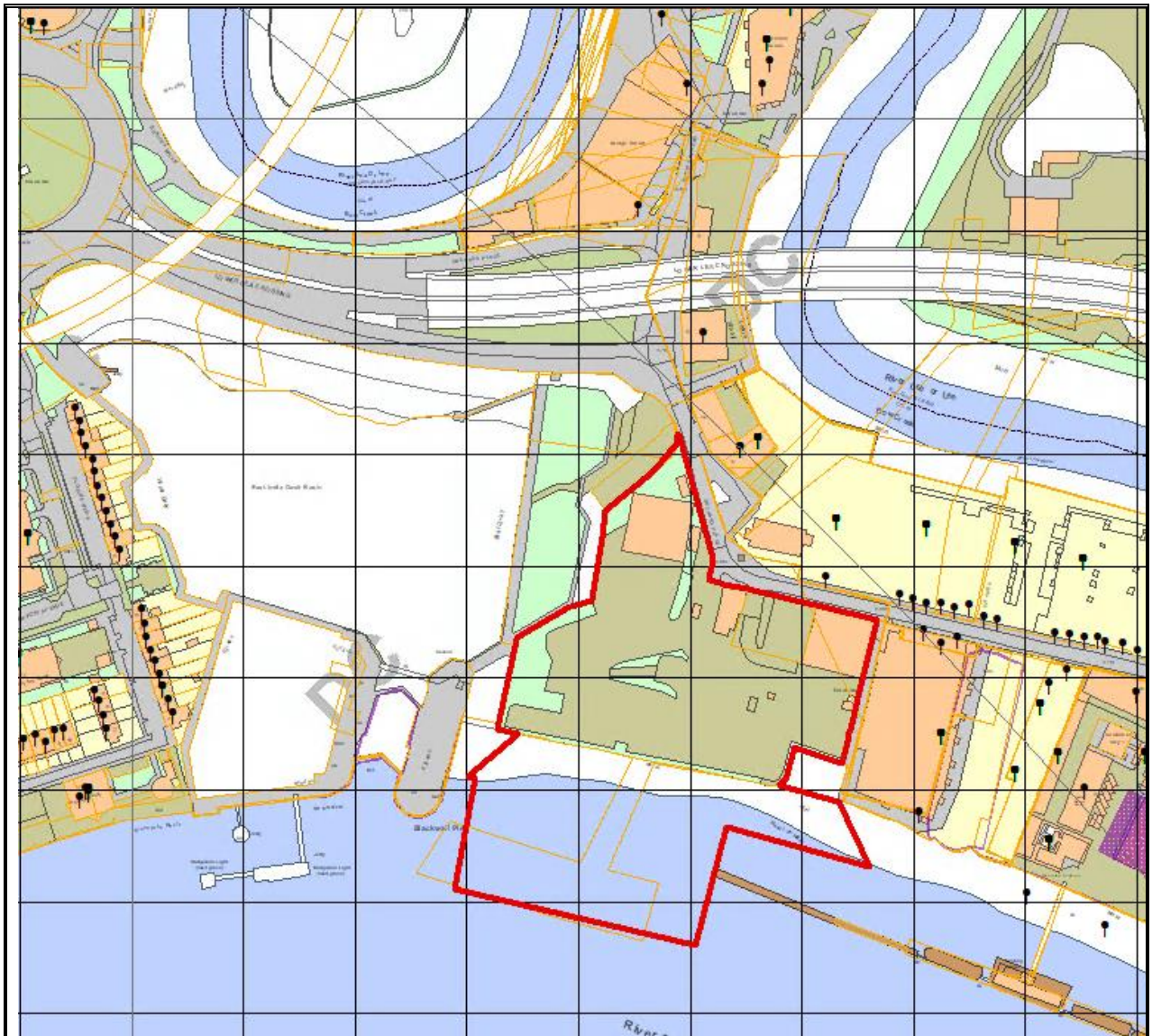
03/04/2024






Report of the Corporate Director of Housing and Regeneration
Classification: Unrestricted

Pre-application presentation

Reference	PF/23/00120
Site	Orchard Wharf, Orchard Place, London, E14 0JY
Ward	Blackwall and Cubitt Town
Proposal	Redevelopment proposals for a mixed use scheme that reactivates the Safeguarded Wharf, provides Purpose Built Student Accommodation (PBSA) (Sui Generis) and Affordable Housing (Use Class C3).
Applicant	Regal Orchard Wharf Limited
Architect	Howells Landscape Architects – Spacehub
Agent	Montagu Evans LLP
Case Officer	Nelupa Malik
Key dates	Pre-application request submitted 27 th July 2023 Quality Review Panel 27 th February 2024 Community Forum 14 th March 2024

SITE PLAN



<p>Site Plan</p> <p> Grade II Listed Building</p> <p> Conservation Area</p> <p> Neighbourhood Centre</p> <p></p>	<p>Pre-Application Site Map PF/23/00120</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p> <p>Date: 3rd April 2024</p>
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1. BACKGROUND

- 1.1 The National Planning Policy Framework and the National Planning Practice Guidance promote early engagement between developers and Local Planning Authorities at the pre-application stage, prior to submitting a planning application. The Council welcomes pre-application discussions and has a well-established process to facilitate this. In March 2019 the Council's Development and Strategic Development Committees considered a draft protocol for pre-application presentations. The protocol is now incorporated in the Committee Terms of Reference. The Council's updated Statement of Community Involvement also highlights the importance of pre-application engagement and the role of elected members and local communities in this stage of the planning process.
- 1.2 This report updates the Strategic Development Committee on progress made and issues identified in respect of pre-application discussions for the proposed redevelopment of the Orchard Wharf site.

2. DESCRIPTION OF THE PROPOSAL

- 2.1 Pre-application advice is being sought for the comprehensive redevelopment of the site consisting of the delivery of a logistics centre (8,500sqm GIA) associated with the safeguarded wharf to operate as a 'last mile' logistics and the inclusion of Purpose Built Student Accommodation (PBSA) (Sui Generis) (1,365 rooms) and traditional Use Class C3 housing (208 units) to be delivered as affordable housing.
- 2.2 The proposed logistics centre comprising a wharf box would occupy the majority of the site (covering approximately 60% of the site) on the lower levels. The proposed PBSA and residential units will be co-located above the wharf box whereby a podium is proposed. The PBSA and residential units will be spread across the site in the form of 7 blocks with 6 of these blocks comprising towers. A pontoon associated with the wharf box is also proposed as part of the scheme. The heights of the buildings are proposed as follows:

Plot	Use	Maximum Height		
		Metres (AOD)	Storeys (above Podium)	Storeys (above ground)
	Wharf Box	17.60 AOD	N/A	4 storeys
1	Mixed Use / PBSA Entrance / Atrium	33.13m AOD	N/A	9 storeys
2	Affordable Housing – Social Rent	74.83m AOD	P+18	22 storeys
3	Purpose Built Student Accommodation	64.50m AOD	P+15	19 storeys
4	Purpose Built Student Accommodation	85.65m AOD	P+21	25 storeys
5	Purpose Built Student Accommodation	73.50m AOD	P+18	22 storeys
6	Purpose Built Student Accommodation	55.50m AOD	P+12	16 storeys
7	Affordable Housing – Intermediate & Social Rent	62.33m AOD	P+14	18 storeys

Table 1: Building plot heights.

2.3 The locations of each building plot is indicated in the image below:



Figure 1: Locations of each building plot.

2.4 The podium will comprise the majority of the site’s amenity provision for the residential and PBSA components of the scheme. The remainder of the site will consist of areas of public realm and access routes. A public square is also proposed which leads to an Atrium space within building plot 1. The ground floor of building 1 will also incorporate a café, a visitor centre and general reception areas. It is envisaged that the atrium could be used as a student amenity area which has public access towards the East India Dock Basin to the west. The indicative ground floor plan for the proposal is indicated below:

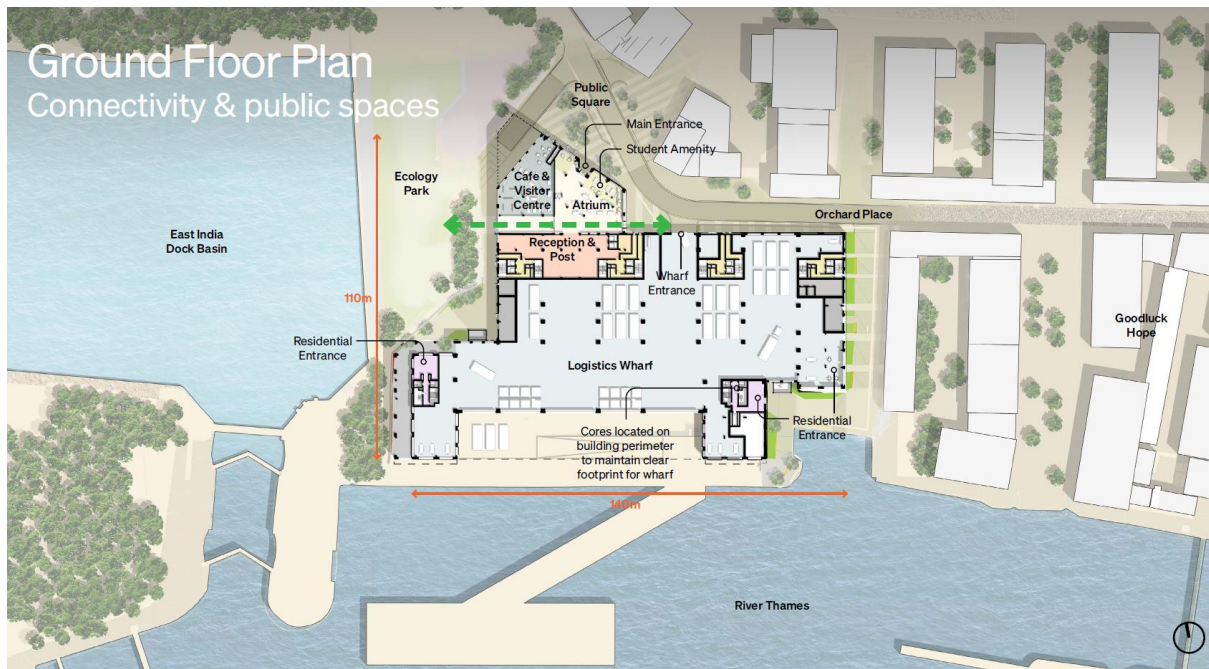


Figure 2: Proposed ground floor layout.

3. SITE AND SURROUNDINGS

- 3.1 The pre-application site measures circa 1.36 hectares and is situated on a peninsula on the northern bank of the River Thames. The site is designated as a safeguarded wharf and has been disused since the 1990s.
- 3.2 The site is bound by East India Dock Basin to the west which is designated as Metropolitan Open Land forming part of the Lee Valley Regional Park and is also designated as a Site of Importance for Nature Conservation (SINC).
- 3.3 The site is accessed via Orchard Place; a fairly narrow but key route into this peninsula. Orchard Place also serves as access to recent neighbouring residential-led developments including Goodluck Hope to the north and east of the site and Trinity Buoy Wharf further east. The Goodluck Hope development contains a number of buildings ranging from 3 to 30 storeys. The Trinity Buoy Wharf development comprises a mix of uses including; creative industries and SMEs, a drawing school, Class E uses and Faraday Independent School.
- 3.4 Immediately to the north of the most northern boundary of the pre-application site and on the eastern side of Orchard Place lies 42 and 44 Orchard Place; a residential block reaching 5-storeys in height.
- 3.5 Orchard Place runs the length of the peninsula created by a final bend in the River Lea before it joins the River Thames. The A1020 and the Lower Lea Crossing; a dual carriageway with a major vehicular bridge across the River Lea elevates over Orchard Place. To the north of Orchard Place lies London City Island; a large scale residential-led mixed use scheme recognisable by its peninsula location and colourful buildings.

4. RELEVANT PLANNING HISTORY (Notable Applications Only)

- 4.1 **PA/24/00233** – Request for an Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), in respect to the comprehensive re-development of the site

requiring the demolition of all existing buildings and structure and construction of the mixed-use development with the following elements:

- Excavation and construction of a new two-level basement structure;
- Construct of a three-storey concrete box (to accommodate the reactivated safeguarded wharf facility) up to 16m AOD with approximately 8,200sqm GIA of operational floorspace (Use Classes B2/B8) plus ancillary office accommodation;
- Construction of a new pontoon structure for vessel docking and loading/unloading for the safeguarded wharf facility operations, including works to the river wall and works within and adjacent to the River Thames;
- Construction of seven buildings, six of which would be at podium level (Plots 2, 3, 4, 5, 6 and 7) above the concrete box and one at ground level to the north of the box (Plot 1), extending up to approximately 30 storeys and ranging in height from approximately 32m AOD to 88.5m AOD;
- Up to 1,365 Purpose Built Student Accommodation beds (Sui Generis);
- Up to 230 residential units (Use Class C3)
- Up to approximately 400sqm GIA of flexible commercial spaces (Use Class E);
- Blue badge car parking, and cycle parking;
- Improvements and possible extension to the Thames Path; and
- Access arrangements associated open space and landscaping.

Application registered.

- 4.2 **PA/20/02488** - Phased Hybrid Planning Application Part A - Full planning application for redevelopment of site following demolition of all existing buildings and enabling works to provide a mixed-use development consisting of the erection of five buildings between 15 and 30 storeys (56.6 m AOD and 103.75 m AOD) above a raised safeguarded wharf box (15.5m AOD) and one standalone 20 storey building (68.9 m AOD) which would deliver: (i) a total of up to 826 dwellings (Class C3) and ancillary accommodation; (ii) up to 8,212 m² gross internal area (GIA) of General Industrial / Storage or Distribution floorspace (Class B2/B8) including ancillary office accommodation; and (iii) 135 m² (GIA) of flexible commercial floorspace (Class E). Associated works include hard and soft landscaping; private amenity space; vehicular access and servicing facilities; car parking and cycle parking; and other works incidental to the proposals including works to the River Wall; and

Part B - Outline planning application for external waterborne freight infrastructure and all other related works (including marine works) for which all matters are reserved.

This application is accompanied by an Environmental Statement. Application Withdrawn.

- 4.3 **PA/20/00965** – Scoping Opinion issued on 30/06/2020 in respect of the future (proposed) development of the site for which hybrid planning permission will be sought. Full planning permission will be sought for the following elements.

- Demolition of existing on-site buildings;
- A three storey (16m AOD) concrete box to accommodate the safeguarded wharf facility, with up to 7,200m² of general industrial and storage/distributional floorspace (Use Class B2/B8).
- Six buildings ranging in height, five of which would be above the concrete box, between 15 and 32 storeys (57m and 110m AOD) in height above a raised wharf box (16m AOD);
- Up to 900 residential units of mixed tenure;
- Up to 400m² flexible commercial space (Use Class A1-A5);
- Blue badge car parking, and cycle parking; and

- Open space, Thames Path improvements and works to the river wall.

Outline planning permission will be sought for the following element:

- Works within and adjacent to the River Thames for barge/vessel docking and unloading.

Scoping Opinion Issued: 30/06/2020

- 4.4 **PA/11/03824** – Cross-boundary hybrid planning application for the erection of a concrete batching plant, cement storage terminal and aggregate storage facilities, together with associated structures and facilities, walkway and landscaping, jetty and ship to shore conveyor.

Full Details: Demolition of all existing buildings; Concrete batching plant; Cement storage terminal; Aggregate storage facilities; Associated highway works; Walkway; and Landscaping.

Outline Application: All matters reserved; Jetty; and Ship to shore conveyor.

Appeal dismissed on 16/09/2014.

5. PUBLICITY AND ENGAGEMENT

- 5.1 The applicant has recently undertaken their own public consultation events which have included a public webinar (February 2024) and an in-person consultation event (March 2024). The Applicant has also presented their proposals to a virtual Community Forum (March 2024) which was facilitated and chaired by Council officers.
- 5.2 The Applicant has presented their scheme to the Quality Review Panel (February 2024) however at the time of writing this report, the Panel's report has yet to be issued.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 The Development Plan comprises:
- The London Plan 2021 (*hereafter referred to as the London Plan*)
 - Managing Growth and Sharing the Benefits – Tower Hamlets Local Plan 2031 (2020) (*hereafter referred to as the Local Plan*).
- 6.2 Other policy and guidance documents relevant to the proposal are:
- The National Planning Policy Framework (2023)
 - National Planning Practice Guidance (updated 2024)
 - National Design Guide (2021)
 - Mayor of London: Housing Design Standards (2023)
 - Mayor of London: Circular Economy Statements (2022)
 - Mayor of London: Isle of Dogs and South Poplar Opportunity Area Planning Framework (2019)
 - BRE – Site Layout Planning for Daylight and Sunlight (2022)
 - Mayor of London: Energy Assessment Guidance (2018)
 - Mayor of London: Housing SPG (updated 2017)
 - Mayor of London: Affordable Housing and Viability SPG (2017)
 - Mayor of London: Social Infrastructure SPG (2015)

- Mayor of London: Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment SPG (2015)
- Mayor of London: Sustainable Design and Construction SPG (2014)
- Mayor of London: Shaping Neighborhoods: Play and Informal Recreation SPG (2012)
- Mayor of London: London View Management Framework SPG (2012)
- LBTH Reuse, Recycle and Waste SPD (2021)
- LBTH High Density Living SPD (2020)
- LBTH Planning Obligations SPD (2021)
- LBTH Development Viability SPD (2017)

7. PLANNING ISSUES

7.1 The following key planning issues have been identified at the pre-application stage.

Land Use

- 7.2 Policy SD1 (Part A) of the London Plan seeks to ensure that Opportunity Areas fully realise their growth and regeneration potential by, amongst other things, under criterion (5) seeking to ensure that they maximise the delivery of affordable housing and create mixed and inclusive communities. The Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) identifies that the Opportunity Area has the potential to deliver an indicative capacity of 31,000 new homes and 110,000 jobs.
- 7.3 The site is located within Sub-Area 4: Isle of Dogs and South Poplar as designated in the Tower Hamlets Local Plan. The sub-area comprises a collection of vibrant and distinctive town centres, employment hubs, transport interchanges and residential areas.
- 7.4 Policy SI15 of the London Plan seeks to keep the network of Safeguarded Wharves under regular review. Policy SI15 goes on to state that safeguarded wharves should only be used for waterborne freight-handling use, including consolidation centres.
- 7.5 The Local Plan's vision for the Isle of Dogs and South Poplar sub-area includes supporting the reuse of Orchard Wharf to facilitate freight services. Policy S.TR1 of the Local Plan requires developments to support and safeguard land for transport and freight infrastructure enhancements to meet the demands arising from future growth. Policy DTR4 seeks to ensure that the operation of safeguarded wharves are not compromised and that freight transfer associated with the development of wharves minimise impacts on the environment and neighbouring amenities.
- 7.6 Objective GG4 of the London Plan emphasises that there is a pressing need for more homes to be delivered in London and promotes the creation of mixed and inclusive communities that offer homes of the highest quality of design and meet identified needs.

Principle of Co-location of Uses

- 7.7 Policy E7 (Industrial Intensification, Co-location and Substitution) of the London Plan requires mixed-use development proposals on Non-Designated Industrial Sites which co-locate industrial, storage or distribution floorspace with residential and/or other uses should amongst other things ensure that the industrial and related activities on-site and in surrounding parts of the Strategic Industrial Locations(SIL), Locally Significant Industrial Sites (LSIS) or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24 -hour access and operational requirements.

- 7.8 The proposed scheme seeks to co-locate an industrial use with residential and sui generis. The primary use for the site should be reactivation of the wharf given its safeguarding. As such the co-location of uses is not objected to in principle subject to satisfactory reactivation of the wharf in accordance with Policies SI15 and E7 of the London Plan.

Purpose Built Student Accommodation (PBSA)

- 7.9 Policy D.H6 (Student Housing) of the Local Plan states proposals involving new purpose-built student accommodation should be directed to locations which are within close proximity to the Borough's higher education institutions or in highly accessible locations and must:

- Under part a); not compromise the supply of land for self-contained homes.
- Under part b); have an undertaking in place to provide housing for students at one or more specific education institutions, or otherwise provide an element of affordable student accommodation.
- Under part c); respect existing residential amenity, and
- Under part d); provide 5% of student rooms which are wheelchair accessible, including access to a wheelchair-accessible shower room for independent use.

- 7.10 Policy H15 (Purpose Built Student Accommodation) of the London Plan requires that Boroughs should seek to ensure that local and strategic need for purpose-built student accommodation is addressed, provided that amongst other things, at the neighbourhood, the development contributes to a mixed and inclusive neighbourhood; the use of the accommodation is secured for students and the majority of the bedrooms in the development including all of the affordable student accommodation bedrooms are secured through a nomination agreement for occupation by students of one or more higher education provider.

- 7.11 The Applicant has not detailed to date whether they have undertakings or nominations agreement(s) in place with any higher education institutions. However, it would be expected that the submission of the planning application details that advanced undertakings and nomination agreement(s) are in place.

Principle of Housing

- 7.12 Policy H1 of the London Plan seeks to amongst other things, optimise the potential for housing delivery on all suitable and available brownfield sites through Development Plans and planning decisions. The policy sets ten-year targets for net housing completions for each Local Planning Authority. For Tower Hamlets, Table 4.1 sets a ten-year target of 34,730 net housing completions covering the period between 2019/20 – 2028/29.

- 7.13 Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.

- 7.14 The provision of new housing would positively contribute to the Borough's housing stock, noting that there is an acute local and national demand for increased housing. The principle of the housing on the site would be acceptable in land use terms subject to the development demonstrating compliance with relevant Development Plan policies.

Affordable Housing

- 7.15 Chapter 4 (Housing) of the London Plan contains the suite of strategic policies that relate specifically to housing.

- 7.16 Policy H4 (Delivering Affordable Housing) of the London Plan also requires 50% affordable housing where the scheme would result in a net loss of industrial capacity. Policy H5 (Threshold Approach to Applications) sets a minimum 50 per cent affordable housing on SILs, LSISs and NDISs appropriate for residential uses in accordance with Policy E7 of the London Plan where the scheme would result in a net loss of industrial capacity.
- 7.17 Policy H15 of the London Plan requires that the maximum level of accommodation is secured as affordable student accommodation. To follow the Fast Track Route, at least 35 per cent of the accommodation must be secured as affordable student accommodation or 50 per cent where the development is on public land or industrial land appropriate for residential uses in accordance with Policy E7 (Industrial Intensification, Co-location and Substitution) of the London Plan. Where the proposal does not follow the Fast Track Route then applications must follow the Viability Tested Route as set out in Policy H5 of the London Plan.
- 7.18 Policy S.H1(2) of the Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need.
- 7.19 Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing in accordance with a 70% affordable rent and 30% intermediate tenure split based on the number of habitable rooms. Policy D.H2 also sets locally specific targets for unit mix and sizes.
- 7.20 Given the site's designation as a safeguarded wharf (industrial land), in the first instance the scheme would be required to provide a minimum of 50% affordable housing unless it can be demonstrated that the capacity of the safeguarded wharf use would not be compromised as a result of the residential and PBSA use on the site. Where it can be demonstrated that there would be no net loss of an agreed maximum throughput capacity for the wharf, a lower threshold of 35% affordable housing could be considered acceptable and eligible for the 'Fast Track' route subject to a policy compliant tenure split as set out in Policy D.DH2 of the Local Plan. The Applicant has suggested that they would be proposing 35% affordable housing 'Fast Tracked'. Currently the capacity of the safeguarded wharf is yet to be determined and agreed.
- 7.21 In terms of housing mix, it is intended that all the residential units would comprise affordable housing to deliver equivalent to 35% of the PBSA. This would equate to 208 residential units comprising 736 habitable rooms.
- 7.22 The proposed indicative unit mix for the residential units comprising Intermediate and Affordable Rented tenures to achieve 35% affordable housing assessed against Policy D.H2 of the Local Plan is set out below in the table below:

		Intermediate			Affordable Rented		
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %
1-bed	49	15	21%	15%	34	25%	25%
2-bed	85	39	56%	40%	46	33%	30%
3-bed	57	16	23%	45%	41	30%	30%
4-bed	17	0	/		17	12%	15%
Total	208	70	/	100%	138	/	100%
Hab Rooms	736	227			509		

Table 2: Unit and tenure mix for affordable housing against Policy D.H2

- 7.23 Based on the above the housing mix for the affordable units would not be policy compliant. In the intermediate tenure, there would be an over provision of 1 and 2-bed units and a substantial under provision of 3-bed units providing 23% against a policy target of 45%.
- 7.24 In the affordable rent tenure, there would be policy complaint provision of 1-bed and 3-bed units, a marginal over provision of 4-bed units proposing 12% against a policy target of 15%.
- 7.25 The proposed affordable housing offer is proposed to be split 69%:31% in favour of affordable rent and therefore only marginally deviates from the policy requirement of a 70:30 split.
- 7.26 In terms of housing standards and quality, details of internal space standards and private amenity space for each dwelling type have not been provided in the pre-application discussions. The development would be required to accord with the space standards set out in Policy D6 of the London Plan which amongst other things sets out requirements for the gross internal area (GIA) of all new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights.
- 7.27 With regards to the PBSA, typical bedroom sizes would equate to 13.5m² for cluster bedrooms and 15.5m² and 16m² for studio bedrooms. Officers have expressed concerns with regards to the size of these bedrooms.

Design and Heritage

- 7.28 Objective GG2 (Making the Best Use of Land) of the London Plan refers to the need to create successful, sustainable mixed-use places that make the best use of land by ensuring that those involved in planning and development apply a design-led approach to determine the optimum development capacity of a sites.

- 7.29 Chapter 3 (Design) of the London Plan contains the suite of policies that are intended to promote good design of buildings and surrounding spaces whilst Chapter 7 (Heritage and Culture) contains the suite of policies that are concerned with the protection of heritage assets.
- 7.30 Policies S.DH1, D.DH2 and D.DH6 of the Local Plan deal with good design and the assessment of tall buildings. Policy S.DH1 notably requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.31 Policy S.DH3 of the Local Plan seeks to protect heritage assets and their settings and emphasises proposals would only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity.
- 7.32 Policy D.DH4 of the Tower Hamlets Local Plan requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Development will be required to demonstrate how amongst other things it preserves or enhances the prominence of borough-designated landmarks and the skyline of strategic importance in the borough-designated views.
- 7.33 Policy D.DH6, Part 1 of the Local Plan sets out a number of criteria with which developments comprising tall buildings must comply. Part 2 of Policy D.DH6 directs tall buildings towards Tall Building Zones (TBZ). The site falls within the Leamouth Tall Building Zone which states that tall buildings in this cluster should step down towards the River Thames and ensure glimpses and views across the river.
- 7.34 Officers had expressed concerns with regards to the initial height, scale and massing of the proposal however subsequently the scheme has evolved with some changes in the height strategy with some reduction height welcomed by Officers. It was noted however that other buildings within the scheme had increased in height. Place Shaping Officers, however, maintain concerns with regards to the overall height strategy of the scheme. The proposed height of buildings is indicated in the image below:

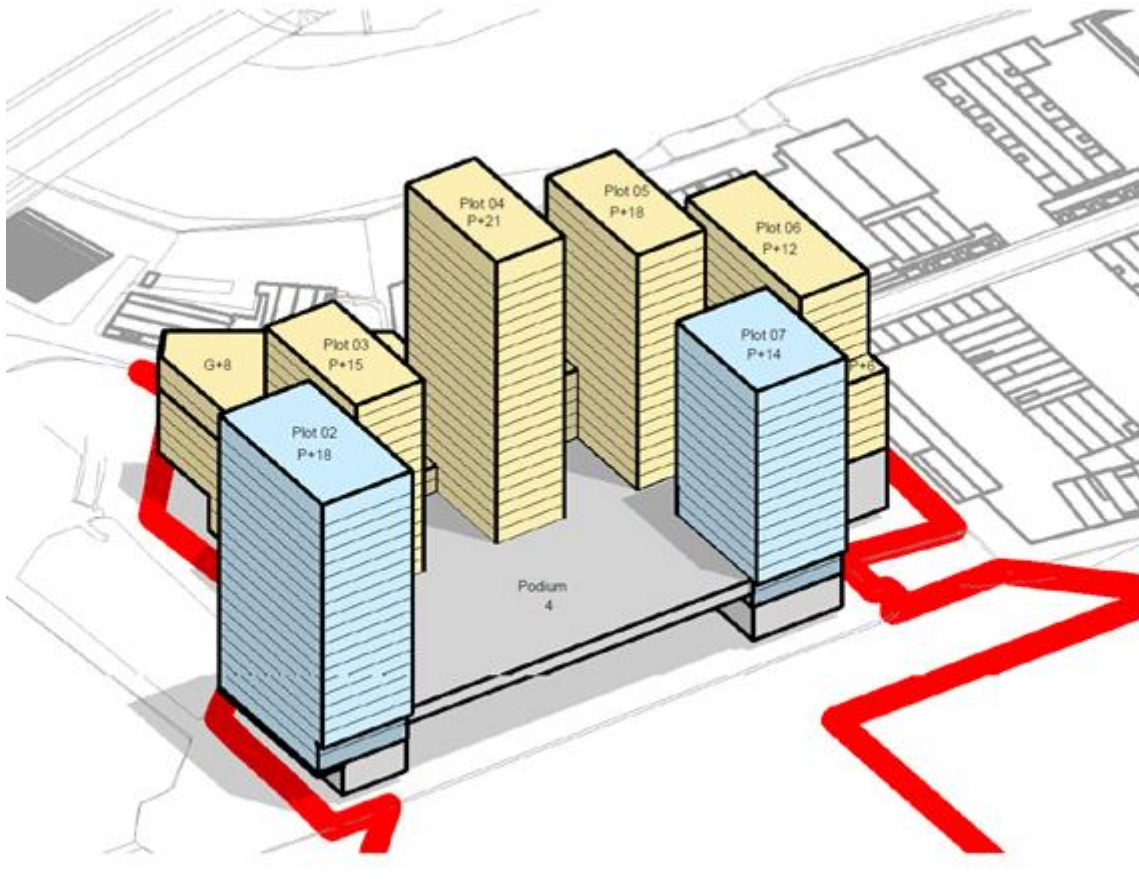


Figure 3: Scale and massing of building plots.

Architecture

- 7.35 There has been very little detail presented at pre-application meetings with regards to the architectural treatment, language and materials proposed for the development. Officers have however, emphasised the need for high quality architecture and design and conveyed that the residential buildings in particular should be responsive to the surrounding context. Below is an indicative Computer Generated Image (CGI) image of the proposed development against the backdrop of the Good Luck Hope development.



Figure 4: Proposed CGI of development viewed from the south.

Communal Amenity Space and Children’s Play Space

7.36 In terms of children’s play provision, the residential component of the scheme would generate a child yield of 213 children and based on the current unit mix the scheme would be required to provide 2,130m² of children’s play provision comprising of the following:

PLAY SPACE REQUIRED:

773	sq m for 0-4 year olds
659	sq m for 5-11 year olds
699	sq m for 12-18 year olds
2,130	total sq m for all children

7.37 The development proposes a shared podium comprising areas of children’s play space, communal amenity space and communal amenity areas for the PBSA. The latest pre-application document suggests that the scheme would provide 1,385sqm of children’s play space as indicated below. This would be substantially below the policy requirement of 2,130sqm. However, areas of play have only been indicatively shown to date and full details of the play space arrangement would need to be provided in the planning application.

- 7.38 Whilst the detailed element of these areas have not been presented to Officers to date. The Applicant has been advised that the dedicated children's play provision must not be double counted with areas of children's play, public open space, public realm or amenity space designated for the PBSA..
- 7.39 In terms of communal amenity space, based on the current proposal the scheme would be required to provide 248m² of communal amenity space based on the provision of 208 residential units.
- 7.40 Officers have raised general concerns that there could potentially be conflict in the use of the podium between the different user groups and have sought greater clarity and details as to how these areas of shared spaces will co-exist. Officers have also raised concerns with regards to the environmental condition of the podium in terms of microclimate and overshadowing.

Neighbouring Amenity

- 7.41 Policy D.DH8 of the Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, not result in any material deterioration of sunlight and daylight conditions of surrounding development.
- 7.42 No preliminary daylight/sunlight assessments have been submitted to Officers for review during the course of the pre-application discussions to fully inform Officers of the likely impact of the proposals on potential occupiers of the development and neighbouring buildings.

Transport and Servicing

- 7.43 Local Plan policies S.TR1, D.TR2 and D.TR3 require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling. These policies also seek to secure safe and appropriate servicing arrangements.
- 7.44 Policy D.MW3 of the Local Plan requires that new major residential developments must incorporate high quality on-site waste collection systems that do not include traditional methods of storage and collection.
- 7.45 Policy D.TR3 of the Local Plan requires that car parking provision should be provided in accordance with the London Plan. Policy T6 (Part B) of the London Plan of the London Plan states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development should still ensure that for new major new residential developments, that as a minimum, that for 3% of dwellings, at least 1 designated disabled persons parking bay per dwelling is available from the outset.
- 7.46 The site has a PTAL (Public Transport Accessibility Level) of 1b-2 which is poor on a scale of 0-6b where 6b is the best.

- 7.47 There has been limited information submitted to date during pre-application meetings in respect of matters relating to delivery and servicing and car and cycle parking provision.
- 7.48 The vehicular ingress/egress to and from the site will be Orchard Place and the residential use would be serviced within the basement space of the development plot. The proposal includes an access ramp located immediately adjacent to building plot 1. No other details of the delivery and servicing arrangements have been presented to Officers during the pre-application discussions.
- 7.49 The Applicant is in advanced discussions with an end use operator for the wharf whose operating model consists of light freight distribution with the handling of smaller containerised shipment/goods. However, whilst Transport Officers are supportive of this, the Application would need to consider the worst case scenario and the likely transport related impacts on the local highway network that this could generate.
- 7.50 The scheme also indicatively proposes a public square/space that extends beyond the application site over to public highway land. The Applicant will need to demonstrate that the mechanism for delivery for this space and liaise with LBTH Transport Officers.
- 7.51 Officers will continue to discuss the transport, servicing and waste related matters with the Applicant and LBTH Transport Officers during the course of the application.

Environment

- 7.52 National planning policy and guidance sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate.
- 7.53 Policy D.ES7 of the Local Plan specifically requires that for residential and non-residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in lieu contribution.
- 7.54 Detailed discussions with regard to the proposed energy and sustainability strategy have not been undertaken during pre-application meetings thus far however, it would be expected that the scheme that comes forward demonstrates compliance with the above through an appropriate Energy Strategy.
- 7.55 Development plan policies also seek to secure a range of sustainable development outcomes including biodiversity net gains; the implementation of efficient energy systems which seek to minimise carbon emissions and to secure effective strategies for addressing matters relating to contaminated land and sustainable urban drainage.
- 7.56 The proposed development would constitute an EIA development as such the accompanying Environmental Statement submitted with any subsequent planning application would need to include the relevant impact assessments.

Infrastructure Impact

- 7.57 The proposed development will be liable to the Council's and the Mayor of London Community Infrastructure Levies (CIL) and planning obligations to be secured under Section 106 of the Town and Country Planning Act 1990 (as amended).

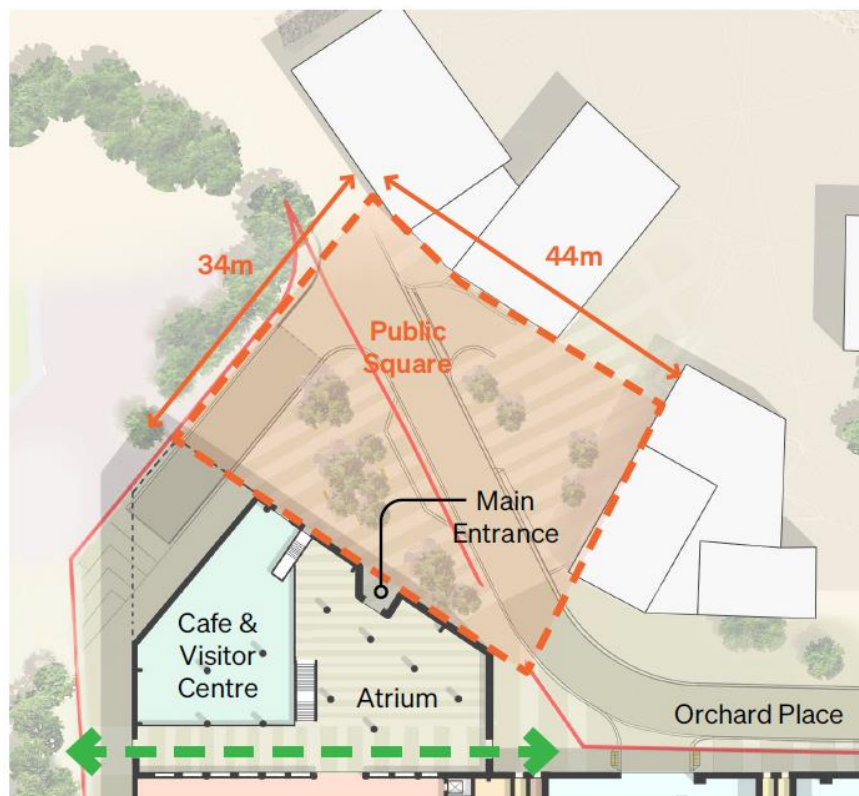
8. RECOMMENDATION

- 8.1 The Committee notes the contents of the report and pre-application presentation.

- 8.2 The Committee is invited to comment on the issues identified and to raise any other planning and design issues or material considerations that the developer should take into account at the pre-application stage, prior to submitting a planning application.

APPENDICES – IMAGES

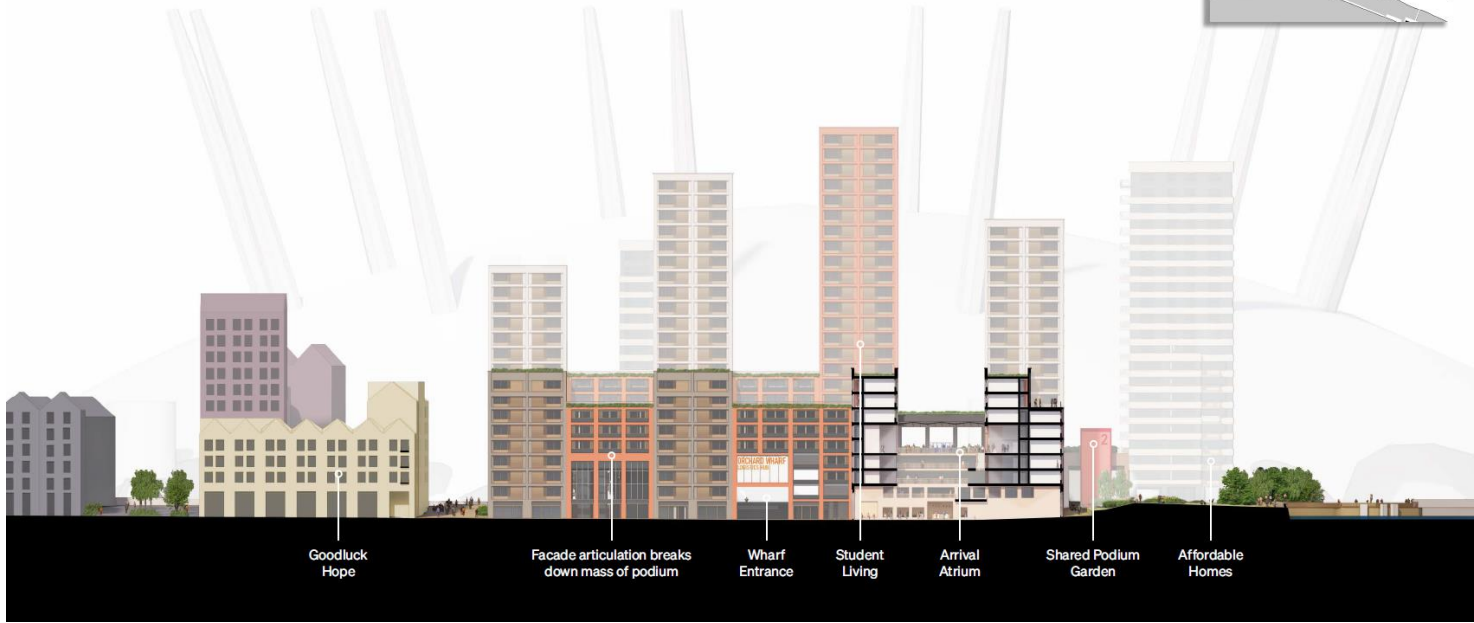
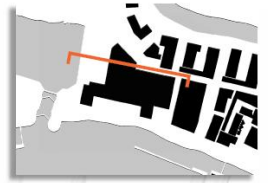
Appendix 1 – New Public Square and Entrances



Appendix 2 – CGI Northern Elevation

North Elevation

Orchard Place



Goodluck
Hope

Facade articulation breaks
down mass of podium

Wharf
Entrance

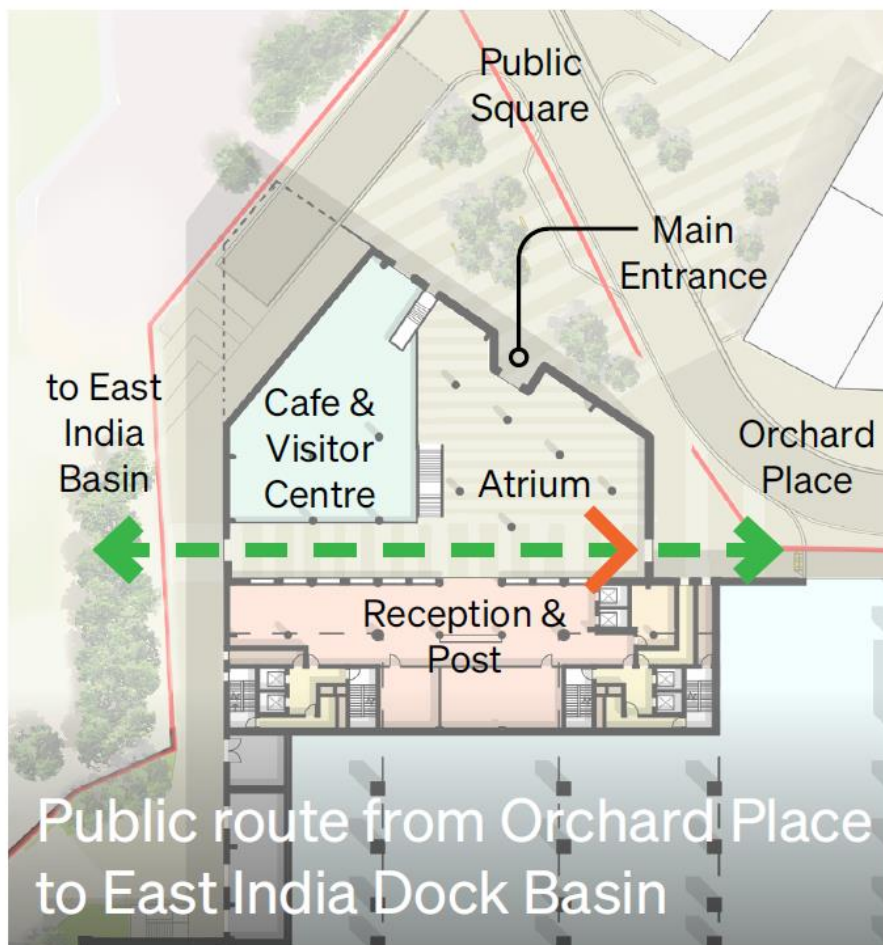
Student
Living

Arrival
Atrium

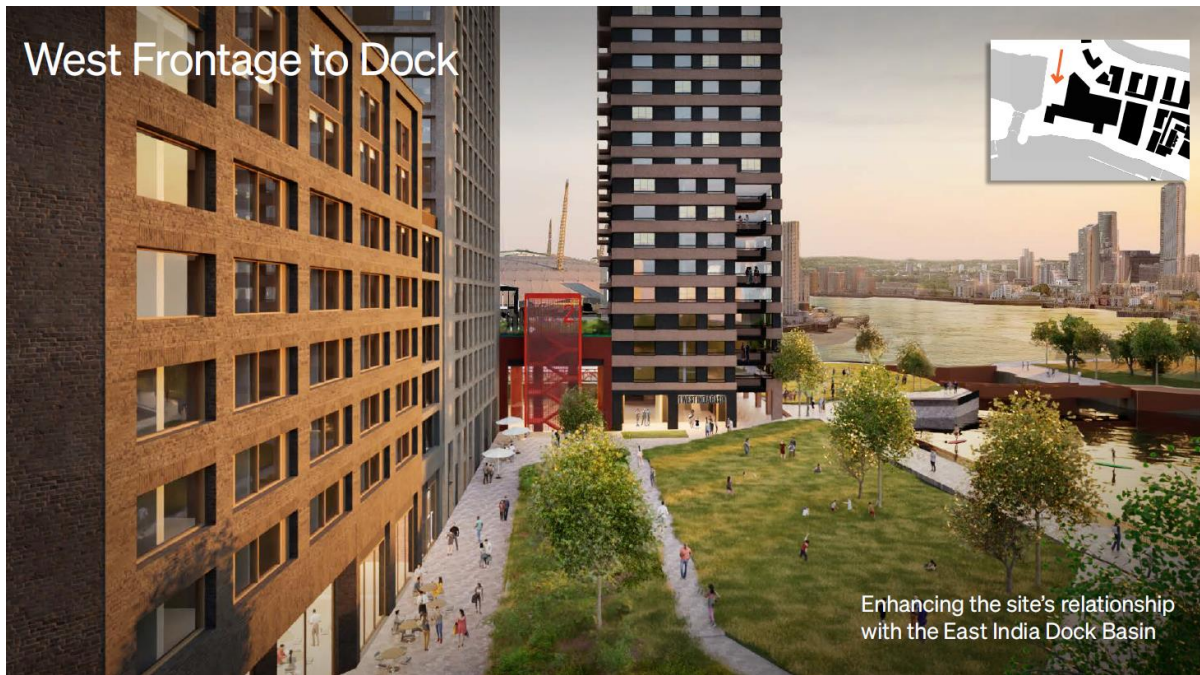
Shared Podium
Garden

Affordable
Homes

Appendix 3 – Atrium Space



Appendix 4 – View to Basin



Appendix 5 – Podium Level



Appendix 6 – Typical Upper Level



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