

STRATEGIC DEVELOPMENT COMMITTEE

Tuesday, 25 April 2017 at 7.00 p.m.
**Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG**

The meeting is open to the public to attend.

Members:

Chair: Councillor Marc Francis

Vice Chair : Councillor Danny Hassell

Councillor Asma Begum, Councillor Helal Uddin, Councillor Julia Dockerill, Councillor Md. Maium Miah, Councillor Gulam Robbani and Councillor Shafi Ahmed

Substitutes:

Councillor Amina Ali, Councillor Muhammad Ansar Mustaqim, Councillor John Pierce, Councillor Oliur Rahman, Councillor Chris Chapman, Councillor Andrew Wood, Councillor Shah Alam and Councillor Rabina Khan

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Friday, 21 April 2017**

Please contact the Officer below to register. The speaking procedures are attached

The deadline for submitting material for the update report is **Noon Monday, 24 April 2017**

Contact for further enquiries:

Zoe Folley, Democratic Services,

1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG

Tel: 020 7364 4877

E-mail: Zoe.Folley@towerhamlets.gov.uk

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

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Public Information

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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 1 - 4)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 5 - 12)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 23 March 2017.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 13 - 14)

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 Place 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 Place 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.

| | PAGE NUMBER | WARD(S) AFFECTED |
|---|------------------------|-----------------------------|
| 4. DEFERRED ITEMS | 15 - 16 | |
| 4.1 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) (PA/16/02956) | 17 - 72 | Canary Wharf |

Proposal:

Construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works.

Recommendation:

That the Committee resolve to GRANT planning permission subject to any direction by the London Mayor, the prior completion of a legal agreement, conditions and informatives.

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|-------------|--|-----------------|-----------------|
| 5. | PLANNING APPLICATIONS FOR DECISION | 73 - 74 | |
| 5 .1 | 562 Mile End Road & 1a, 1b, 1c Burdett Road (PA/16/00943) | 75 - 124 | Mile End |

Proposal:

Demolition of existing buildings and construction of a mixed use development comprising part 3-storey, part 8-storey and part 12-storey building, 46 residential units, 779sqm (GIA) commercial floorspace (A1, A2 & B1), landscaping, public realm improvements, access and servicing (including 1 disabled car parking space; 99 cycle parking spaces; and associated highway works) and other associated infrastructure.

Recommendation:

That the Committee resolve to GRANT planning permission subject to any direction by the London Mayor, the prior completion of a legal agreement, conditions and informatives.

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|-------------|---|------------------|-----------------|
| 5 .2 | 42-44 Thomas Road, London, E14 7BJ (PA/16/01041) | 125 - 160 | Mile End |
|-------------|---|------------------|-----------------|

Proposal:

Demolition of existing buildings and redevelopment of the site to provide new buildings ranging from five to nine storeys comprising 184 residential units (Use Class C3) and 140sqm of flexible commercial space (Use Class A1, A2, A3 or D1), together with associated car parking, landscaping and infrastructure works.

Recommendation:

That the Committee resolve to GRANT planning permission subject to any direction by the London Mayor, the prior completion of a legal agreement, conditions and informatives.

Next Meeting of the Strategic Development Committee

Thursday, 8 June 2017 at 5.30 p.m. to be held in Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Graham White, Acting Corporate Director of Law Probity and Governance and Monitoring Officer,
Telephone Number: 020 7364 4801

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 | <p>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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p> |
| Contracts | <p>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—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p> |
| 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 | <p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p> |
| Securities | <p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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.</p> |

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON THURSDAY, 23 MARCH 2017

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Marc Francis (Chair)
Councillor Danny Hassell (Vice-Chair)
Councillor Asma Begum
Councillor Helal Uddin
Councillor Md. Maium Miah
Councillor Gulam Robbani
Councillor Julia Dockerill
Councillor Shafi Ahmed

Other Councillors Present:

Councillor Dave Chesterton

Apologies:

None

Officers Present:

| | |
|------------------------------|---|
| Paul Buckenham | (Development Control Manager, Planning Services, Place) |
| Paul Greeno | (Senior Corporate and Governance Lawyer, Legal Services) |
| Piotr Lanoszka | (Principal, Planning Officer, Place) |
| Christopher Stacey – Kinchin | (Planning Officer, Place) |
| Abiodun Kolawole | (Legal Services, Governance) |
| Zoe Folley | (Committee Officer, Governance) |

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillors Md Maium Miah and Julia Dockerill declared a personal interest in agenda item 5.2, 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) (PA/16/02956) as they had received hospitality from the Canary Wharf Group , which the applicant was a subsidiary of.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

That the minutes of the meeting of the Committee held on 16 February 2017 be agreed as a correct record and signed by the Chair.

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, Place 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, Place 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 Development Committee and the meeting guidance.

4. DEFERRED ITEMS

None.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Leven Wharf (known as Glaucus Works), Leven Road, London, E14 0LP (PA/16/02140) corrected reference

Paul Buckenham (Development Control Manager) introduced the application for the demolition of existing buildings and redevelopment of site to provide a part 7, part 11 storey mixed use building with basement parking to provide 291sqm of commercial space together with 160 residential units with associated works.

Christopher Stacey – Kinchin (Planning Services) presented the report. He explained the nature of the site bounded by the gas holder site and the River Lea. It was reported the application constituted an amendment to the consented application to provide additional housing. Consultation had been carried out and the results were noted. The provision of a housing led

strategic development in this location was supported and it was considered that the increase in height was acceptable in townscape terms. Whilst the density of the scheme exceeded that of the consented application, there would be additional affordable housing and financial contributions for further affordable units off site. In terms of the amenity impact, there would be some loss of light to properties, caused partly by the design of existing buildings. Overall the impacts would be negligible. There would be a moderate increase in vehicle trips but overall Transport for London and LBTH Highways felt that the proposals were acceptable subject to the conditions. There would be contributions for the Community Infrastructure Levy and a s106 agreement. It was recommended that the application be granted planning permission.

In response Members asked about the need for the offsite contributions for affordable housing and why the units could not be provided on site. The Committee also asked questions about the capacity for a health centre on site. It was noted that due to the layout of the consented scheme (which was currently under construction) and the terms of the agreement in respect of the housing, there were limited opportunities to provide additional affordable housing on site at this stage. Therefore, it was considered appropriate that contributions be secured as an alternative. In addition, the opportunities to provide a health facility on site were also restricted due to the site limitations. However, the D1 community use space could potentially accommodate a health centre and the neighbouring gas holder site could also provide such a facility given its size.

Members also asked questions about the viability testing and the Independent Consultants report. It was noted the initial report assessed the costs of the development prior to any work being carried out and found that the surplus would be £2,912,641. The report was then reviewed to take into account the current scenario and the additional costs already expended. This found that the scheme would deliver a surplus of £1,217,699. A contribution for this sum had been secured as a result of this.

The Committee also asked about the quality of and the location of the child play space. It was noted that the play space exceeded the standards in policy. The play area, comprising a podium level courtyard, would be located on the upper ground floor and would be of good quality design. All of the occupants would have access to this play space. It would effectively run parallel to the ground floor at certain points and benefit from a good degree of natural surveillance.

In response to further questions, it was reported that the plans should preserve the development potential of the neighbouring site due to the layout of the area amongst other things.

In response to questions about the amenity impact, it was confirmed that the impact would be minimal and would be broadly similar to that for the consented scheme. The scheme displayed no signs of overdevelopment, and would maximise the housing potential of the land. So overall it was considered that the density of the application was appropriate for the location.

Officers also answered questions about the CIL contributions.

On a unanimous vote the Committee **RESOLVED**:

1. That planning permission be **GRANTED** at Leven Wharf (known as Glaucus Works), Leven Road, London, E14 0LP (PA/16/01240) for the

Demolition of existing buildings and redevelopment of site to provide a part 7, part 11 storey mixed use building with basement parking to provide 291sqm of commercial space (A1/A2/A3/A4, B1(a), D1 Use Classes) together with 160 residential units with associated landscaping, children's play facilities and public riverside walkway.

(Alterations to the development approved under planning permission PA/13/03053 including a two-storey extension to Block A and a single-storey extension to Block B to provide 34 additional residential units and all associated works).

Subject to:

2. Any direction by the Mayor of London.
3. The prior completion of a legal agreement to secure the planning obligations set out in the Committee report.
4. That the Corporate Director of Place is delegated authority to recommend the conditions and informatives in relation of the matters set out in the Committee report

5.2 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) (PA/16/02956)

Update report tabled.

Paul Buckenham(Development Control Manager) introduced the application for the construction of a building of 166m AOD comprising of office and retail space along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works.

The Chair invited the registered speakers to address the Committee.

Councillor Dave Chesterton addressed the Committee. He reported he had initially intended to object to the proposal due to the loss of the water space. However, having now met with the applicant and received assurances about their intention to develop a water space strategy and design the scheme in line with this, he was satisfied that this would mitigate any impact on the water space.

In response to questions, Councillor Chesterton outlined the scope of the applicant's strategy and the timetable for its production. In light of the positive approach, he confirmed that he no longer objected to the application. Officers advised that the Council were working on a water space strategy. They had received a copy of the applicant's draft strategy and this could inform their own strategy. The landscaping strategy could be worded in such a way to allow for further improvements to the public realm if supported by the water space strategy, as detailed in the update report

Howard Dawber (Canary Wharf Group (the Applicant) spoke in support of the application. He highlighted the aims of their new strategy to enhance the dock space. It was planned that the applicant would work with partners to implement the plans. He described the nature of the commercial space, highlighting the need for the large floor plate office accommodation for commercial reasons. The marketing intelligence showed that this feature would increase the units attractiveness to future tenants. It would therefore provide additional employment.

In response to questions, he noted that there have been a number of developments that had encroached on water space. The applicant had listened to the Councillors views and had decided to prepare the draft strategy. No representations in objection had been received and there was support for the provision of the new pedestrian route and the retail space. The plans would facilitate public access to the dock and heritage assets. There were measures to mitigate the impact on the micro climate, protect the biodiversity value of the site and a commitment to provide local jobs. He also outlined the nature of the discussions with the Canal and Rivers Trust and the agreement between the two parties.

Piotr Lanoszka, (Planning Officer) presented the detailed report describing the nature of the site including the location of the nearby listed buildings. He also explained the planning history, drawing comparisons between the extant scheme and this scheme. Consultation had been carried out and the outcome of this was noted. The delivery of office and retail space in this location was supported and would create additional employment. The scheme broadly corresponded with the neighbouring 1 Bank Street development in terms of the land use, and would provide a continuous public access route to that development. It would preserve the setting of the area and have a minimal impact on the setting of heritage assets. It was considered that the impact on the water space including that from the promenade would be minimal. There would be measures to mitigate the impact on the biodiversity value of the site and the micro climate. The application was recommended for approval.

Members asked questions about the commercial reasons for justifying the proposal. They questioned the need for the larger floor plate office space given the impact of this on the water space. It was asked whether the marketing evidence supporting the proposals had been tested. In response it was reported that alternative options had been explored. However it would be found that they would have a significant impact on the public realm. The marketing evidence had been carefully considered and had influenced the

scheme. This showed that occupants generally favoured this type of office space given the opportunities that the larger floor plates provided. It was also noted that the consented units had been marketed but had attracted little interest. In addition, there were limited opportunities to provide such commercial space in the area. So on balance, the changes were supported.

Members asked about the measures to attract local business and small enterprises to the development. It was noted that the applicant had taken steps to identify local retailers to occupy the development. In addition the design of the units should appeal to such businesses. It was likely that the development would comprise a diverse range of units similar to 1 Bank Street. In relation to public access, it was noted that there were also measures to facilitate public access to the site including public seating.

In response to further questions about the decked promenade, it was explained that the decking would enable the provision of the public access route. Overall it was considered that the public benefits of this would outweigh any impact on the water space, that would be mainly visual in nature rather than resulting in a total loss of water space. It was also noted that Officers would work with the applicant in implementing the conditions. Whilst Officers had seen the applicant's draft strategy, it had no planning status at this stage. However the landscaping conditions could be worded in such a way to enable the strategy to be brought forward to secure further public realm improvements.

In response Members expressed a wish to receive further reassurances regarding the status of the applicant's water strategy before making a decision. They also wished to receive further information about the impact of the scheme on the water space.

Councillor Marc Francis proposed and Councillor Julia Dockerill seconded a motion that the consideration of the application be deferred pending details of the applicant's water space strategy and its status and the impact of the application on the water space.

On a vote of 5 in favour, 1 against and 2 abstentions the Committee **RESOLVED:**

1. That the application for planning permission be **DEFERRED** at 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) (PA/16/02956) for the construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works

The Committee were minded to defer the consideration of the application to the next Committee meeting to receive information regarding:

- the Applicant's water space strategy and the status of the strategy.
- The impact of the application on the water space.

6. OTHER PLANNING MATTERS

7. PROPOSED REVISED PLANNING CODE OF CONDUCT

Paul Greeno (Senior Corporate and Governance Lawyer) presented the revised Planning Code of Conduct explaining the need to update the code. He drew attention to the key changes, including the new section on Members Interests.

In response, Members welcomed the new code and made a number of comments. In relation to lobbying, it was requested that the rules be reviewed to recognise that Members could engage in lobbying so long as they comply with the provisions in the code of conduct. In respect of Committee site visits, it was also requested that this be reviewed to recognise that Members could express views when attending site visits so long as they did not indicate that the Member had made up their mind.

On a unanimous vote the Committee **RESOLVED:**

1. That the revised Planning Code of Conduct in Appendix 1 of the report be noted;
2. That it be noted that pursuant to Part 1 Paragraph 4.02 of the Constitution the adoption and amendment of the revised Planning Code of Conduct is a matter for Council; and
3. That the following comments be reflected prior to the revised Code being put forward for adoption.

Section 7 Lobbying

It was requested that this section should be reviewed to recognise that Members may engage in lobbying so long as they comply with the provisions in the code of conduct.

Section 9 - Committee site visits

Rule Paragraph 9.1 requiring that Councillors must avoid expressing opinions or views on the application to any person present (including other councillors) during site visits.

It was requested that this paragraph be expanded to recognise that Members may express views so long as they do not indicate that the Member has made up their mind.

The meeting ended at 9.10 p.m.

Chair, Councillor Marc Francis
Strategic Development Committee

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

| | |
|---|---|
| Up to two objectors on a first come first served basis. | For up to three minutes each. |
| Committee/Non Committee Members. | For up to three minutes each - in support or against. |
| Applicant/ supporters. This includes: an agent or spokesperson. | Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. |
| Members of the public in support | It shall be at the discretion of the applicant to allocate these supporting time slots. |

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under Council Constitution, Part.4.8, Development Committee Procedural Rules.

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair’s discretion. The procedure for considering applications for decision shall be as follows:
 Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will announce the item with a brief description.
- (2) Any objections that have registered to speak to address the Committee
- (3) The applicant and or any supporters that have registered to speak to address the Committee
- (4) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (5) The Committee may ask points of clarification of each speaker after their address.
- (6) Officers will present the report supported by a presentation.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council’s website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

| | |
|---|---|
| <p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then ‘browse meetings and agendas’ then ‘agenda management timetable’.</p> |  Scan this code to view the Committee webpages. |
| <p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none"> • Development Committee Procedural Rules - Part 4.8 of the Council’s Constitution (Rules of Procedure). • Terms of Reference for the Strategic Development Committee - Part 3.3.5 of the Council’s Constitution (Responsibility for Functions). • Terms of Reference for the Development Committee - Part 3.3.4 of the Council’s Constitution (Responsibility for Functions). |  Council’s Constitution |

Agenda Item 4

| | | | |
|---|-------------------------------|--|------------------------|
| Committee: Strategic Development | Date: 25 April 2017 | Classification: Unrestricted | Agenda Item No: |
| Report of: Corporate Director Place | | 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 item is in this category:

| Date deferred | Reference number | Location | Development | Reason for deferral |
|---------------|------------------|--|--|--|
| 23 March 2017 | PA/16/02956 | 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West) | Construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works | Further information on the Applicant's water space strategy and the status of the strategy. The impact of the application on the water space. |

3. CONSIDERATION OF DEFERRED ITEMS

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

- 5.1 10 Bank Street, London, E14 (Eastern part of the site known as Heron Quays West)

- 3.2 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.

**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 |
|---|--|---|

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.

Agenda Item 4.1

| | | |
|---|---|--|
| Committee: Strategic Development | Date: 25 th April 2017 | Classification: Unrestricted |
|---|---|--|

| | |
|--|--|
| Report of: Director of Place | Title: Applications for Planning Permission |
| Case Officer: Piotr Lanoszka | Ref No: PA/16/02956 |
| | Ward: Canary Wharf |

1.0 APPLICATION DETAILS

Location: 10 Bank Street, London, E14
(eastern part of the site known as Heron Quays West)

Proposal: Construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works.

2.0 BACKGROUND

2.1 The application for planning permission for the proposed development was considered by the Strategic Development Committee on 23rd March 2017. The original report and the update report are appended.

2.2 The Committee voted to defer the determination of the application and requested further information about the proposal's impact on water space and about the applicant's proposed "Water Space Strategy".

3.0 FURTHER INFORMATION AND CLARIFICATIONS

Further information

3.1 The applicant has not made any changes to the scheme, subject of the planning application, but has submitted two letters providing clarifications and further information. Both of the letters have been appended to this report for Member's information.

3.2 Within the first letter, Sir George Iacobescu CBE, Chairman and Chief Executive Officer of Canary Wharf Group, seeks to address confusion over the applicant's commitment to future proofing the design of the public realm within the 1 and 10 Bank Street developments. Sir George confirms that the applicant is fully committed to designing the public realm around 1 and 10 Bank Street having regard to the Water Space Strategy. In particular, provision will be made for services, such as water and electricity, to allow for the potential for a future water taxi service mooring. Details would be secured by condition.

3.3 In the second letter, Richard Archer, Managing Director – Offices at Canary Wharf Group, seeks to provide more background on why the applicant considers that the

current proposal with its larger and more functional floor plates is necessary to secure a successful pre-letting and ultimate viability and deliverability of the site.

- 3.4 Mr Archer confirms that a pre-let of between 40-60% of floorspace is necessary to secure funding to deliver a building of this size and that the market increasingly requires large and highly efficient floor plates with clear leasing spans suitable for open plan high density occupation and with staff located on as few floors as possible to create a more collaborative working environment. According to Mr Archer, the proposal is for a far superior floor plate than the currently approved scheme and is more appropriate for the requirements of today's large occupiers to allow Canary Wharf Group to better compete for large pre-let occupiers in order for the office building to be delivered.

Role of the Water Space Strategy

- 3.5 The Water Space Strategy is being prepared by the applicant pursuant to one of the planning obligations secured in the S106 legal agreement associated with the planning permission for the Quay Club, ref PA/16/00900, dated 31/03/2017. The agreement sets out a process for the draft Water Space Strategy to be submitted to the Council for review and comments.
- 3.6 The Water Space Strategy currently only exists in draft, has not been finalised, has not been endorsed by the Council, and does not have any formal planning status. At this stage there is no intention to give the Water Space Strategy any formal planning status (e.g. a supplementary planning document), however the Council may review this position in the future.
- 3.7 Officers conclude that the Water Space Strategy can be afforded little weight in the determination of the development proposals for 10 Bank Street and is only relevant in so far as it might influence the detail of the landscape and public realm works secured pursuant to the proposed landscaping condition that would be attached if permission is granted.
- 3.8 Should permission be granted, the wording of the landscaping condition would include provisions to require details of additional measures to maximise the public benefits of the dock edge, including measures to enhance access to the water, enhance pedestrian access, and future proof the dock edge to allow for moorings, water taxi use and other potential water uses.
- 3.9 Notwithstanding the potential additional measures which would be informed by the Water Space Strategy, the current indicative design for the dockside promenade is of a significantly higher quality than the dockside promenades constructed elsewhere on the Canary Wharf estate in the 1990s and 2000s and that the new promenade would provide significant public benefits through creation of a high quality public accessible open space with public seating and opportunities for enjoyment of and better interaction with the water space.

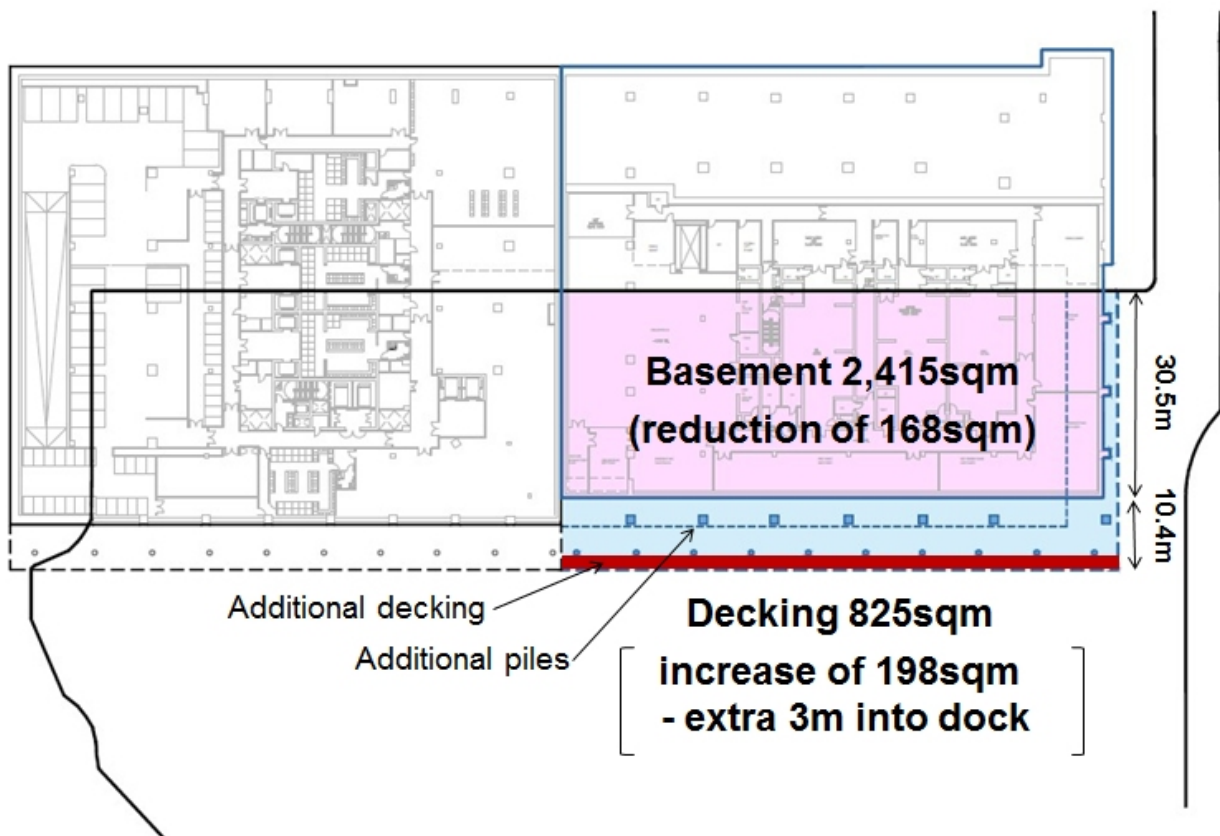
Impact on water space

- 3.10 The below table compares the scheme to the approved outline planning permission and reserved matters schemes.

| | Outline permission | Reserved matters | As proposed |
|--------------------|--------------------|------------------|-------------|
| Basement extension | 30.5m | 30.5m | 30.5m |

| | | | |
|--|----------------|----------|----------|
| into dock | | | |
| Area of water displacement by basement | 2,583sqm | 2,415sqm | 2,415sqm |
| Area of water displacement by piles | Not restricted | 4sqm | 14sqm |
| Extent of decking over dock | 7.4m | 6.4m | 10.4m |
| Area of decking | 627sqm | 508sqm | 825sqm |

- 3.11 The extent of decking over the dock would be increased by 3m compared to the outline permission and 4m compared to the reserved matters. The total area of additional decking would be increased by 198sqm compared to the outline permission and 317sqm compared to the reserved matters.
- 3.12 As the outline planning permission represents the worst scenario and the maximum extent of decking as approved by the Council, it constitutes the most appropriate baseline. The below drawing illustrates the changes to the water coverage in the context of the adjoining 1 Bank Street site which is currently under development.



- 3.13 The additional decking (additional 3m width and 198sqm in comparison to the outline scheme) would allow for creation of larger, more functional and more efficient office floor plates which would raise the site's employment capacity and most likely make the development more attractive to potential occupiers thus increasing the likelihood of the office floor space being delivered.
- 3.14 Given that the site is within the Preferred Office Location and that the increase in quality and quantity of large floor plate offices would support the strategic function of Canary Wharf the improvements to the office accommodation being proposed would constitute a significant public benefit of the scheme, particularly as they would

increase the likelihood of a substantial pre-let necessary to allow the development to be implemented. This should be weighed against the harm caused by the increase in the area of the decking.

3.15 In terms of urban design and place making, the additional decking would also allow for:

- unified building line between 1 and 10 Bank Street
- unified dock edge promenade linking with 1 Bank Street
- higher quality promenade due to lack of overhang and/or columns to support the office floors above
- sufficient internal space at ground floor level to allow for provision of retail units within the southern building frontage to animate the dockside promenade

3.16 These improvements, in particular with regard to the quality and usability of the public realm, constitute public benefits of the scheme, weighing in favour of the application proposal.

3.17 The biodiversity impact of the proposal would be fully mitigated with a net biodiversity benefit achieved in the long term through creation of new and improved habitats.

4.0 RECOMMENDATION

4.1 Officers' recommendation to grant planning permission remains unchanged. For completeness the proposed wording of the landscaping details condition is set out below.

4.2 Suggested indicative wording of the landscaping condition:

Notwithstanding the approved drawings, no landscaping works shall take place until all of the following details have been submitted to and approved in writing by the Local Planning Authority.

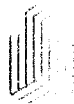
- a) details of additional measures to maximise the public benefit of the dock edge promenade and the dock edge itself - such measures shall include but not be restricted to enhancements to water access and future proofing including provision of services and mooring points to allow for mooring of vessels, water taxi use and other potential water uses;
- b) details of soft landscaping including number, size, species and location of plants;
- c) on-going five year maintenance and watering provisions for soft landscaping;
- d) details and samples of hard landscaping including ground surfaces, kerbs, planters and edges;
- e) details of bollards and access control measures;
- f) details of railings and balustrades;
- g) details of furniture including benches and litter bins;
- h) details of CCTV;
- i) details of lighting, including measures to minimise light spill onto the dock;
- j) details of ground levels and thresholds, including inclusive access provisions;
- k) details of external cycle parking stands;
- l) details of public art and
- m) details of a wayfinding scheme.

All of the above shall be completed, erected and/or planted in accordance with the approved details no later than during the first planting season following practical completion of the development and retained for the lifetime of the development.

Any trees or shrubs which die, are removed or become seriously damaged or diseased within five years of first occupation of the development shall be replaced in the next planting season with the same species or an approved alternative as agreed in writing by the Local Planning Authority.

Reason: To ensure a high quality of the public realm (including through providing appropriate appearance, quality of materials, legibility, access and opportunities for interaction with the Blue Ribbon Network, inclusive access, safe & secure environment and biodiversity) and to mitigate for the loss of water space resulting from the proposal in accordance with policies SP04, SP09, SP10 and SP12 of the Core Strategy (2010) and DM10, DM11, DM12, DM23 and DM24 of the Managing Development Document (2013).

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CANARY WHARF
GROUP PLC

SIR GEORGE IACOBESCU CBE CHAIRMAN AND CHIEF EXECUTIVE OFFICER

Owen Whalley
Service Head Planning and Building Control
Mulberry Place
5 Clove Crescent
London
E14 2BG

Sent by Email / Hand

6th April 2017

Dear Owen,

10 Bank Street – Planning Application PA/16/02956

I write further to the Strategic Planning Committee held on 23rd March 2019 at which our planning application for the redevelopment of 10 Bank Street for an office development with retail and public realm was considered.

I understand that there was some confusion over our commitment to future proofing the design of the public realm within our 10 Bank Street development and for that matter our 1 Bank Street development, having regard to the Water Space Strategy that is being developed in accordance with the requirements of the section 106 legal agreement pursuant to the recent planning permission of our Quay Club development.

I confirm that we are fully committed to designing the public realm around 1 and 10 Bank Street having regard to the Water Space Strategy. In particular we will make provision for services (such as water and electricity) in order to allow for the potential for a future water taxi service mooring. As such I confirm our acceptance to an appropriate condition being attached to the planning permission as follows:

The landscape management scheme shall consist of the following:

- *Long term design objectives for the site;*
- *Objectives for maximising the benefit of the dock edge in particular enhancing access to the water, enhancing pedestrian access, future proofing to allow for future moorings, water taxi use and other potential water uses;*
- *Planting scheme, including written specifications (including cultivation and other operations associated with plants and grass) and schedules of plants, noting species, plant sizes and proposed numbers where appropriate;*
- *Boundary treatment including walls, fences and railings and gates;*
- *Safety and security measures for the development,*

- *Details of common area lighting which is energy efficient and incorporates passive daylight sensor controls*
- *Disabled access throughout the spaces;*
- *Management responsibilities for the area within the application site boundary; and*
- *Maintenance schedules for landscape areas within the application site boundary, including that of the roof terrace.*
- *Full details and particulars of the roof top terrace surface and elevational treatment*

The landscape management scheme plan to be submitted to and approved in writing by the local planning authority shall be carried out in accordance with the programme agreed. All soft landscaping works within the application site boundary must be carried out within the first planting and seeding seasons following the occupation of any part of the development. Trees or plants that die, or are removed or become seriously damaged or diseased within five years of the development being finished must be replaced in the next planting season with plants of similar species and size. Any changes of species proposed will need the written permission of the local planning authority prior to planting.

I trust that you will ensure that the members of the SDC are made aware of my commitment to further improving the dockside public realm at our Bank Street developments.

Yours sincerely,



Sir George Iacobescu
Chairman and Chief Executive Officer

Cc. Piotr Lanoszka



CANARY WHARF
GROUP PLC

Owen Whalley
Service Head Planning and Building Control,
LBTH
Mulberry Place,
5 Clove Crescent,
London E14 2BG

6 April 2017

Dear Owen

Reference: 10 Bank Street Planning Application

At the recent 10 Bank Street Strategic Development Committee meeting we understand that some of your members queried the necessity of our current planning application and what it offers over and above the previous Reserved Matters Scheme. I thought it would be helpful to write to you to explain the reasons why our current 10 Bank Street scheme is a fundamental and necessary design change and how much the successful pre-letting and ultimate viability and deliverability of this site relies upon it. I trust that your members will be made aware of the content of this letter.

Putting it very simply, we will not build this building speculatively and in order to facilitate the construction finance on which we will rely to deliver a building of this size on this site, we will need to achieve a pre-letting of at between 40-60% of the buildings floorspace. This equates to approximately 340,000 sq ft to 514,000 sq ft. The exact figure will be determined by both our view and the lending bank's views on the property market and risk, both of which are not moving in an optimistic direction, especially in light of economic uncertainty relating to Brexit.

A prospective tenant interested in leasing 300,000 sq ft plus of office floorspace, by its very nature, will be a large organisation, whether in the professional, financial, technology, government or other sectors. The modern workplace practices for almost all tenants, and especially those of this size range, together with the continued pressure to reduce operating costs, is resulting in the increasing requirement for large and highly efficient floor plates with clear leasing spans suitable for open plan high density occupation. Tenants also wish for their staff to be located on as few floors as possible to create a more collaborative working environment.

Since gaining outline planning permission in 2013 and subsequently securing Reserved Matters approval in 2014 the market has undoubtedly changed, and the above requirements from occupiers have become more clear and certain. From our most recent experience at 1 Bank Street, together with our experience in assisting the Government Property Unit with their letting at Cabot Square, and also from our recent discussions with HMRC, Expedia and Deutsche Bank to name just a few, it is very clear to us that the Reserved Matters Scheme with its floor plates of 24-29,000 sq ft, central core



and core to window depths of 15m is not appropriate for today's large occupiers of 300,000 sq ft plus.

The most recent 10 Bank Street scheme, with its floor plates of 32-36,000 sq ft, off-set core and core to window depths of 25m to the north elevation is a far superior floor plate and one that is more appropriate for the requirements of today's modern large occupiers. This floor plate will ultimately provide us with a building better suited to compete with other developers in other Central London locations for large pre-let occupiers.

At Canary Wharf Group, we have pre-let and developed more office space than the next top 3 London developers combined. We listen to occupiers and design and deliver buildings that actually work, and this is the main reason Canary Wharf exists at all today.

10 Bank Street has the potential to be one of the best sites in Canary Wharf and therefore would naturally be the next site a large pre-let tenant would choose. But, we need to be able to offer a building that actually works for a potential tenant. Otherwise, it will simply remain a vacant site for the foreseeable future.

Yours sincerely

Richard Archer
Managing Director, Offices

| | | |
|---|-------------------------------|--|
| Committee: Strategic Development | Date: 23 March 2017 | Classification: Unrestricted |
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| | |
|--|--|
| Report of: Director of Place | Title: Applications for Planning Permission |
| Case Officer: Piotr Lanoszka | Ref No: PA/16/02956 |
| | Ward: Canary Wharf |

1.0 APPLICATION DETAILS

- Location:** 10 Bank Street, London, E14
(eastern part of the site known as Heron Quays West)
- Existing Use:** Cleared cofferdammed land used to facilitate construction of the 1 Bank Street development.
- Proposal:** Construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works.
- Drawings:** A-0010 rev 00, A-0011 rev 00, A-0012 rev 01, A-0201 rev 01, A-0202 rev 00, A-0203 rev 01, A-0331 rev 00, A-0332 rev 00, A-0333 rev 00, A-0334 rev 00, A-0335 rev 00, A-0336 rev 00, A-0204 rev 01, A-0330 rev 00, 780-60980 rev C, 780-60985 rev C, 780-60990 rev C, 780-61000 rev D, 780-61005 rev C, 780-61010 rev C, 780-61020 rev C, 780-61030 rev C, 780-61040 rev C, 780-61050 rev C, 780-61060 rev C, 780-61070 rev C, 780-61080 rev C, 780-61090 rev C, 780-61100 rev C, 780-61110 rev C, 780-61120 rev C, 780-61130 rev C, 780-61140 rev C, 780-61150 rev C, 780-61160 rev C, 780-61170 rev C, 780-61180 rev C, 780-61190 rev C, 780-61200 rev C, 780-61210 rev C, 780-61220 rev C, 780-61230 rev C, 780-61240 rev C, 780-61250 rev C, 780-61260 rev C, 780-61270 rev C, 780-61280 rev C, 780-61290 rev C, 780-61300 rev C, 780-61310 rev C, 780-61320 rev C, 780-S6000 rev D, 780-S6001 rev D, 780-S6002 rev 00, 780-S6003 rev 00, TOWN583.02(08)5002 rev R01, TOWN583.02(08)5003 rev R01, and TOWN583.02(08)5010 rev R01.
- Documents:**
- Planning Statement by DP9 Ltd;
 - Statement of Community Involvement by Heron Quays

- West Limited Partnership ;
- Design and Access Statement by Kohn Pedersen Fox;
 - Environmental Statement Volumes 1-4 by Ramboll Environ;
 - Environmental Statement Non-Technical Summary by Ramboll Environ;
 - Transport Assessment by Steer Davies Gleave;
 - Framework Travel Plan by Steer Davies Gleave;
 - Energy Strategy by WSP;
 - Sustainability Strategy by WSP;
 - Aviation Assessment by Eddowes Aviation Safety; and
 - Television and Radio Interference Assessment by Hoare Lea.

Applicant and owner: Heron Quays West Limited
(A subsidiary of Canary Wharf Group)

Historic Building: Adjacent to Grade I listed Middle Dock Banana Wall

Conservation Area: None

2.0 EXECUTIVE SUMMARY

- 2.1 This report considers an application for planning permission for the erection of a 31 storey, high-rise, large floorplate office building within the Canary Wharf Estate. Officers recommend approval of planning permission.
- 2.2 The acceptability of the general principles of the development, including its broad massing, height, land use, floorspace and dock intake and coverage have been established through previous consents for high-rise office developments on this site as detailed in the report. There have not been any significant policy developments since the granting of previous consents to justify taking a different view in this instance.
- 2.3 The site is within Canary Wharf Major Centre and Preferred Office Location (POL), the proposed development would accord with the land use policies in place for the area and make a significant contribution to the economy, providing employment for some 7,675 people.
- 2.4 A publicly accessible dock-side promenade with retail units and public sitting opportunities would be created around the southern and eastern edges of the site, linking with the new promenade at 1 Bank Street, activating the water edge and providing better opportunities for the enjoyment of the open space.
- 2.5 In order to facilitate the construction of the dock-side promenade, to align with the adjoining 1 Bank Street scheme and to allow creation of larger, more functional floor plates necessary to attract potential business occupiers, the proposal involves further encroachment into the South Dock through extension of decking. The increase in water displacement is minimal at about 14sqm but the additional area covered by decking would measure approximately 238sqm (a further extension of 3m across the southern edge of the site in comparison to the approved outline scheme). This is unfortunate but given the particular circumstances of the site, is considered to be

largely unavoidable and necessary to facilitate a high quality development in this location.

- 2.6 Careful consideration has been paid to the further coverage of the South Dock and the resulting harm. Officers consider that the minor harm is justified in planning terms given the public benefits of the scheme including through provision of better public realm, place making, significant employment provision and economic benefits including the contribution to maintaining the strategic role of Canary Wharf as an internationally significant financial and business centre. Any harm to biodiversity would be mitigated with an overall net benefit delivered in the long term.
- 2.7 The building has been designed by Kohn Pedersen Fox (KPF) and would be of a high architectural quality. It would complement the adjoining scheme at 1 Bank Street and appropriately respond to the setting of the site. The building would be lower than previously approved and of a broadly similar massing. The proposal would not result in any significant adverse heritage impacts and there would be no significant impact on the setting of the Greenwich World Heritage Site.
- 2.8 With regard to amenity, given the significant separation distance from the nearest residential properties, there would not be a detrimental impact with regarding to overlooking, loss of privacy, outlook or sense of enclosure. As the site is to the north of the relevant residential properties, there would be no sunlight losses. With regard to daylighting, there would be a minor adverse impact on a limited number of properties. This impact would be broadly similar to that of the previously approved scheme and, on balance, is not considered to unacceptably prejudice the living conditions of the occupiers of the affected properties.
- 2.9 Given the reduction in floorspace and car parking spaces from the previous development proposals approved by the Council, the highways and transportation impacts of the proposal are likely to be lower than previously approved and do not raise concerns.
- 2.10 Subject to the recommended conditions and planning obligations, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material considerations which would indicate that it should be refused.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
- 3.2 Any direction by the London Mayor.
- 3.3 The prior completion of a legal agreement to secure the following planning obligations:

Financial obligations:

- a) £500,108 towards construction phase employment skills and training
- b) £3,131,400 towards end-user phase employment skills and training
- c) £489,420 towards carbon off-setting

- d) £19,358,968 Crossrail CIL top-up contribution (on the basis of estimated CIL liability of £4,375,945)
- e) £3,000 monitoring fee (£500 per each substantial Head of Terms)

Total financial contribution: £23,482,896

Non-financial obligations:

- f) Access to employment
 - 20% local procurement
 - 20% local labour in construction and end-user phases
 - 21 construction apprenticeships
 - 31 end-user apprenticeships
- g) Travel plan for end-user phase
- h) TV reception mitigation
- i) Public access to public realm areas including dockside promenade
- j) Compliance with Considerate Constructors Scheme & LBTH Code of Construction Practice
- k) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

3.4 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

3.5 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

3.6 Conditions:

Compliance

- a) Compliance with plans
- b) 3 year commencement time limit
- c) Compliance with energy and sustainability strategies, BREEAM 'Excellent'
- d) Provision and retention of cycle, car and motorcycle parking facilities including blue badge spaces and electric vehicle charging points
- e) Noise standards for plant and ventilation systems, extract system standards for restaurant units

Pre-commencement

- f) Construction Environmental Management Plan including measures to protect amenity, minimise noise & air pollution, working hours restrictions
- g) Construction Logistics Plan including travel plan for construction workers, measures to safeguard DLR viaduct and waterborne transport feasibility study and measures to maximise waterborne transport (in consultation with TfL)
- h) Piling Method Statement to safeguard sewerage infrastructure (in consultation with Thames Water)
- i) Land contamination remediation

Pre-superstructure

- a) Samples and mock-ups of all facing materials, elevation detailing
- b) Biodiversity enhancement measures

Prior to relevant works

- c) Details of surface water drainage & SUDS (in consultation with Canal & River Trust)
- d) Water supply (in consultation with Thames Water)
- e) Landscaping including details of soft & hard landscaping, lighting, security measures, public art and inclusive access provisions
- f) Heating system specification – air quality
- g) Details of construction cranes (in consultation with London City Airport)

Pre-occupation

- h) Delivery, Servicing and Waste Management Plan
- i) Parking Management Plan

3.7 Informatives:

- a) Thames Water
- b) Natural England
- c) Canal & River Trust
- d) Community Infrastructure Levy

3.8 Any other conditions or informatives as considered necessary by the Corporate Director for Development & Renewal.

4.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes construction of a 31 storey high rise office tower measuring 166m AOD in height and comprising 124,734sqm GIA of office (Use Class B1) and 293sqm GIA of retail (Use Class A1-A5) along with a decked promenade to the South Dock, access and highways works, landscaping and other associated works.
- 4.2 The building would include a 2 storey basement (deeper level including a mezzanine floor) with parking facilities, plant, servicing areas and storage, a double-height ground floor with (mezzanine at the rear) housing principally office lobbies, servicing areas and retail units. Office accommodation would be on floors 1 to 25, with plant on 26th and 27th floor and the top of the building at floors 28, 29 and 30 principally dedicated to office amenity areas.
- 4.3 1,442 cycle parking spaces, 25 car parking spaces (including 4 wheelchair accessible) and 37 motorcycle parking bays would be provided.
- 4.4 The architecture of the scheme is contemporary, characterised by division of the massing into three vertically accentuated interlocking volumes. The building has been designed by Kohn Pedersen Fox (KPF) Associates and would be principally faced in glass with metal framing.

- 4.5 The proposal includes a publicly accessible dock-edge decked promenade from the north-eastern corner of the site to its south-western corner, linking with the decked promenade of the high-rise office tower at 1 Bank Street.
- 4.6 The site benefits from an extant permission for an office development of broadly similar parameters as those currently proposed (outline planning permission ref PA/13/01150 and reserved matters approval PA/14/01664). The below table compares the current proposal to the outline permission and reserved matters:

| | Outline permission | Reserved matters | As proposed |
|--|--------------------|------------------|----------------|
| Office floorspace | 129,857sqm GIA | 105,170sqm GIA | 124,734sqm GIA |
| Retail Floorspace | 785sqm GIA | 0 | 293sqm GIA |
| Height | 191.5m AOD | 147m AOD | 166m AOD |
| Basement extension into dock | 30.5m | 30.5m | 30.5m |
| Area of water displacement by basement/piles | 2410sqm | 2410sqm | 2424sqm |
| Extent of decking over dock | 7.4m | 6.4m | 10.4m |
| Area of decking | ~ 589sqm | 509sqm | 827sqm |

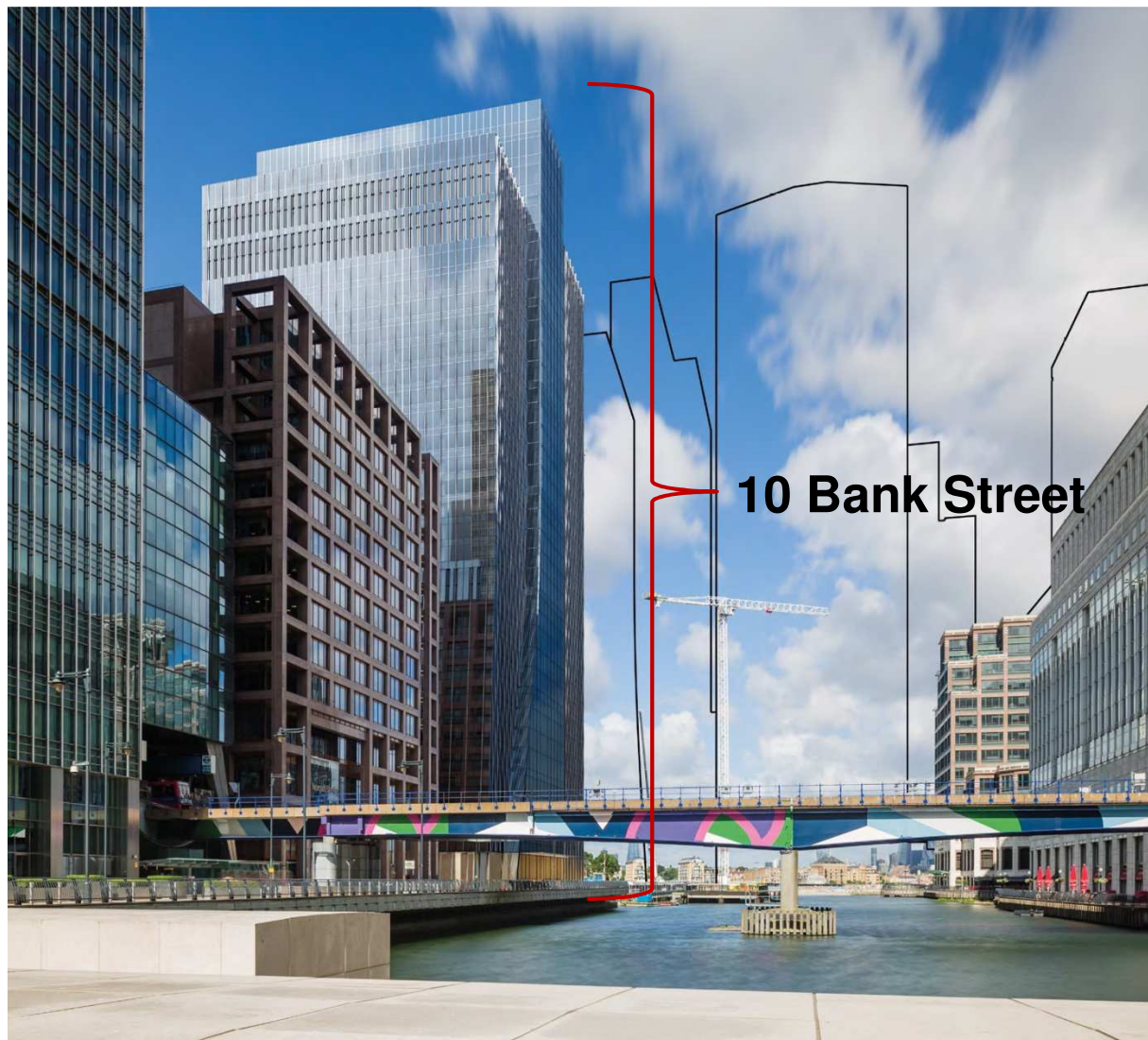


Figure 1 – Verified cumulative view of the proposal from the Jubilee Plaza

Site and Surroundings

- 4.7 The application site is broadly square in shape and measures 0.65 hectare. It is located within the south-western part of the Canary Wharf Estate, on the south side of Bank Street and to the north of the South Dock. To the west, the site is bounded by the development site of 1 Bank Street, a 27 storey office tower, while to the east by a short and narrow canal linking the Middle and South docks. Further east lies 20 Bank Street, a 14 storey office building.

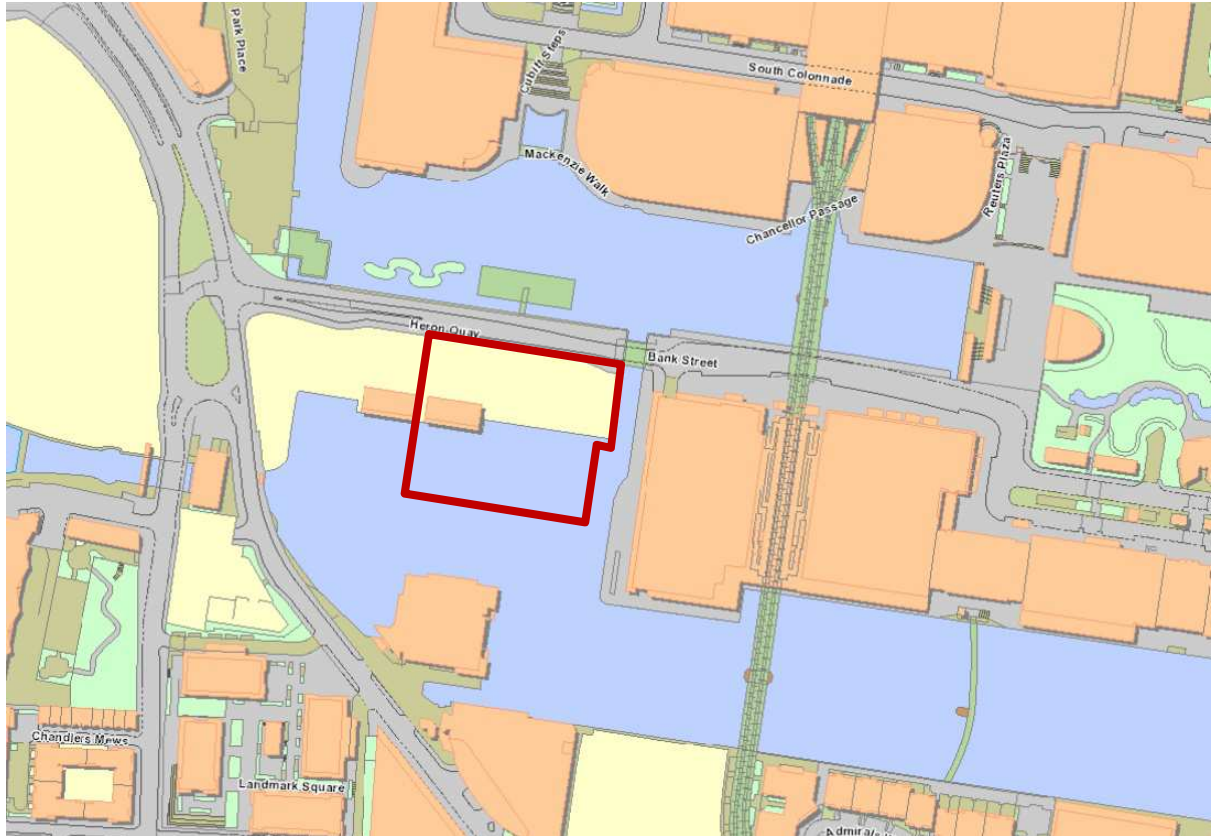


Figure 2 – Site location plan showing previous extent of dock, prior to construction of the cofferdam at the site and at 1 Bank Street, immediately to the west.



Figure 3 – Aerial view of the site, looking east.

- 4.8 The site has been cleared a number of years ago with a cofferdam constructed. It is currently used as part of the construction compound of the 1 Bank Street development. The development site, together with the 1 Bank Street site and the 'Quay Club' site located across Bank Street, was previously known as Heron Quays West and was previously occupied by 11 low-rise buildings known as 'the red sheds'. The buildings provided office & training centre accommodation and included Skillsmatch, East London Business Place and the former George Brumwell Learning Centre. The site was cleared with the cofferdam constructed in preparation for the redevelopment of the site with Skillsmatch and the East London Business Place relocated (pursuant to the 1 Bank Street S106 Agreement).
- 4.9 The site is located within the Isle of Dogs & South Poplar Opportunity Area and forms part of the Canary Wharf Major Centre and Preferred Office Location. The northern part of the opportunity area is part of the Central Activities Zone for the purpose of the office policies of the London Plan due to its internationally significant clustering of financial services. The site is within Flood Zone 3 and, as the whole borough, is a designated Air Quality Management Area. West India Docks, together with Millwall Docks, are a Site of Importance for Nature Conservation (SINC) and form part of the Blue Ribbon Network.
- 4.10 The site contains no listed buildings and is neither located within a conservation area nor a strategic viewing corridor of the London View Management Framework. Nonetheless, the proposed development would be visible in views from the Maritime Greenwich World Heritage Site. The nearest listed structures are the Grade I quay walls, copings and buttresses to the Import and Export Docks, with the southernmost

quay wall located on the northern side of Bank Street, and the Grade II former west entrance to the South Dock located on the western side of Westferry Road, over 120m west of the application site. The nearest conservation areas are the West India Dock Conservation Area – over 400m to the north, the Narrow Street Conservation Area – over 500m to the north-west, the St Matthias Church Conservation Area – over 650m to the north-east, and the Coldharbour Conservation Area – over 750m to the east. These conservation areas contain a significant number of Grade II listed buildings as well as some Grade I and locally listed buildings.

- 4.11 Bank Street is a private road forming part of the Canary Wharf Estate. The nearest adopted highways are Westferry Road and Marsh Wall. The site benefits from excellent access to public transport with the highest PTAL rating of 6b. The area is served by a number of bus routes, a number of DLR stations (the closest being the Heron Quays Station) and the Canary Wharf Jubilee Line Station. The Elisabeth Line (formerly known as Crossrail) is due to commence operation in December 2018. There is a number of Cycle Hire stations in the vicinity, the closest located adjacent to 20 Bank Street.
- 4.12 The site is located close to the south-western edge of the Canary Wharf cluster with its vicinity dominated by high-rise office towers. The nearest existing office buildings are to the east along Bank Street, including neighbouring 20 Bank Street, as well as the offices surrounding Cabot Square on the north side of Middle Dock and the Island Quay office building at 161 Marsh Wall, across the South Dock. The nearest existing residential properties are within the East and West towers of the Landmark Square development, over 110m to the south-west of the site, across the South Dock. The International Hotel, at 163 Marsh Wall, is some 100m to the south of the site, also across the South Dock.
- 4.13 There is a large number of commercial and residential development sites within the vicinity, including the office towers at: 1 Bank Street – immediately to the west, 1 Park Place – to the north, across Middle Dock and Riverside South – on the western side of Westferry Road; and the high-rise residential schemes: Newfoundland – at the western end of Middle Dock, City Pride – at 15 Westferry Road and Arrowhead Quay – on Marsh Wall, to the east of the International Hotel.
- 4.14 To the north is the marine slab pontoon, site of the ‘Quay Club’ application.

Planning History

Application site

- 4.15 Full planning permission, ref PA/07/03088, granted 17/12/2008, for:

Demolition of the existing buildings and structures on the site, partial infilling of South Dock and its redevelopment by:

- *Erection of a part 12 storey, part 21 storey and part 33 storey building comprising Class B1 offices; construction of 3 levels of basement for Class A retail units, underground parking, servicing & plant;*
- *Construction of a subterranean pedestrian link to the Jubilee Place Retail Mall and the Jubilee Line Station incorporating Class A retail accommodation;*
- *Erection of a 4 storey building for Class A3 (restaurant and cafe) and A4 (drinking establishments) uses, and/or at first and part second floor level Class D1 (training centre);*

- *Relocation of the canal between South Dock and Middle Dock from the eastern to western part of the application site;*
- *Provision of a new publicly accessible open space;*
- *Associated infrastructure and landscaping together with other works incidental to the application.*

[This permission covered the entire Heron Quays West site, including the sites of 1 & 10 Bank Street and the 'Quay Club'. The approved AOD height of the office building was 101.75m for the 12 storey element, 153.80m for the 21 storey element and 204.90m for the 33 storey element. The total office floorspace was 193,175sqm GEA with 2454sqm GEA of retail floorspace within the office building and 4,255sqm retail & leisure within the 'Quay Club' pavilion. The permission provided for 125 car parking spaces.]

- 4.16 Outline planning permission (all matters reserved), ref PA/13/01150, granted 06/11/2013, for:

Demolition of existing buildings and structures and erection of a new building with a maximum height of 191.5 metres AOD comprising a maximum of 129,857 square metres GIA of office floor space (Use Class B1) and a maximum of 785 square metres GIA of flexible floor space (Use Class A1,A2, A3, A4 and A5) along with a decked promenade to the South Dock, access and highways works, landscaping and other associated works.

[This permission was principally for the 10 Bank Street site and allowed for a maximum incursion of 30.5m into South Dock with a maximum deck extent of 7.4m over the dock.]

- 4.17 Approval of all reserved matters pursuant to the above permission was granted on 30th March 2015 under ref PA/14/01664.

[The approval was for an office building 147m AOD high housing 105,170sqm GIA of office accommodation with no retail floorspace. The basements extended 30.5m into South Dock with a decking of a further 6.4m. The car parking provision was for 11 spaces (out of a maximum of 86 as specified by the outline permission.)]

- 4.18 Enabling works at the application site took place under full planning permissions granted on 17/07/2014:

- PA/14/01373 for the construction of a secant piled wall
- PA/14/01372 for temporary cofferdam works

Adjoining sites, formerly also part of the Heron Quays West site

1 Bank Street

- 4.19 Full planning permission ref PA/14/02617 granted on 30th March 2015, for:

Erection of a 27 storey building comprising offices (Use Class B1) and retail (Use Class A1-A5) including three basement levels, partial infilling of South Dock, ancillary parking and servicing, access and highways works, landscaping and other works incidental to the application.

[The scheme is currently under construction. The approval is for 114,345 GIA of office and 113 GIA of retail, including 29 car parking spaces and a decked promenade along the northern edge of the South Dock.]

'Quay Club'

- 4.20 Full planning permission application (Strategic Development Committee resolution to grant - issue of decision pending completion of S106 agreement) ref PA/16/00900, for:

Demolition of the existing concrete slab and associated infrastructure; alterations to Bank Street including the removal of existing coping stones above the existing Banana Wall to enable the installation of proposed utilities services and future deck; the installation of new piles in the Bank Street; and the erection of a five storey building on the existing marine piles for use as a members club (Use Class Sui Generis) and other associated works incidental to the development.

5.0 POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

5.2 Government Planning Policy

National Planning Policy Framework 2012
Planning Policy Guidance 2014 with subsequent alterations

5.3 London Plan 2016

- 2.9 - Inner London
- 2.10 - Central Activities Zone: strategic priorities
- 2.11 - Central Activities Zone: strategic functions
- 2.13 - Opportunity areas and intensification areas
- 3.1 - Ensuring equal life chances for all
- 4.1 - Developing London's economy
- 4.2 - Offices
- 4.3 - Mixed use development and offices
- 4.7 - Retail and town centre development
- 4.8 - Supporting a successful and diverse retail sector
- 4.12 - Improving opportunities for all
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.4A - Electricity and gas supply
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies
- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.16 - Waste net self-sufficiency
- 5.17 - Waste capacity

- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.5 - Funding Crossrail and other strategically important transport infrastructure
- 6.7 - Better streets and surface transport
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking
- 7.1 - Lifetime neighbourhoods
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.7 - Location and design of tall and large buildings
- 7.8 - Heritage assets and archaeology
- 7.10 - World Heritage Sites
- 7.11 - London View Management Framework
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.18 - Protecting open space and addressing deficiency
- 7.19 - Biodiversity and access to nature
- 7.24 - Blue Ribbon Network
- 7.26 - Increasing the use of the Blue Ribbon Network for freight transport
- 7.27 - Blue Ribbon Network: supporting infrastructure and recreational use
- 7.28 - Restoration of the Blue Ribbon Network
- 7.30 - London's canals and other rivers and waterspaces
- 8.2 - Planning obligations

5.4 **Core Strategy 2010**

- SP01 - Refocusing on our town centres
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP06 - Delivering successful employment hubs
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero carbon borough
- SP12 - Delivering placemaking
- SP13 - Planning obligations

5.5 **Managing Development Document 2013**

- DM0 - Delivering sustainable development
- DM1 - Development within the town centre hierarchy
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM12 - Water spaces
- DM13 - Sustainable drainage
- DM14 - Managing waste
- DM16 - Office locations
- DM20 - Supporting a sustainable transport network

- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place-sensitive design
- DM25 - Amenity
- DM26 - Building heights
- DM27 - Heritage and the historic environment
- DM28 - World Heritage Sites
- DM29 - Achieving a zero carbon borough and addressing climate change

5.6 Other Material Planning Documents

- Planning Obligations SPD (LBTH 2016)
- Control of Dust and Emissions during Construction and Demolition SPG (GLA 2014)
- Accessible London: Achieving an Inclusive Environment SPG (GLA 2014)
- Sustainable Design and Construction SPG (GLA 2013)
- Site Layout Planning for Daylight and Sunlight (BRE 2011)
- Central Activities Zone SPG (GLA 2016)
- Use of Planning Obligations in the Funding of Crossrail SPG (GLA 2013)
- London View Management Framework SPG (GLA 2012)
- London World Heritage Sites - Guidance on Settings SPG (GLA 2012)
- Tall Building Advice Note (Historic England 2015)

6.0 CONSULTATION RESPONSE

- 6.1 The views of the Place Directorate are expressed in the MATERIAL PLANNING CONSIDERATIONS section.
- 6.2 The following were consulted regarding the application. The responses are summarised below.

Greater London Authority (GLA)

Recommendation & conclusion

- 6.3 The proposal to provide a significant quantum of large floorplate office accommodation to support the strategically important financial services cluster in the north of the Isle of Dogs & South Poplar Opportunity Area is strongly supported. The design approach is well-considered and supported and the additional encroachment into the dock is acceptable. Whilst the application broadly complies with the London Plan, a number of outstanding matters need to be addressed with regard to climate change and transport.

Land use

- 6.4 The proposed uses are strongly supported. The scheme would make a significant contribution towards the minimum strategic job creation targets of 110,000 additional jobs within the Opportunity Area. Small scale retail uses would be appropriate to the town centre location.
- 6.5 Given the priority given to Crossrail funding and subject to the Crossrail CIL top-up contribution being secured through the S106, contributions towards off-site affordable housing will not be required.

Urban design and the Blue Ribbon Network

- 6.6 Overall, the ground floor layout and public realm would be improved and is strongly supported in urban design terms
- 6.7 Further encroachment into South dock is acceptable for the following reasons:
- The principle has been accepted in previous proposals for the site
 - Increased size of office floorplates and the strategic importance of Canary Wharf as a globally important financial and business centre
 - The dockside building line and promenade would be unified with that of 1 Bank Street
- 6.8 The applicant has demonstrated that a footbridge between 10 and 20 Bank Street is not feasible. A footbridge in this location is not supported by the GLA.

Height, heritage and strategic views

- 6.9 The proposal is acceptable given the extant consent and the emerging cluster of tall buildings in this part of the Isle of Dogs. The building would be largely obscured by other existing and consented development in key strategic views. There would be no harm to the setting of the Maritime Greenwich World Heritage Site or any other heritage assets.

Architectural treatment

- 6.10 The architectural approach is supported and should result in a high quality finishes however the quality of materials and detailing will be essential – detailing and materials should be secured by condition.

Climate change

- 6.11 The applicant should provide further details on feasibility of a connection to the Barkantine district heating network as well as details of the site heat network. It is accepted that there is little further potential for reductions further to the proposed 33.5% reduction in CO2 emissions compared to the 2013 Building Regulations baseline but the shortfall should be met off-site through a S106 contribution. Final energy strategy should be secured.

[The requested climate change information has been provided by the applicant. GLA officers subsequently confirmed that all issues have been resolved.]

Transport

- 6.12 Transport Assessment methodology is consistent with the approach taken in the outline permission with appropriate adjustments to take account of Crossrail. The reduction in car parking to 25 spaces is supported. Provision of electric vehicle charging points and Blue Badge spaces should be secured.
- 6.13 The development is forecast to generate 180 trip arrivals at Heron Quays Station from the southern branch of the DLR in the morning peak hour. Although this is lower than the previous scheme due to the inclusion of Crossrail trips, this branch already experiences very heavy usage (93% capacity in sections of the route in the morning peak) and these additional trips are therefore a concern. The impact should be assessed and mitigated where necessary.
- 6.14 The Transport Assessment forecasts 20,586 additional walking trips each day. A

pedestrian environment Review Survey (PERS) has been carried out. Improvements should be secured as identified and details of way finding measures should be provided.

- 6.15 A cycle hire docking station for 36 cycles is required (through a financial contribution of £120,000).
- 6.16 All servicing would take place off-street but there are concerns about adequacy of the proposed loading bay. If it is not possible to accommodate an additional loading bay within the scheme, the applicant should demonstrate that deliveries can be managed satisfactorily.
- 6.17 Construction Logistic Plan and Travel Plan should be secured by condition and/or S106. Crossrail CIL top-up contribution should be secured through the S106.

[The requested loading bay and servicing information has been provided by the applicant with TfL subsequently requesting that a Delivery & Servicing Plan is secured by condition.]

Transport for London (TfL)

- 6.18 As per the above Transport section of the GLA response other than for clarification that TfL seeks a S106 financial contribution of £250,000 for DLR improvements at Heron Quays Station and a further specific request for a condition to safeguard the structural integrity of the DLR viaduct from the use of any waterborne transport in construction of the scheme.

Thames Water

- 6.19 No objection with regard to sewerage infrastructure capacity. Non-return valves should be installed to protect from surcharges during storm conditions.
- 6.20 The existing water supply infrastructure has insufficient capacity. A condition should be imposed to secure that water supply impact studies are carried out to determine the magnitude of any additional capacity required in the system.
- 6.21 A piling method statement should be secured by condition to safeguard underground sewerage infrastructure.
- 6.22 Informatives should be attached to advise the applicant that it is the responsibility of the developer to make proper provision for surface water drainage, and that Thames Water approval is required for surface water drainage and ground water drainage discharges to a public sewer; as well as to discuss the details of the piling method statement

Port of London Authority

- 6.23 The works proposed are unlikely to result in adverse impact on the River Thames and all environmental matters have been satisfactorily dealt with.
- 6.24 Further information should be provided to investigate the potential for waterborne transport of materials during the construction and operational phases of the development.

Historic England

- 6.25 Does not wish to make comments or express any views on the merits of the proposal. The application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

Historic England – Greater London Archaeological Advisory Service (GLAAS)

- 6.26 The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are necessary.

Historic Royal Palaces

- 6.27 Does not wish to comment on the development and believes that the proposal would not have any negative impact on the Tower of London World Heritage Site.

National Air Traffic Services (NATS) Safeguarding

- 6.28 No safeguarding objection to the proposal.

London City Airport

- 6.29 No safeguarding objection subject to condition regarding the operation of cranes during construction.

Environment Agency

- 6.30 No objection.
- 6.31 Although the site is located within Flood Zone 3 and is protected to a very high standard by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year, flood modelling shows that it is at risk if there was a breach in the defences or they were to be overtopped. While the proposal does have a safe means of access and /or egress in the event of flooding, safe refuge within the higher floors of the development has been suggested. The adequacy of evacuation arrangements should be assessed by the Council as the competent authority on matters of evacuation and rescue. Finished floor levels should be set above 4.137 AOD.

Natural England

- 6.32 No objection subject to appropriate mitigation being secured.
- 6.33 The proposal would have an adverse effect on the integrity of the Recommended Marine Conservation Zone of the Thames River. To mitigate, an Environmental Management Plan covering construction and operation of the building, including landscaping and water management strategy, should be secured.
- 6.34 Further detail advice has been given to be included as an informative.

Canal & River Trust (CRT)

- 6.35 No planning objection to the additional loss of waterspace but this would require a civil agreement from the Trust.
- 6.36 The dock walls should be designed so as to allow future maintenance. Proposed biodiversity enhancement measures are welcome but a maintenance agreement may

need to be negotiated with the Trust. External lighting should be designed so as not to cause light spill onto the waterspace and should be bat friendly wherever possible – this should be secured by condition. Surface water drainage into the dock will require an agreement with the Trust. Feasibility of use of waterborne freight during construction should be investigated further and secured by a condition. Use of the dock water for heating and cooling should be investigated. Informatives should be attached.

Southwark Council

6.37 Does not wish to comment.

No response

6.38 The following organisations were consulted but have not provided any comments:

- Metropolitan Police Crime Prevention Officer
- London Fire and Emergency Planning Authority
- Inland Waterways Association
- Greater London Industrial Archaeology Society
- The Greenwich Society
- Georgian Group
- Maritime Greenwich heritage Site
- The Victorian Society

7.0 LOCAL REPRESENTATION

Public Consultation

7.1 Public consultation took place in accordance with statutory requirements. This included a total of 1630 letters sent to occupiers of neighbouring properties, a press advert published in a local newspaper and site notices displayed outside the application site.

7.2 No responses were received.

Applicant's Consultation

7.3 The applicant submitted a Statement of Community Involvement (appended to the Planning Statement). The consultation included a public exhibition on 14th and 16th July 2016 – residents of over 1100 addresses and over 70 local businesses were consulted and invited to the exhibition and a press advert was published in The Wharf. The exhibition was attended by 60 people with 12 people providing written feedback. Further details including presentation materials and a summary of comments received by the applicant are provided within the statement.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Committee must consider are:

1. Land use
2. Townscape, design & heritage

3. Amenity

- 8.2 Other material issues addressed within the report include transportation & servicing, energy efficiency & sustainability, biodiversity, planning obligations, as well as financial, health, human rights and equalities considerations.

Land Use

Policy Context

- 8.3 The National Planning Policy Framework (the NPPF) sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles: an economic role, a social role and an environmental role. These roles are mutually dependant and should not be undertaken in isolation.
- 8.4 According to paragraph 9 of the NPPF, pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. These aims are reflected in the Core Strategy's Strategic Objective SO3 which pursues the achievement of environmental, social and economic development, realised through well-designed neighbourhoods, high quality housing, and access to employment, open space, shops and services.
- 8.5 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health.
- 8.6 The London Plan policies 4.1 and 4.2 seek to promote and enable the continued development of a strong, sustainable and diverse economy - ensuring the availability of sufficient workplaces in terms of type, size and cost. The Council's Core Strategy policy SP06 seeks to support the competitiveness, vibrancy and creativity of the local economy, ensuring a sufficient range, mix and quality of employment uses and spaces – part 2 of the policy seeks to focus large floor plate offices and to intensive floor space within the Preferred Office Locations. Policies 2.10 and 2.11 set out the strategic priorities and functions of the Central Activities Zone – while formally outside the CAZ, the policy considers the north of the Isle of Dogs as part of the CAZ for the purpose of the London Plan's office policies. This is due to the Canary Wharf's role as a strategically important, globally orientated financial and business service centre.
- 8.7 Policy 2.13 of the London Plan sets out the policy context for the support of development within opportunity areas.
- 8.8 With regard to the designation of Canary Wharf as a Major Centre, policy SP01 of the Core Strategy seeks to maintain and enhance Canary Wharf as an important major centre in the borough through improving its local accessibility and supporting its continued growth. The London Plan sets out an aspiration for Canary Wharf to grow to become a centre of Metropolitan importance.
- 8.9 In line with the National Planning Policy Framework, the London Plan policies 2.15 and 4.7 require new uses in town centres to:
- support the vitality and viability of the centre,

- accommodate economic growth through intensification and selective expansion in appropriate locations,
 - support and enhance the competitiveness, quality and diversity of town centre retail, leisure, arts and culture, other consumer and public services,
 - be of scale related to the size, role and function of the centre, and
 - be easily accessible by public transport.
- 8.10 Policy SP01 of the Core Strategy, with related objectives SO4 and SO5, seeks to ensure that the scale and type of development is proportionate to the town centre hierarchy and to promote mixed use at the edge of town centres and along main streets. The policy also seeks to ensure that town centres are active, well-used and safe during day and night and to encourage evening and night time economy uses. Evening and night time uses should not be over-concentrated where undue detrimental impact on amenity would result, of a balanced provision and complementary to the adjoining uses and activities. Further guidance is provided by policy DM1 of the Managing Development Document which directs evening economy uses to town centres, provided that they do not result in overconcentration.
- 8.11 The north of the Isle of Dogs forms a strategically significant part of London's world city offer for financial, media and business services and is recognised within the London Plan as part of the Central Activities Zone for office policy purposes. The Isle of Dogs Opportunity Area is anticipated to accommodate 110,000 additional workers and a minimum of 10,000 new homes. Retail provision in Canary Wharf has the potential to develop and serve a wider catchment, complemented by a broader range of civic, leisure and other town centre facilities.
- 8.12 The Core Strategy vision for Canary Wharf, pursuant to the place making policy SP12, is to retain and enhance its global role as a competitive financial district as well as to adopt a stronger local function. The policy identifies a priority to work with Canary Wharf Group to maintain and enhance Canary Wharf's global position as a commercial and business centre and a priority to improve the integration between Canary Wharf and waterspaces to help stimulate activity.

Office Use

- 8.13 The application proposes erection of a large-floor plate office building which would house 124,734sqm GIA of office floorspace and provide employment for some 7,675 people (net additional full-time jobs).
- 8.14 The land use principles have been established through the previous planning consents for this site. The proposed floorspace would be within the upper limit of the outline planning permission which gave consent for 129,857sqm GIA however, due to the larger floorplates, the proposed design would be more efficient and functional, better responding to the requirements of prospective office occupiers.
- 8.15 Given the site's location within the Canary Wharf Major Centre and Preferred Office Location, the proposed office floorspace is not only acceptable but also highly desirable in planning policy terms as the proposal would support the continued development of Canary Wharf as a strategically important employment location.
- 8.16 As detailed within the Socioeconomic Assessment which forms part of the submitted Environmental Statement, the proposal would bring substantial economic benefits arising from provision of a workplace for some 7,675 employees. The additional local spending by the future employees is estimated at approximately £17.9 million per year. In addition, there would be temporary benefits to do with the construction of the

scheme. The construction workforce is estimated at 310 full-time employees with an estimated level of construction workforce spending of one million pounds per year.

Retail Use

- 8.17 Two ground floor retail units are included within the proposal, measuring a total of 293sqm and complementing the retail provision at the 1 Bank Street site. The application is for a flexible retail/commercial use within the use classes of A1 to A5, covering uses such as retail, restaurant, drinking establishment and hot food take-away. The provision would be lower than the maximum approved under the outline planning permission, of 785sqm GIA.
- 8.18 All of the proposed uses are considered to be appropriate within a major town centre and the scale of the retail offer would be clearly ancillary to the office development. The units would be located along the dockside and provide animation of the southern elevation and of the public realm, contributing to place making objectives for the area.

Mixed Use Development

- 8.19 Policy 2.11 of the London Plan states that *“new development proposals to increase office floorspace within CAZ and the north of the Isle of Dogs Opportunity Area [should] include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan (see policies 3.4 and 4.3).”*
- 8.20
- 8.21 Policy 3.4 seeks to optimise housing potential and density while policy 4.3 of the London Plan provides guidance with regard to mixed use development and offices. Part (A) of the policy states that within the *“Central Activities Zone and the north of the Isle of Dogs Opportunity Area, increases in office floor space should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the plan.”*
- 8.22 The Council’s policy SP02 (2a) unequivocally states that the Preferred Office Location are not appropriate locations for housing and the Council’s adopted Planning Obligations SPD does not require the provision of affordable housing for commercial developments.
- 8.23 The site is located within the core of the Canary Wharf and, as such, is not a suitable location for housing. Housing use within this site would directly conflict with the objectives of the Preferred Office Location and, as such, it is not appropriate to seek affordable housing contributions. The Council has also not previously secured such contributions on any other office development within Preferred Office Locations.

Open Space and Blue Ribbon Network

- 8.24 Strategic policy SP04 sets out the Council’s vision to create a high quality well connected and sustainable nature environment of green and blue spaces that are rich in biodiversity and promote active and healthy lifestyles.
- 8.25 Policy 7.24 of the London Plan sets out a vision for the Blue Ribbon Network to contribute to the overall quality and sustainability of London by prioritising the use of waterspace and land alongside it for water related purposes. Policy 7.27 seeks to support infrastructure and recreation use by amongst other aims protecting existing access points and where possible enhancing access, increasing habitat value and protecting the open character of the Blue Ribbon Network. Policy 7.28A specifically states that *“Development proposals should restore and enhance the Blue Ribbon*

Network by ... c) preventing development and structures into the water space unless it serves a water related purpose.”

- 8.26 Policy 7.30 of the London Plan makes specific reference to development alongside London’s docks, and requires such development to protect and promote the vitality, attractiveness and historical interest of London’s remaining dock areas by amongst other aims preventing their partial or complete filling.
- 8.27 Paragraph 7.84 notes that “The Blue Ribbon Network should not be used as an extension of the developable land in London”.
- 8.28 Policy DM12 of the Managing Development Document provides guidance for development adjacent to the Blue Ribbon Network. Firstly development should not have an adverse impact. Secondly, with regard design and layout development should provide appropriate setbacks from the water space edges where appropriate. Finally, development should identify how it will improve the quality of the water space and provide increased opportunities for access, public use and integration with the water space.
- 8.29 In order to facilitate the construction of the dock-side promenade, to align with the adjoining 1 Bank Street scheme and to allow creation of larger, more functional floor plates necessary to attract potential business occupiers, the proposal involves further encroachment into the South Dock through extension of decking. The increase in water displacement is minimal at about 14sqm but the additional area covered by decking would measure approximately 238sqm (a further extension of 3m across the southern edge of the site in comparison to the approved maximum parameters of the outline scheme). In comparison to the reserved matters scheme, the increase in decking area would be approximately 318sqm (a further extension of 4m).

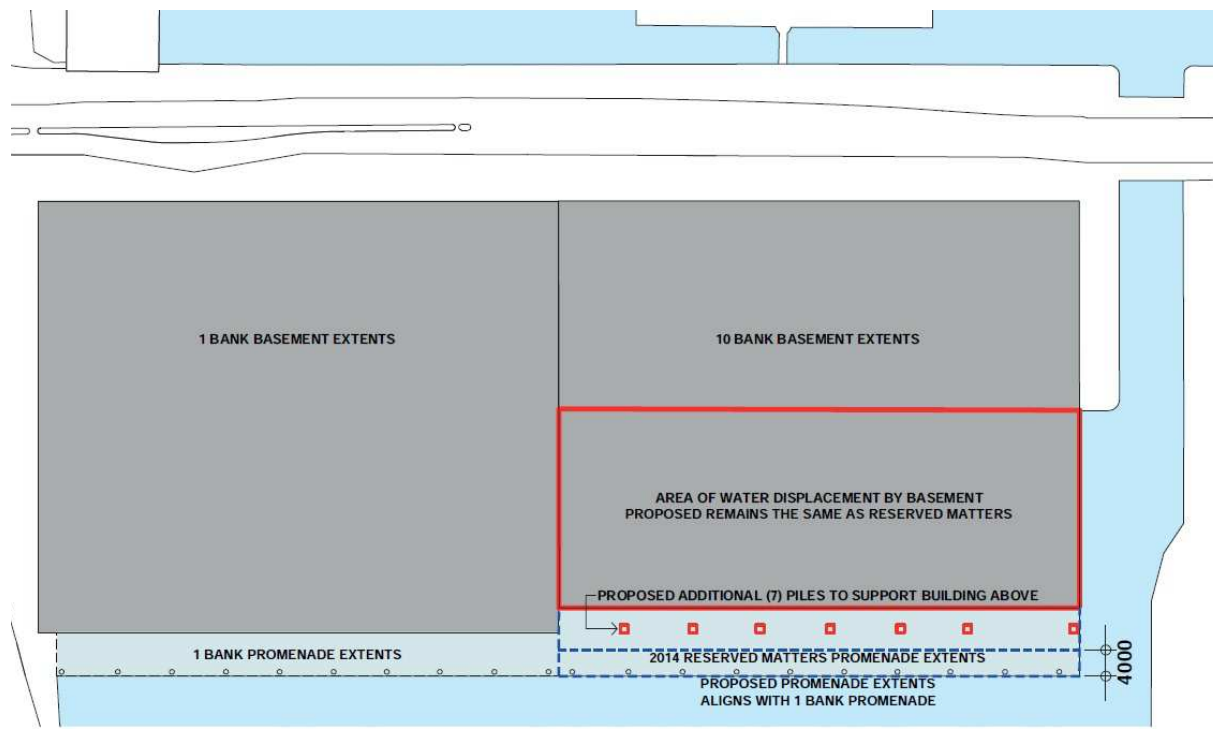


Figure 4 – Comparison of dock infilling and coverage with the approved outline planning and reserved matters permissions.

- 8.30 The loss of additional exposed dock water is unfortunate but given the particular circumstances of the site, is considered to be largely unavoidable and necessary to facilitate a high quality development in this location.
- 8.31 As explained elsewhere below in this report, the biodiversity impact would be fully mitigated with a net benefit achieved in the long term.
- 8.32 The applicant has demonstrated that the additional dock covering is the most appropriate design response to the requirement of the site to provide functional large floor plates of the kind that are likely to attract office occupiers. Any other solutions would be unsuitable as they would significantly impact on the building line and footway areas of Bank Street. If smaller floorplates were proposed or an undercroft was created for the southern dockside promenade, the quality of the dockside route would suffer substantially and there would be no scope to include retail units to animate the dockside.
- 8.33 As addressed in the Design section of this report, further below, the proposed dockside promenade would be appropriately designed to engage with the South Dock and to improve opportunities for its enjoyment by members of the public.
- 8.34 Overall, on balance, officers consider that the minor harm is justified in planning terms given the public benefits of the scheme including through provision of better public realm, place making, significant employment provision and economic benefits including the contribution to maintaining the strategic role of Canary Wharf as an internationally significant financial and business centre. Any harm to biodiversity would be mitigated with an overall net benefit delivered in the long term.
- 8.35 The additional dock coverage represents an optimal design solution which, while in conflict with the objectives of the aforementioned policies, is justified in the round. As such, officers consider that it would not be appropriate to refuse planning permission for the proposal on the grounds of impact on waterspaces and that the proposal still complies with the Development Plan when read as a whole.

Design, Townscape & Heritage

Policy Background

- 8.36 The National Planning Policy Framework attaches great importance to the design of the built environment.
- 8.37 In accordance with paragraph 58 of the NPPF, new developments should:
- function well and add to the overall quality of the area,
 - establish a strong sense of place, creating attractive and comfortable places to live,
 - respond to local character and history, and reflect the identity of local surroundings and materials,
 - create safe and accessible environments, and
 - be visually attractive as a result of good architecture and appropriate landscaping.
- 8.38 Chapter 7 of the London Plan as well as the Council's policy SP10 set out broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds and that heritage assets and their settings are

safeguarded. These aims are to be realised through the detailed development management policies DM24 and DM27.

- 8.39 Furthermore, policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces.
- 8.40 The placemaking policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.
- 8.41 With respect of tall buildings, policy 7.7 of the London Plan provides criteria for assessing tall and large scale buildings.
- 8.42 Tall and large buildings should:
- a) *generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport*
 - b) *only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building*
 - c) *relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;*
 - d) *individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London*
 - e) *incorporate the highest standards of architecture and materials, including sustainable design and construction practices*
 - f) *have ground floor activities that provide a positive relationship to the surrounding streets*
 - g) *contribute to improving the permeability of the site and wider area, where possible*
 - h) *incorporate publicly accessible areas on the upper floors, where appropriate*
 - i) *make a significant contribution to local regeneration*
- 8.43 The policy adds that tall buildings should not impact on local or strategic views adversely and the impact of tall buildings proposed in sensitive locations should be given particular consideration.
- 8.44 Policy DM26 of the Managing Development Document identifies a number of criteria that need to be satisfied when considering the appropriateness of a tall building. This includes the height being proportionate to the location in the town centre hierarchy; achieve a high architectural quality which contributes positively to the skyline, not adversely affecting heritage assets or strategic views, presenting a human scale at street level including not creating unsuitable microclimate conditions. Tall buildings should also not adversely impact on biodiversity or civil aviation should consider public safety and provide positive social and economic benefits.

Assessment

- 8.45 The Environmental Statement accompanying the application contains a Townscape, Visual and Built Heritage Assessment which identifies and describes the heritage assets which could be affected by the proposal and includes verified view photomontages showing local and more distant townscape views.

- 8.46 The application site is located within the Canary Wharf Preferred Office Location and Major Town Centre, it also benefits from high public transport accessibility and has been identified as a suitable location for tall buildings by policy SP10 of the Core Strategy. The principle of a high rise, large floor-plate tall building in this location has also been accepted in previous decisions of the Council – the approved outline planning permission scheme was for a tall building of 191.5m AOD. The adjoining 1 Bank Street scheme which is currently under construction will rise to 151.5m AOD.
- 8.47 The proposed tower would be similar in massing to the consented scheme and to the 1 Bank Street scheme and rise to the height of 166m AOD. The height is comfortably within the limit set by the outline planning permission and due to the stepped design of the top storeys responds to the height of the adjacent 1 Bank Street scheme. The aviation, biodiversity and microclimate impacts have been considered and are acceptable as explained elsewhere in this report.
- 8.48 The site, part of the Canary Wharf tall building cluster, is characterised by large floor-plate, high rise office towers and the proposal would not cause harm to any local or strategic views. The proposal would have no adverse impact on the setting of the Greenwich World Heritage Site or on the setting of any of the nearby listed buildings or conservation areas.
- 8.49 In the majority of views the building would form part of the Canary Wharf cluster, serving to consolidate it. Moreover, as illustrated in the below verified view from the General Wolfe statue in Greenwich, in many instances the development would be obscured by other consented development and its full height would be visible in only a limited number of locations – in views across the Middle and South Docks. In views from Greenwich, the site would be obscured by the residential developments in the South Quay area – the building outline is in the centre of the picture with the building appearing lower than some of the consented schemes in the immediate area, such as Riverside South, City Pride, Newfoundland or Hertsmere House.



Figure 5 - Verified cumulative view from General Wolfe statue in Greenwich

- 8.50 The nearest listed building is the Grade I southern dock wall of the Middle Dock. The dock wall is located on the opposite side of Bank Street, outside the application site. The dock wall would not be affected by the proposed works and given its current setting, dominated by large office buildings, there would be no further harm to this heritage asset. The proposal would not impact on the ability of members of the public to appreciate the heritage of the listed dock wall.
- 8.51 The architecture of the scheme is contemporary, characterised by division of the massing into three vertically accentuated interlocking volumes. The building would be principally faced in glass with metal framing.
- 8.52 The below computer generated visualisations show the daytime and night-time views of the proposal in the context of the approved Quay Club development (to the front, within the Middle Dock), the 1 Bank Street scheme (to the right) which is under construction and the existing office building at 20 Bank Street (to the left).

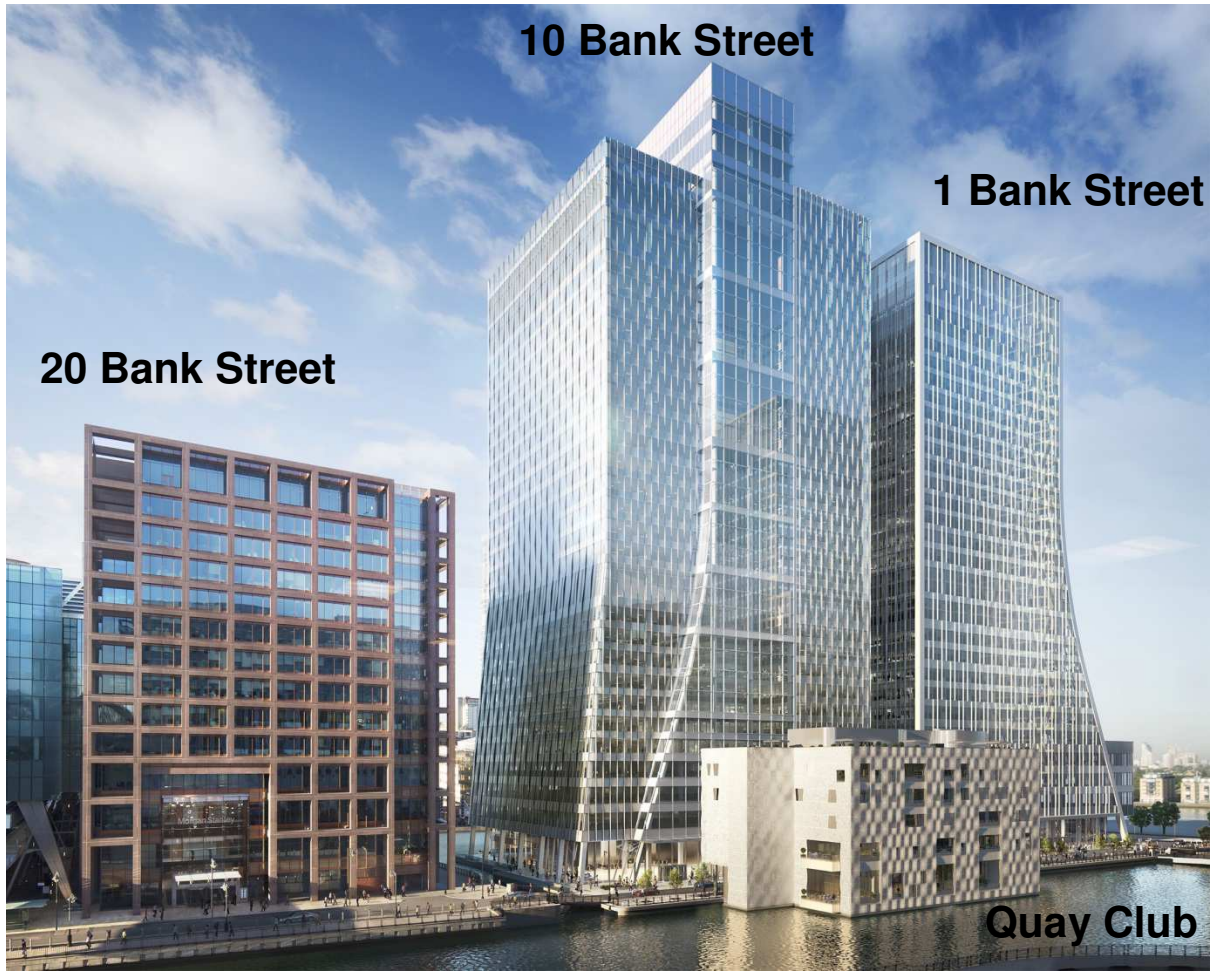


Figure 6 - Daytime CGI visualisation of the view across the Middle Dock



Figure 7 - Night-time CGI visualisation of the view across the Middle Dock

- 8.53 The central element would house the atriums and rise higher than the shoulders of the building which reference the height of the 1 Bank Street development. The central volume would appear lighter and more translucent than the more textured regular office floors wrapping either side. Different glazing and undulating metal fins would be utilised to give side volumes a different character and a degree of solidity to provide articulation to the building. A condition is recommended to require submission of detailed drawings, material samples and elevation mock-ups to ensure the highest quality of materials.
- 8.54 Plant areas would be obscured behind glazed louvres or behind the roof parapet and have been integrated into the elevation design to minimise their impact on the architectural quality of the building.
- 8.55 In terms of site layout, the proposal is similar to the previously approved scheme, with two large office lobbies fronting Bank Street, a shared servicing and car park access route between the site and 1 Bank Street, and a publicly accessible dockside promenade wrapping around the southern and western side of the site. Active frontages have been maximised. The building lines are logical and appropriately reflect the building lines of 1 Bank Street and 20 Bank Street, either side of the development. The separation distance between the site and 1 Bank Street has been maintained, at 15.5m.

- 8.56 The notable improvements to the quality of the public realm include provision of sunken public seating areas and planters as well as provision of two retail units fronting the dock. The dockside promenades would appropriately activate the dock edge and add to the recreational value of the dock.
- 8.57 While the eastern promenade would be of a lower quality due to its location within a double height undercroft, this is considered acceptable and its principle has been established in the previous planning permission for the site. The eastern part of the lobby would make a small protrusion into this area, partially affecting the sightlines, however, as a light-weight glazed structure necessary to provide a waiting area for the main office tenant, it would not compromise the public realm to an unacceptable extent.
- 8.58 The below visualisation illustrates how the new dockside promenade is likely to look like.

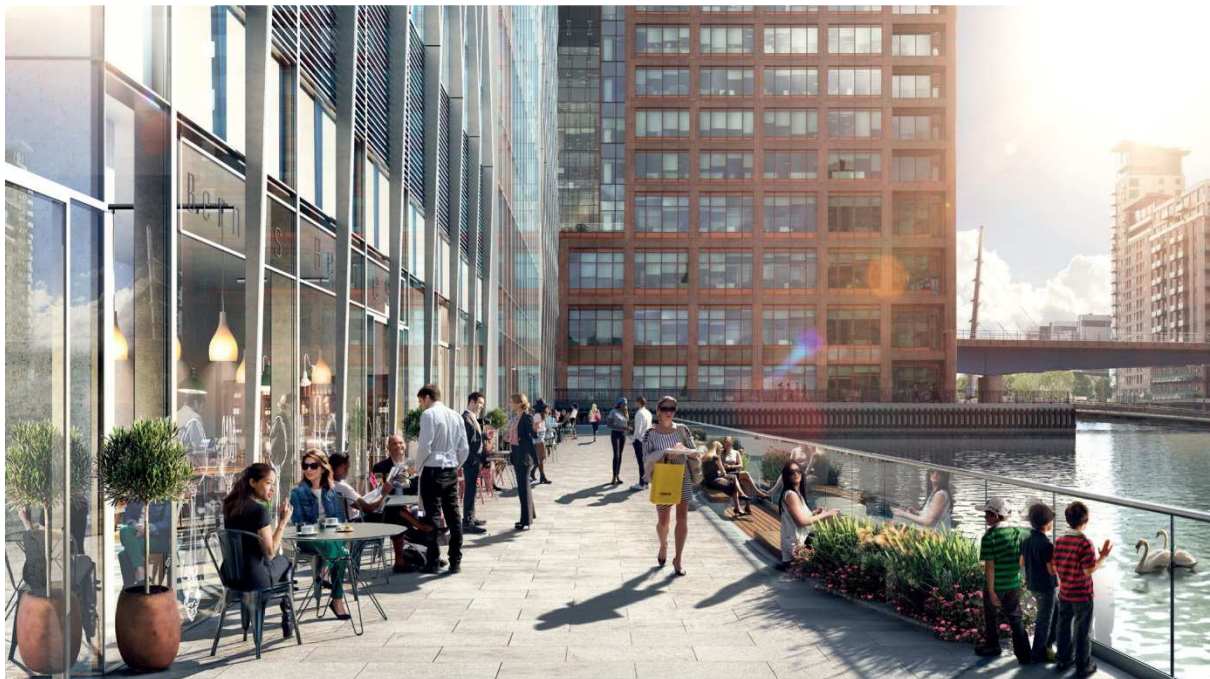


Figure 8 - CGI visualisation of the new South Dock promenade.

- 8.59 The applicant has investigated the feasibility of provision of a footbridge across the narrow canal linking the South and Middle Docks immediately to the east of the site with the promenade on the western side of the existing building at 20 Bank Street. This is not feasible due to the substantial level difference between the walkways either side of the canal.
- 8.60 The public realm would be mostly hardscaped which is appropriate in a busy town centre location. Nonetheless, planters have been incorporated along the dock edge and on Bank Street. Indicative details of security measures have been provided, including bollards within the Bank Street footway. A condition has been included to request full details of all landscaping elements, including lighting and security features.

- 8.61 Overall, the proposal's design appropriately responds to the sites context, the architecture and facing materials would be of a high quality, the massing and heights would be acceptable for the site's central location and the public realm would enhance the value of the dock. There would be no adverse heritage impacts.

Amenity

- 8.62 Further to policy 7.6 of the London Plan and SP10 of the Core Strategy, policy DM25 of the Managing Development Document requires development to protect, and where possible improve, the amenity of surrounding existing and future residents as well as the amenity of the surrounding public realm. The policy states that this should be by way of protecting privacy, avoiding an unacceptable increase in sense of enclosure or loss of outlook, unacceptable deterioration of sunlighting and daylighting conditions or overshadowing and not creating unacceptable levels of noise, vibration, light pollution or reductions in air quality during construction or operational phases of the development.
- 8.63 The application site is located within the commercial core of Canary Wharf and the nearest existing residential properties are located a significant distance away - within the East and West towers of the Landmark Square development, over 110m to the south-west of the site, across the South Dock. The International Hotel, at 163 Marsh Wall, is some 100m to the south of the site, also across the South Dock, however the hotel is not considered to be a sensitive use given that it provides short stay accommodation.
- 4.21 There are a number of residential development sites within the vicinity, including the high-rise residential schemes at Newfoundland – at the western end of Middle Dock, City Pride – at 15 Westferry Road and Arrowhead Quay – on Marsh Wall, to the east of the International Hotel.

Daylight, Sunlight and Overshadowing

- 8.64 Guidance on assessment of daylight and sunlight is set out in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when, as a result of development, the VSC figure falls below 27 and is less than 0.8 times its former value. Further information on the quality of daylighting is provided by the Daylight Distribution (No Sky Line) contour drawings and calculations which show the area of the room with sky visibility at working plane height.
- 8.65 With regard to sunlight, 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% 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%. 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.
- 8.66 The applicant has submitted a Daylight & Sunlight report as part of the Environmental Statement. The report has been reviewed by an independent consultant appointed by the Council.

8.67 The Council's consultant confirmed that the scheme would result in a negligible impact on the following properties:

1-9 Chandlers Mews
25 Westferry Road
27-29 Westferry Road
The Waterman Building
4 Manila Street
Quayside
Berkeley Tower & Hanover House
40 Marsh Wall

8.68 The following properties would be affected to a minor adverse extent:

Anchorage Point
Cascades
22-28 Marsh Wall Block 1
22-28 Marsh Wall Block 2
22-28 Marsh Wall Block 3
6 Manila Street

8.69 The proposals massing and height is reduced in comparison to the maximum parameters allowed by the outline planning permission, meaning that the proposal would pose less of an obstruction to daylight and cause less overshadowing. The number of windows and rooms seeing noticeable effects in daylight has significantly reduced with effects remaining either negligible or of minor significance.

8.70 Additionally, the Council's consultant advised that that where rooms do experience a minor adverse impact, in general most of those rooms meet the standard for daylight distribution and would therefore have a good perception of sky visibility from within the rooms themselves.

8.71 The cumulative impacts would range from negligible to major adverse, however, in the consultant's view, given the fact that the development is located a considerable distance from the residential receptors and when assessed in isolation gives rise to effects of only minor to negligible significance suggests that the cumulative effects are primarily driven by other consented schemes and not the proposed development.

8.72 The outline planning permission for the site has been taken into account in establishing the appropriate daylighting to the nearby residential schemes which are currently under construction. As such, given the minor increase in bulk and a reduced height, daylighting impacts to Newfoundland, City Pride and Arrowhead Quay sites would be limited.

8.73 Given the location of the site to the north-west, north or north-east of the neighbouring residential properties, the proposal would not result in any significant sunlighting impacts.

8.74 A shadow analysis has been undertaken to West India Middle Dock, the canal to the east of the development and the amenity space around the proposed development. For the neighbouring amenity areas of West India Middle Dock and the canal, more than 50% of these amenity areas will receive direct sunlight for at least 2 hours on 21 March and the required standard is met. The impact is therefore considered to be negligible. For the amenity space within the development, 49% of the area will receive 2 hours of direct sunlight on 21 March. As this is only just below the

recommended level of 50%, this is not a significant failure of the planning requirement.

- 8.75 A solar glare analysis has been undertaken assessing the glare at 4 key view-points around the development. The proposal would have a negligible impact on glare at one view point and a minor adverse impact on glare at three viewpoints. The minor adverse impacts are the result of relatively brief periods of glare and are considered to be acceptable.
- 8.76 The independent lighting consultant appointed by the Council has concluded that *“On balance, the overall impacts are at a level that is reasonably good for a development in this dense urban location where so many other schemes are also being planned or under development.”* Officers agree with this conclusion and consider that, on balance, the isolated minor adverse impacts are acceptable given the public benefits of the development.

Outlook & Sense of Enclosure, Overlooking & Privacy

- 8.77 Given the substantial separation distances from the nearest residential properties, the proposal would not result in any material impacts on outlook, sense of enclosure, overlooking or privacy. The impact of the proposal would also be comparable to that of the outline planning permission scheme.

Microclimate

- 8.78 A Wind Microclimate Assessment has been submitted as part of the Environmental Statement including wind tunnel results of the proposed scheme in the context of existing surrounding environment and a cumulative scenario. To ensure robustness, all tests have been carried out with the proposed mitigation measures in place. The results are presented in terms of the Lawson Comfort Criteria which identifies comfort categories suitable for different activities, as well as in terms of the likely occurrence of strong gusts of wind which could be a threat to safety.
- 8.79 The wind tunnel test results confirm that wind conditions would not pose a threat to public safety in all tested scenarios. In terms of comfort levels, following mitigation, all of the locations tested would provide comfort levels appropriate to the intended use of the relevant areas. The wind conditions would generally improve in the cumulative scenario, once 1 Bank Street and other nearby schemes are completed.
- 8.80 The dockside promenade would be suitable for short standing and sitting during the worst seasonal conditions with many areas suitable for long term sitting during the summer months.
- 8.81 Overall, the microclimate impact of the proposal would be acceptable with the resultant wind conditions suitable for everyday use and enjoyment of the public realm. Given how advanced the construction of 1 Bank Street is, it can be reasonably assumed that appropriate conditions would be achieved to create suitable conditions for outdoor sitting along the dockside.

Air Quality

- 8.82 The submitted Air Quality Assessment, part of the Environmental Statement, has been reviewed by the Council’s Air Quality Officer and confirmed as acceptable. The document demonstrates that there would be no significant air quality impacts and that

Air Quality Neutral requirements would be met. The details of the specification and maintenance of the heating system would be secured by condition.

Noise

- 8.83 Background noise surveys have been submitted as part of the Environmental Statement. Noise standards for plant and for any extract systems associated with the retail units would be set by condition to minimise any amenity impact on adjoining occupiers, although given the large separation distance to the nearest residential properties, it is unlikely that disturbance would occur.

Construction Impacts

- 8.84 The temporary noise, vibration and air quality impacts during the course of the construction works would be mitigated through submission of a Construction Management Plan and the Construction Logistics Plan. A condition would limit the construction hours to the Council's standard construction hours of 8am – 6pm Monday to Friday, 8am – 1pm on Saturdays, with no works on Sundays and Bank Holidays. Compliance with the Considerate Constructors Scheme and the Council's Code of Construction Practice would be secured as a planning obligation.

Conclusion

- 8.85 Overall, the proposal would give rise to no unacceptable impacts on the amenity of the adjoining building occupiers. Appropriate conditions have been included to mitigate any adverse impacts.

Highways, transportation and servicing

- 8.86 The NPPF emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel.
- 8.87 Policy 6.3 of the London Plan and SP09 of the Core Strategy aim to ensure that development has no unacceptable impact on the safety and capacity of the transport network. This is supported by policy DM20 of the Managing Development Document.
- 8.88 Policies 6.3 of the London Plan and DM22 of the Managing Development Document set standards for bicycle parking for staff and visitors while policies SP05 of the Core Strategy and DM14 of the Managing Development require provision of adequate waste and recycling storage facilities.
- 8.89 The application is accompanied by a Transport Assessment which has been reviewed by TfL and the Council's Highways & Transportation Officers.
- 8.90 The Council's Highways & Transportation Officer raised no objection to the scheme but made the following detailed comments:
- a) Access to the site for vehicles, cyclists and pedestrians remains unchanged from the previously consented scheme.
 - b) The approved scheme provided for a maximum of 107 car parking spaces – the current proposal is for 25 car parking spaces and 37 motorcycle spaces.

This reduction in car parking is welcome. 4 spaces are to be designated for disabled users (16% of the total) with the demand monitored through the Travel Plan and provision increased up to a maximum of 10 spaces based on the needs of the tenants. A parking management plan should be secured by condition. Electric charging points would be provided in line with London Plan requirements.

- c) It is proposed to provide 1,430 cycle parking spaces (670 two tier racks and 45 Sheffield stands) within the basement and 12 cycle parking spaces (6 Sheffield stands) at ground level. This should be secured by condition.
- d) The servicing and waste strategy remains unchanged. There are some concerns about the service yard functioning as a termination point for the service vehicles as well as for cars and cycles entering the parking areas however this remains unchanged from the previous application.
- e) Cycle and Pedestrian Environment Review System reports were submitted recommending improvements to surrounding road network, however, the applicant has not suggested to fund any of these – this should be secured through a S106 agreement or CIL.
- f) Draft Travel Plan, Servicing Management Plan and Construction Logistics Plan were submitted – final versions should be secured by condition.

8.91 Bank Street is a private road forming part of the Canary Wharf Estate. The nearest adopted highways are Westferry Road and Marsh Wall. The site benefits from excellent access to public transport with the highest PTAL rating of 6b. The area is served by a number of bus routes, a number of DLR stations (the closest being the Heron Quays Station) and the Canary Wharf Jubilee Line Station. The Elisabeth Line (formerly known as Crossrail) is due to commence operation in December 2018. There is a number of Cycle Hire stations in the vicinity, the closest located adjacent to 20 Bank Street.

8.92 Neither TfL nor LBTH Highways & Transportation object to the principle of the proposed development in this highly sustainable location.

Car parking and access

8.93 The principle of vehicle access remains unchanged from the approved scheme. This would be via shared access with the adjacent 1 Bank Street development. Vehicles would access a ground floor servicing bay served by two car lifts leading to basement parking at Basement Level 2.

8.94 A taxi pick-up/drop-off layby with capacity for 3 vehicles would be provided on Bank Street, in front of the main entrance to the building.

8.95 The approved scheme provided for a maximum of 107 car parking spaces – the current proposal is for 25 car parking spaces and 37 motorcycle spaces. This reduction in car parking is welcome. 4 spaces are to be designated for disabled users (16% of the total) with the demand monitored through the Travel Plan and provision increased up to a maximum of 10 spaces based on the needs of the tenants.

8.96 Auto-tracking diagrams have been provided to demonstrate that the required movements can be carried out safely. Condition have been attached to require

submission of a Car Parking Management Plan as well as provision of the blue-badge car parking spaces and electric vehicle charging points.

Servicing and deliveries

- 8.97 Servicing of the proposal would take from ground floor loading bays. A condition is recommended to request submission of a Delivery and Servicing Management Plan.
- 8.98 Auto-tracking diagrams have been provided to demonstrate that the required movements can be carried out safely.

Cycle parking

- 8.99 It is proposed to provide 1,430 cycle parking spaces (670 two tier racks and 45 Sheffield stands) within the basement and 12 cycle parking spaces (6 Sheffield stands) at ground level. A condition has been included to ensure this policy compliant provision. No unacceptable conflicts would occur with servicing vehicles. Safety measures to do with the management of the servicing area are to be secured through the Delivery & Servicing Management Plan.

Walking

- 8.100 The proposed public realm works would improve the quality of the pedestrian environment adjoining the application site. The new dockside promenade would provide a more leisurely connection along the northern side of South Dock with the main

Waste storage

- 8.101 The proposal includes waste storage facilities for 126 cubic metres of waste. This would be in standard Eurobins and in waste compactors. As sufficient storage has been provided for 2 days, the proposal complies with policy.

Traffic generation

- 8.102 A Transport Assessment has been submitted as part of the application. The assessment has been reviewed by both TfL and the Council's Highways & Transportation officers who raised no objections to the proposal.
- 8.103 Given the reduction in office and retail floorspace as well as in car parking provision in comparison to the previous development proposals approved by the Council, the highways and transportation impacts of the proposal are likely to be lower than previously approved and do not raise concerns.
- 8.104 A condition has been included to require submission of a Demolition and Construction Logistics Plan including a construction works Travel Plan, assessment of feasibility of utilising water borne transport during the course of the works and measures to safeguard the DLR viaduct over the South Dock from any freight movements using the dock. This condition would also aim to minimise any temporary disruptions to the operation of the local highway network.
- 8.105 An end-user phase Travel Plan has been included in the Heads of Terms to promote the use of sustainable modes of transport by future workers.

Infrastructure Funding

- 8.106 A number of financial contributions have been requested by TfL but have not been included in the S106 Heads of Terms:
- £120,000 towards delivery of a 36 space cycle docking station
 - £250,000 for DLR improvements at Heron Quays Station
- 8.107 The Council's Infrastructure Delivery Team confirmed that cycle docking stations and DLR improvements constitute strategic transport infrastructure and, as such, are dealt with by the Community Infrastructure Levy rather than by S106 planning obligations. It would be against CIL regulations to fund strategic transport infrastructure through S106 planning obligations.
- 8.108 The Council's Highways Officer suggested that the improvements recommended within the submitted Cycle and Pedestrian Environment Review System reports should be secured through a S106 agreement or CIL. Given that these relate to existing areas of highway some distance from the application site, are not directly necessitated by the proposal and would serve the wider area, Infrastructure Delivery Team confirmed that the improvements constitute strategic infrastructure which cannot be funded through the S106. There is potential for the improvements to be funded through CIL but this cannot be secured or specified through the planning process – the Council has separate procedures to do with allocating CIL funds to infrastructure projects.

Conclusion

- 8.109 Overall, subject to conditions and the planning obligations, the proposal would not give rise to any unacceptable highway, transportation or servicing impacts. Neither the Council's Highways & Transportation Officer nor TfL raise an objection to the proposal. Given the reduced area of total floorspace and car parking spaces than as approved under the outline planning permission, the proposal's highways and transportation impacts would likely be lower than as previously approved by the Council.

Sustainability and Energy Efficiency

- 8.110 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The climate change policies as set out in Chapter 5 of the London Plan, policy SP11 of the Core Strategy and the Managing Development Document policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.111 The submitted Energy Strategy demonstrated that the proposals follow the energy hierarchy of be lean, be clean & be green and seek to minimise CO₂ emissions through the implementation of energy efficiency measures and use of a centralised energy system. The CO₂ emission reductions are anticipated to be at 33.5% against the Building Regulations 2013, short of the 45% policy target. In accordance with policy requirements, the applicant has agreed to the full financial contribution of £489,420 to the Council's carbon off-setting programme to achieve a total reduction of 45%.

- 8.112 The applicant has also submitted a Sustainability Strategy which includes a BREEAM Assessment demonstrating that the scheme is designed to achieve a BREEAM 'Excellent' rating with a score of 78.3%.
- 8.113 The feasibility of connecting the development to the Barkentine district heating network has been investigated; however, it would not be possible in the near future. The design of the energy system to provide for a future connection to a district network would be secured by condition.
- 8.114 Conditions have been included to ensure compliance with the proposed energy efficiency and sustainability strategies, including achievement of an 'Excellent' BREEAM rating.
- 8.115 Overall, subject to conditions and the carbon off-setting planning obligation, the proposal would accord with the relevant policies and guidance.

Biodiversity

- 8.116 Policies 7.19 of the London Plan, SP04 of the Core Strategy and DM11 of the Managing Development Document seek to protect and enhance biodiversity value in order to achieve an overall increase in biodiversity.
- 8.117 The South Dock, as a Site of Importance for Nature Conservation (SINC), is of local ecological value but according to surveys no notable aquatic flora or fauna are present within the dock and the aquatic biology of the docks is considered to be of low conservation value.
- 8.118 The areas of the site not covered by water have been cleared of all vegetation pursuant to the enabling works permissions (ref PA/14/01373 for the construction of a secant piled wall and ref PA/14/01372 for construction of a cofferdam) and are currently used to facilitate construction of the 1 Bank Street scheme.
- 8.119 The consented scheme (ref PA/13/01150 & PA/14/01664) and the associated enabling works permissions allowed for construction of a basement, reducing the area of the dock by 2,414sqm. The current proposal would broadly maintain the previously approved displacement of water, increasing this by only approximately 14sqm to account for structural piles needed to support the building above. Nonetheless, the additional area covered by decking would measure approximately 238sqm (a further extension of 3m across the southern edge of the site in comparison to the approved maximum parameters of the outline scheme). In comparison to the reserved matters scheme, the increase in decking area would be approximately 318sqm (a further extension of 4m). While the loss of 14sqm of water area would be minor, the additional decking would completely cover that section of the dock reducing the dock's ecological value.
- 8.120 The following ecological mitigation is proposed, in comparison to that previously approved. Additional mitigation has been proposed to take account of the additional water displacement and coverage.

| Previous (Consented Scheme) | Proposed Development |
|--|--|
| Planters with trees (lime <i>Tilia cordata</i>) on southern edge of the site. | Two Magnolia trees on northern boundary. No trees on southern boundary due to space constraints. |
| Green wall with fern species on western elevation. | Not possible to include due to the 1 Bank Street scheme |

| | |
|---|--|
| Herbaceous planters with grasses, non-native and native flowering and nectar producing plants. Total area 84sqm. | Herbaceous planters with grasses, non-native and native flowering and nectar producing plants. Slightly greater diversity of species. Reduced in size compared to consented scheme. Total area 46sqm. |
| Sedum green roof with sedum and grasses. Total area 433sqm. | Biodiverse roof with wildflower species and features of benefit to birds and insects. Increased in size and much higher in quality compared to consented scheme. Total area 471sqm. |
| Ecologically beneficial wall within the dock to provide a habitat and food source for aquatic flora and fauna. 6m long by 2m deep. | Ecologically beneficial wall within the dock to provide a habitat and food source for aquatic flora and fauna. 144m long by 2m deep. |
| No hanging fish refuges. | Hanging fish refuges incorporated, attached to the ecologically beneficial wall and designed to imitate overhanging bank vegetation or clumps of floating vegetation to provide shelter for fish. |
| Bird boxes suitable for local priority species. | Bird boxes suitable for local priority species but also including boxes for black redstarts on the biodiverse roof. |

- 8.121 The impact of water displacement and overshadowing would be on a small proportion of the total area of the SINC and, following mitigation, due to the increased value of habitat for fish and invertebrates provided by the ecologically beneficial wall, the long term impact of the development on the SINC would be of negligible significance.
- 8.122 The Council's Biodiversity Officer confirmed that the improved mitigation proposed by the applicant is sufficient to offset the additional loss of open water. With the inclusion of all biodiversity measures secured by condition, overall the proposal would result in a long-term beneficial effect of minor significance.
- 8.123 Conditions have been attached to require submission of full details of the biodiversity mitigation & improvement measures as well as to require submission of details of lighting to reduce light spill onto the dock. The adverse impacts resulting from construction works would be mitigated through the Construction Environmental Management Plan secured by condition.

Other

Flood Risk and Drainage

- 8.124 The NPPF, policy 5.12 of the London Plan, and policy SP04 of Core Strategy require consideration of flood risk in the planning process. Policy 5.13 of the London Plan seeks the appropriate mitigation of surface water run-off.
- 8.125 The site is located within Flood Zone 3 which is protected by the Thames Tidal flood defences from a 1 in 1000 (0.1%) chance of flood even in any year. The site would be at risk if there was to be a breach in the defences or if they were to be overtopped.
- 8.126 A general sequential test for the borough has been carried out in 2009 as part of the evidence base for the Core Strategy. The Council has also carried out a Strategic

Flood Risk Assessments in 2012. The sequential test concluded that there are no sequentially preferable alternative sites available at a lower risk of flooding if the borough is to deliver an adequate quantum of residential and commercial floorspace. As discussed below, the development itself would not be at an unacceptable risk of flooding and it would not increase the risk of flooding elsewhere.

- 8.127 A site specific Flood Risk Assessment has been submitted with the application. The proposed development is classified as 'less vulnerable' and classed as 'appropriate development' under the sequential test.
- 8.128 The Environment Agency confirmed that they do not have an objection to the development but recommended that the adequacy of evacuation arrangements is confirmed and that the finished floor levels are set above the 2100 breach level which is 4.137 AOD.
- 8.129 In accordance with Environment Agency's response, the proposed finished floor level would be no less than 6m AOD and adequate refuges and escape routes would be provided. The finished floor level would also be above the 5.7m AOD required for the period of 2065 to 2100 as a result of climate change.
- 8.130 The submitted Flood Risk Assessment confirms that flood storage compensation would not be required as the basement of the previously approved scheme has already been considered by the Environment Agency.
- 8.131 With regard to drainage, the site is in an area of a low risk of surface water flooding and is not in a Critical Drainage Area. The majority of surface water would be discharged into the dock, being the most sustainable solution for the site. The principle is accepted by both the Environment Agency and the Canal & River Trust but full details are to be reserved by condition.

Aviation

- 8.132 An Aviation Assessment has been submitted as part of the application. The assessment confirms that the proposal would not result in any adverse impacts. NATS Safeguarding and London City Airport have been consulted with neither of the consultees objecting to the proposal, although London City Airport requested that the operation of cranes is dealt with by condition. The requested condition has been included. As such, subject to condition, the proposal would not result in any unacceptable aviation impacts.

Land contamination

- 8.133 A Ground Conditions report has been submitted as part of the Environmental Statement. While the risk of land contamination at the site is low, at the request of the Environmental Health Contaminated Land Officer, a condition has been included to appropriately deal with any potential land contamination, to minimise risks to health and ecology.

Impact on Thames Water infrastructure

- 8.134 Thames Water infrastructure would be safeguarded by the recommended conditions, in line with the consultee's request.

Environmental Impact Assessment

- 8.135 The Town and Country Planning (Environmental Impact Assessment) Regulations require that an Environmental Impact Assessment is undertaken to provide information about the likely effects of the proposal on the environment, to inform the decision making process. The environmental information must be taken into account prior to planning permission being granted.
- 8.136 As required by the EIA regulations, the application is accompanied by an Environmental Statement. The submitted statement has been confirmed as robust by the independent consultants appointed by the Council.
- 8.137 The environmental information has been taken into account in consideration of the application and informed each sub-section of the Material Planning Considerations section of this report. This included matters such as demolition and construction impacts, waste and recycling, socio-economics, transportation and access, air quality, noise and vibration, wind microclimate, daylighting, sunlight, overshadowing & solar glare, archaeology, ground conditions, water resources, drainage and flood risk, TV and radio reception as well as effect interactions, and residual & cumulative effects.
- 8.138 Conditions and planning obligations have been included to secure the implementation of all of the relevant mitigation measures suggested within the Environmental Statement. Where mitigation is not secured through a planning obligation or condition, the Council's Community Infrastructure Levy provides the most appropriate method of delivery.

Planning Obligations

- 8.139 Core Strategy Policy SP13 seeks planning obligations to offset the impacts of the development on local services and infrastructure in light of the Council's Infrastructure Delivery Plan (IDP). The Council's Planning Obligations SPD (2016) sets out in more detail how these impacts can be assessed and what the appropriate mitigation could be. The Council adopted a Borough-level Community Infrastructure Levy on April 1st 2015. Consequently, planning obligations are much more limited than they were prior to this date, with the CIL levy used to fund new education, healthcare and community facilities to meet the additional demand on infrastructure created by new residents.
- 8.140 The NPPF requires that planning obligations must 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.
- 8.141 Regulation 122 of the CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests. CIL Regulation 123 prohibits the funding of CIL infrastructure through the S106 mechanism.
- 8.142 The applicant has agreed to meet the entire financial obligation requirements calculated in accordance with LBTH and GLA funding guidance. These are:
- a) £500,108 towards construction phase employment skills and training
 - b) £3,131,400 towards end-user phase employment skills and training

- c) £489,420 towards carbon off-setting
- d) £19,358,968 Crossrail CIL top-up contribution (on the basis of estimated CIL liability of £4,375,945)
- e) £3,000 monitoring fee (£500 per each substantial Head of Terms)

Total financial contributions: £23,482,896

8.143 The non-financial obligations include:

- f) Access to employment
 - 20% local procurement
 - 20% local labour in construction and end-user phases
 - 21 construction apprenticeships
 - 31 end-user apprenticeships
- g) Travel plan for end-user phase
- h) TV reception mitigation
- i) Public access to public realm areas including dockside promenade
- j) Compliance with Considerate Constructors Scheme & LBTH Code of Construction Practice

8.144 All of the above obligations are considered to be in compliance with aforementioned policies, the NPPF and CIL Regulations tests.

8.145 A number of financial contributions have been requested by the TfL and/or the GLA but have not been included in the Head of Terms listed above:

- £120,000 towards delivery of a 36 space cycle docking station
- £250,000 for DLR improvements at Heron Quays Station

8.146 The Council's Infrastructure Delivery Team confirmed that cycle docking stations and DLR improvements constitute strategic transport infrastructure and, as such, are dealt with by the Community Infrastructure Levy rather than by S106 planning obligations as has been the case before 1st April 2015. Inclusion of those contributions in the S106 would lead to duplication with CIL contrary to the provisions of the Regulation 123.

Financial Considerations

8.147 Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that the authority shall 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,
- Any other material consideration.

8.148 Section 70(4) defines "local finance consideration" as:

- A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.149 The London Mayor's Community Infrastructure Levy charge is estimated at £4,375,945. This would be supplemented by the Crossrail top-up S106 contribution as set out above.

8.150 In accordance with the Council's Community Infrastructure Levy Charging Schedule, Tower Hamlets CIL would be payable only for the retail element of the proposal with a nil rate applied to the office component. The estimated LBTH CIL liability would be £20,510.

8.151 These financial benefits are material considerations of some weight in favour of the application.

Health Considerations

8.152 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals while the Council's policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.

8.153 The proposal raises no particular health implications and would not prejudice the opportunity of the future occupiers, neighbours or members of the public to benefits from appropriate living conditions or to lead healthy and active lifestyles.

Human Rights Considerations

8.154 Section 6 of the Human Rights Act 1998 prohibits authorities from acting in a way which is incompatible with the European Convention on Human Rights. The relevant rights include:

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

8.155 Members need to satisfy themselves 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 local planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must carefully consider the balance to be struck between individual rights and the wider public interest.

8.156 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as a local planning authority.

8.157 The proposal raises no particular human rights implications.

Equalities Act Considerations

8.158 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to:

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

8.159 The proposal raises no particular Equalities Act implications.

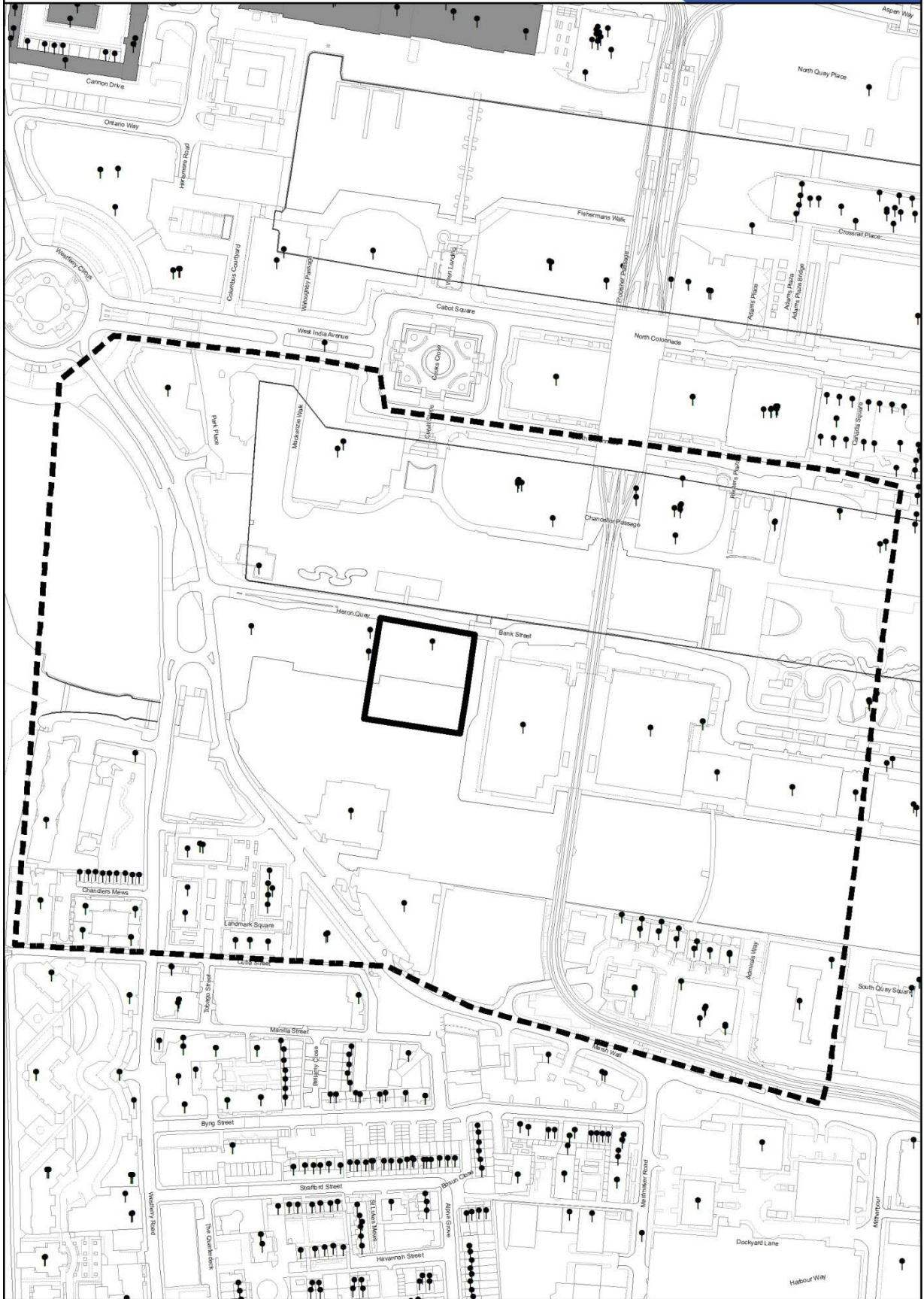
10.0 CONCLUSION

10.1 All other relevant policies and considerations have been taken into account. It is recommended that full planning permission should be GRANTED.

11.0 SITE MAP

11.1 Please refer to the next page of this report.

Planning Application Site Map
PA/16/02956



| | | | |
|--|--|---|---|
|  Planning Application Site Boundary |  Locally Listed Buildings |  Land Parcel Address |  |
|  Consultation Area |  Statutory Listed Buildings | 0 40 m  | |

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.

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UPDATE REPORT OF DIVISIONAL DIRECTOR OF PLANNING AND BUILDING CONTROL

| Agenda item no | Reference no | Location | Proposal / Title |
|----------------|--------------|-----------------------------|---|
| 5.2 | PA/16/02956 | 10 Bank Street, London, E14 | Construction of a building of 166m AOD comprising 124,734sqm (GIA) of office (Use Class B1) and 293sqm (GIA) of retail (Use Class A1-A5) along with a decked promenade to the West India Dock South, access and highways works, landscaping and other associated works. |

1.0 CLARIFICATIONS

Conditions

- 1.1 For the avoidance of doubt, the condition requesting submission of landscaping details (prior to relevant works condition c in paragraph 3.6 of the committee report) would provide for sufficient flexibility for the applicant to include further improvements to the public realm within the application site boundary if supported by the 'Waterspace Strategy' as secured pursuant to the planning permission for the Quay Club, ref PA/16/00900.

Loss of water

- 1.2 The table in paragraph 4.6 of the committee report should read as follows:

| | Outline permission | Reserved matters | As proposed |
|--|--------------------|------------------|-------------|
| Basement extension into dock | 30.5m | 30.5m | 30.5m |
| Area of water displacement by basement | 2,583sqm | 2,415sqm | 2,415sqm |
| Area of water displacement by piles | Not restricted | 4sqm | 14sqm |
| Extent of decking over dock | 7.4m | 6.4m | 10.4m |
| Area of decking | 627sqm | 508sqm | 825sqm |

- 1.3 Paragraphs 8.29 and 8.119 refer to an additional proposed area of decking of 238sqm in comparison to the outline scheme and 318sqm in comparison to the reserved matters scheme. These figures should in fact be lower, at 198sqm and 317sqm respectively.

Daylight & sunlight impacts

- 1.4 The list in paragraph 8.67 incorrectly omits reference to the Jefferson Building which would be subject to a negligible daylight impact.

Transportation

- 1.5 Paragraph 8.94 incorrectly refers to the capacity of the drop-off bay in front of the development as for 3 vehicles. The correct capacity is 6.

Environmental Impact Assessment

- 1.6 Paragraph 8.137 does not make it clear that the archaeology, water resources, waste and recycling, ground conditions and TV and radio reception matters did not form part of the submitted Environmental Statement as these matters have been 'scoped out' of the ES as agreed by the Council's EIA Officer. Nonetheless, the appropriate reports and evidence dealing with these environmental topics have been submitted by the applicant and taken into account in with conditions and planning obligations included as appropriate.

2.0 RECOMMENDATION

- 2.1 Officer's recommendation remains to GRANT planning permission subject to referral to the Mayor of London, the prior completion of a legal agreement and inclusion of conditions and informatives.

Agenda Item 5

| | | | |
|---|---|--|------------------------|
| Committee: Strategic Development | Date: 25 th April 2017 | Classification: Unrestricted | Agenda Item No: |
| Report of: Corporate Director Place | | Title: Planning Applications for Decision | |
| Originating Officer: Owen Whalley | | Ref No: See reports attached for each item | |
| | | Ward(s): See reports attached for each item | |

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 are 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.

3. ADVICE OF HEAD OF LEGAL SERVICES

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the Development Plan and other material policy documents. The Development Plan is:
 - the London Plan 2011
 - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
 - the Managing Development Document adopted April 2013
- 3.2 Other material policy documents include the Council's Community Plan, supplementary planning documents, government planning policy set out in the National Planning Policy Statement and planning guidance notes and circulars.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

LOCAL GOVERNMENT ACT 2000 (Section 97)

LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7

| | | |
|---|-------------------------------------|-----------------------------------|
| Brief Description of background papers: | Tick if copy supplied for register: | Name and telephone no. of holder: |
| See Individual reports | ✓ | See Individual reports |

-
- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, 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.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects 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.
- 3.6 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-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 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.
- 3.7 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.
- 3.8 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

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 previous Agenda Item

5. RECOMMENDATION

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

Agenda Item 5.1

| | | |
|---|---|--|
| Committee: Strategic Development | Date: 25 th April 2017 | Classification: Unrestricted |
| Report of: Director of Place | Title: Applications for Planning Permission | |
| Case Officer: Brett McAllister | Ref No: PA/16/00943 | |
| | | Ward: Mile End |

1.0 APPLICATION DETAILS

| | |
|----------------------|--|
| Location: | 562 Mile End Road & 1a, 1b, 1c Burdett Road |
| Existing Use: | Vacant nightclub (sui generis) Existing nightclub (sui generis) 2 retail units (use class A1) Minicab office (sui generis) |
| Proposal: | Demolition of existing buildings and construction of a mixed use development comprising part 3-storey, part 8-storey and part 12-storey building, 46 residential units, 779sqm (GIA) commercial floorspace (A1, A2 & B1), landscaping, public realm improvements, access and servicing (including 1 disabled car parking space; 99 cycle parking spaces; and associated highway works) and other associated infrastructure. |
| Drawings: | 953 PL 001, 953 PL 002, 953 PL 003, 953 PL 004, 953 PL 005, 953 PL 099 Rev. B 953 PL 100 Rev. C, 953 PL 100(b) Rev. A, 953 PL 101 Rev. C, 953 PL 102 Rev. D, 953 PL 103 Rev. C, 953 PL 104 Rev. C, 953 PL 105 Rev. C, 953 PL 106 Rev. C, 953 PL 107 Rev. C, 953 PL 108 Rev. C, 953 PL 109 Rev. C, 953 PL 110 Rev. C, 953 PL 111 Rev. C, 953 PL 115 Rev. C, 953 PL 200 Rev. C, 953 PL 201 Rev. C, 953 PL 202 Rev. C, 953 PL 203 Rev. C, 953 PL 300 Rev. C, 953 PL 301 Rev. C, 953 PL 302 Rev. C, 953 PL 303 Rev. C, 953 PL 310 Rev. B, 953 PL 311 Rev. B, 953 PL 312 Rev. B, 953 PL 313 Rev. B, 953 PL 314 Rev. B, 953 PL 400 Rev. B, 953 PL 401 Rev. A, 953 PL 402 Rev. A, 953 PL 403 Rev. A, 14.44.101 Rev. B, 14.44.102 Rev. A, 14.44.103 Rev, 14.44.104 Rev. A, 14.44.105 Rev. B, 14.44.106 Rev. C, |

| | |
|---------------------------|--|
| Documents: | <p>Design & Access Statement by BUJ Architects Design & Access Addendum Note by BUJ Architects (Dec 2016) Design & Access Addendum Note II by BUJ Architects (March 2017) Daylight & Sunlight by GVA Daylight & Sunlight Addendum by GVA (Sept 2016) Daylight & Sunlight Addendum Statement by GVA (March 2016) Shadow Analysis Study (April 2017) Flood Risk Assessment by Walsh Group Transport Statement by Cole Easdon Technical Note by Cole Easdon (March 2017) Planning Statement by Signet Planning as updated by Letter by WYG dated 22 December 2016 Heritage Statement, Townscape and Visual Impact Assessment by Stephen Levrant Heritage Architecture (March 2017) Air Quality Impact Assessment by Aecom Archaeological Desk Based Assessment by CGMS Environmental Noise Assessment by Sharps Redmore Geotechnical and Geoenvironmental Interpretative Report – Rev. 3 by CGL Overheating Assessment Rev. C by BBS Retail Impact Assessment by RPS Statement of Community Engagement by Bestzone Ltd. Structural & Civil Engineering Stage C Report by Walsh Group Sustainability Report by FHP Viability Report by Gerald Eve LLP AVR/VVM Methodology Statement and Camera Record Wind Microclimate Study by BMT Fluid Mechanics Email from BMT Fluid Mechanics (March 2017) Spatial Planning and Overheating Report by FHP</p> |
| Applicant: | Bestzone Ltd. |
| Ownership: | Bestzone Ltd. |
| Historic Building: | No listed buildings on site. |
| Conservation Area: | Not in a conservation area but adjacent to Tredegar Square and Clinton Road conservation areas. Also near to Ropery Street conservation area. |

2.0 EXECUTIVE SUMMARY

- 2.1 This report considers revisions made to the planning application at 562 Mile End Road & 1a, 1b, 1c Burdett Road, which was heard at committee on 16th February 2017. At committee members were minded not to accept officers' recommendation to grant planning permission for the erection of a building up to 15 storeys, proposing

52 residential units and commercial floorspace. The concerns raised by members included:

1. Height, bulk and massing and impact on townscape
2. Density and overdevelopment of the site
3. The servicing provision
4. Loss of the community facility
5. Design of the proposal
6. Air Quality issues

2.2 Following committee, officers have worked with the applicant and secured amendments to the planning application and addressed the issues raised. These include:

1. The bulk and massing of the scheme has been reduced by lowering the height of the 15-storey tower to 12-storeys with a reduced parapet and reduction of the northern shoulder element by a further storey.
2. The material treatment of the 3-storey element using a red brick to match the 8-storey element to the southern half of the site to further break up the massing.
3. The density of the scheme has been reduced from 1,671hrph to 1,422hrph.
4. The housing tenure mix has been amended with provision of 35% affordable housing by habitable room and a 66-34 split in favour of affordable rented units.
5. The affordable rented units are provided at 50% London Affordable Rent and 50% LBTH Living Rents in line with LB Tower Hamlets updated rental policy.
6. Further information has been provided with regards to the servicing arrangements which TfL support subject to appropriate conditions; daylight/sunlight/overshadowing impacts have improved marginally; as have design and heritage and microclimate.
7. Appropriate air quality mitigation measures will be conditioned.

2.3 This report now considers an application for demolition of the existing buildings and construction of a mixed-use development comprising part 3-storey, part 8-storey and part 12 storey building. The building would provide 46 new homes and 779sqm of high quality flexible commercial space (Use Classes A1, A2 or B1) for Mile End town centre.

2.4 Officers have considered the particular circumstances of this application against the provisions of the Local Plan and other material considerations as set out in this report, and recommend approval of planning permission.

2.5 Following a reduction in the number of units the development would result in the provision of 35% affordable housing by habitable room (8 affordable rented units and 4 intermediate units).

2.6 The residential quality of the scheme would be high. Out of the 8 affordable rented units 38% would be of a size suitable for families (3 bed+ units). All of the proposed affordable units would meet or exceed the floorspace and layout standards with family sized units being more spacious. The proposed flats would all be served by private balconies and terraces that meet or exceed minimum London Plan SPG space requirements. All of the dwellings would meet the Lifetime Homes equivalent standards and 4 units would be provided as wheelchair accessible.

2.7 The report acknowledges that the height of the building would be taller than those in the surrounding area. Through the staggered massing and robust materials used in the design it is considered that the proposal would relate well with the local area. The

reduction in the height of the proposal to 12 storeys, ensures the building relates better with adjacent properties whilst continuing to ensure the building achieves its designed aim of providing a landmark for a revitalised Mile End town centre that would deliver good quality homes and commercial space at this large junction and transport hub.

- 2.8 Officers consider that any adverse heritage impacts are minor and are less than substantial, and the impact from the earlier scheme has been reduced further still by the reduction in height.
- 2.9 There would be some localised amenity impacts from the development but overall the impacts would be acceptable. Officers consider that the design and massing of the development would minimise any adverse amenity implications.
- 2.10 The proposal would be acceptable with regard to highway and transportation matters including parking, access and servicing.
- 2.11 The existing nightclub serving a particular part of the gay community can be considered to be of some public value, given that sexual orientation is a protected characteristic under the Equalities Act 2010, and it could be held to be local community facility in policy terms. However, for the reasons set out within the report, the harm resulting from the loss of this facility, to allow for the provision of housing and commercial space in a sustainable location, is justified in planning terms, given the extensive public benefits of the scheme, the high level of regenerative impact the proposal would have and the best endeavours of the applicant to help in re-providing the facility within the borough.
- 2.12 Subject to the recommended conditions and obligations, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material considerations which would indicate that it should be refused.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to any direction by the London Mayor and the prior completion of a legal agreement to secure the following planning obligations:

Financial Obligations:

- a) A contribution of **£18,696** towards employment, skills, training for the construction phase
- b) A contribution of **£21,850.95** towards employment, skills, training for the end user phase
- c) A contribution of **£12,780** towards Carbon Off-Setting.
- d) Commuted sum to secure an accessible space on Eric Street should there be demand
- e) **£4,000** monitoring fee (£500 per s106 HoT's)

Total £57,326.95

- 3.5 Non-financial Obligations:

- a) Affordable housing 35% by habitable room (12 units)
 - 66% Affordable Rent at Borough affordable rental levels (8 units)
 - 34% Intermediate Shared Ownership (4 units)
 - b) Access to employment
 - 20% Local Procurement
 - 20% Local Labour in Construction
 - 20% Local Labour in End User Phase
 - 6 Apprenticeships
 - c) Car-permit free agreement
 - d) Securing public realm as accessible
 - e) Re-provision strategy for Nightclub including financial help for this up to **£10,000**
 - f) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
- 3.4 That the Corporate Director, Development & Renewal is delegated authority to negotiate and approve the legal agreement indicated above.
- 3.5 That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
- 3.6 Conditions:
1. Three year time limit
 2. Compliance with approved plans and documents
 3. All lifts operational prior to occupation of the relevant part of the development;
 4. Approval of all external facing materials including brickwork, render, cladding, window reveals, frames and screening, doors and canopies, guttering, post boxes, soffits and all rooftop structures, including flues and satellite dishes;
 5. Hard and soft landscaping details and boundary treatment, child playspace
 6. Approval of details of the wheelchair housing specification/standards
 7. Approval of details of all Secure by Design measures (Part 2 Secure by Design Accreditation in consultation with Metropolitan Police);
 8. Details of biodiversity enhancements including details of green roofs
 9. Detailed specification, tilt angle and location of photovoltaic panels;
 10. Drainage Strategy (including SUDs);
 11. Hours of construction and demolition
 12. Demolition and Construction Management/Logistics Plan
 13. Delivery, Refuse and Servicing Management Plan in consultation with TfL
 14. Travel Plan including Trip Generation Forecast
 15. Scheme of ground contamination investigation and remediation
 16. Details of cycle storage;
 17. Details of noise mitigation measures
 18. Details of air quality mitigation measures
 19. Details of piling, all below ground works and mitigation of ground borne noise (Design and method statement in consultation with London Underground)
 20. Scheme of highway improvement works
 21. The accessible parking bay shall only be made available to a resident in possession of a blue badge and should be retained and maintained for the life of the development.

22. No cranes shall be erected on the site unless construction methodology and details of the use of cranes in relation to location, maximum operating height of crane and start/finish dates during the development has been submitted to London City Airport for approval.
23. Updated Energy & Sustainability Strategy
24. Final energy calculations to show how the scheme has delivered the stated carbon emission reductions;

3.7 Any other conditions considered necessary by the Director of Place

3.8 Informatives:

1. Subject to a S106 agreement
2. Thames Water informatives
3. Contact London Underground Infrastructure Protection
4. CIL

3.9 Any other informatives considered necessary by the Director of Place.

4.0 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 4.1. The application site is located on the corner of Mile End Road (A11), which bounds the site to the north, and Burdett Road (A1205), which bounds the site to the west. Wentworth Mews, a narrow route between Burdett Road and Eric Street bounds the site to the south. The east of the site is bounded by the Telephone Exchange and 564 Mile End Road.
- 4.2. The site itself is comprised at its north end of 2 and 3 storey buildings with commercial units at ground level facing Mile End Road. Beneath these units runs an underground sewer and railway line. To the south of these extends a long building with a gable pitched roof of 3 storeys in height. The north section and majority of this building was previously used as a nightclub, Boheme, but lost its license in 2011 and has been vacant since. A smaller section to the south, with entrance from Wentworth Mews, is a gay nightclub "The Backstreet" which has been running for around 32 years. Adjoining this building at the south west corner of the site at the corner with Wentworth Mews is 1 Burdett Road, a 3 storey building with 3 commercial units facing Burdett Road (1a, 1b, 1c) and with commercial space in the floors above.
- 4.3. The urban block to the east of the site up to Eric Street is comprised of several commercial units in buildings ranging between 2 and 3 storeys fronting Mile End Road and to the south of these a large inter-war Telephone Exchange building (equivalent of approximately 8 storeys at its highest point).



Figure 1 - Existing Site

- 4.4. To north of the site is the large junction of Mile End Road with Burdett Road from the south and Grove Road from the north. Across Mile End Road there are buildings of between 2 and 4 storeys with a string of commercial units at ground floor that principally extend along the east side of Grove Road. There are also some commercial units opposite on the other side of Mile End Road.
- 4.5. To the west across Burdett Road and to the west of Grove Road is Mile End Park. The park extends over Mile End Road with a green bridge.
- 4.6. Directly to the south across Wentworth Mews is a 4 storey building, Beckett House, with a commercial unit at ground floor with flats above. Further south is a 9 storey residential block, 1-36 Wentworth Mews, that runs parallel with Wentworth Mews. To the south east is a two storey public house, the Wentworth Arms and Butcombe House, another 4 storey estate infill residential block.
- 4.7. Away from the main roads where the retail/commercial is located the surrounding area is residential in character with a few tower blocks interspersed amongst a lower, predominantly 3-5 storey scale. To the north on the opposite side of Mile End Road there are the Clinton Road and Tredegar Square conservation areas. The site is within the Mile End Road neighbourhood centre. It is also designated as a Local Office Location.
- 4.8. The site has excellent transport links reflected in the highest Public Transport Accessibility Level (PTAL) of 6b. Mile End station is located 50 metres to the east of the site along Mile End Road. Bus stops are located on Mile End Road, Burdett Road and Grove Road a few minutes walk away serving 8 different bus routes. Transport

for London have recently completed a large scale upgrade of the cycle infrastructure along Mile End Road providing separated lanes leading in and out of central London and there is a Cycle Hire docking station opposite Burdett Road under the green bridge.

Planning History and Project Background

- 4.9. The planning history indicates that the site suffered damage following World War II. A cinema at 560 Mile End Road was destroyed and the junction was eventually widened in its place. In the 1950s La Boheme Ballroom that existed at the site was reinstated. From this time it can be seen that there were permitted planning applications for new shop fronts, fascia signs, the change of use of some of the site to an employment agency and betting shop respectively, and advertisement applications.
- 4.10. Boheme nightclub's licence was removed in 2011 following a murder. The Backstreet, a gay nightclub on Wentworth Mews has been operating since the mid-1980s.

Proposal

- 4.11. Full planning permission is sought for demolition of existing buildings and erection of a mixed use development comprising part 3 storey, part 8 storey and part 12 storey building to provide 46 residential units (9 x studio, 17 x 1 bed, 15 x 2 bed, 5 x 3 bed) landscaping, public realm improvements, access and servicing (including 1 on-site disabled car parking space; 99 cycle parking spaces; and associated highway works) and other associated infrastructure. Across the ground and some of the first floor would be 779sqm of commercial space (Use Classes A1, A2 and B1). This would be provided across 4 units at a range of sizes including 242.8sqm, 220.1sqm, 192.6sqm and 84.6sqm.
- 4.12. There would be 2 cores with equal sized entrances on Burdett Road. Core A would serve the affordable rented units on floors 1, 2 and 5 in addition to the 5th floor communal roof terrace. Core B would serve the intermediate units (2nd and 3rd floors) and the market units on all other floors (3-11) including the basement for access to refuse and cycle stores for this core. The refuse and cycle stores for core A would be on the ground floor.
- 4.13. The building's massing would be 3 storeys where it meets Mile End Road in a slightly separate element which addresses the street corner and the existing scale on Mile End Road. The central section of the building would rise to a total of 12 storeys stepping down to an 8 storey element at the south of the site. The scheme will be based on a simple palette of high-quality traditional materials.
- 4.14. The previous proposal can be seen in the CGI to the left and the current proposal can be seen to the right. It can be seen that the central taller element has been significantly reduced in height and massing with the reduction of 3 storeys and the shoulder element has been reduced by a further storey. The height of the parapet has also been reduced. The 3 storey element would be in red brick to match the 8 storey element to the south of the site to break up the massing.



Figure 2 - Comparison CGI View from Grove Road South - Original (left) and Submitted (right)

- 4.15. The proposed development would be car-free. One on-site disabled parking space is proposed on Wentworth Mews and another on-street parking space would be allocated on Eric Street, that would be converted to accessible should there be demand.

5.0 POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

5.2 Government Planning Policy

National Planning Policy Framework 2012

5.3 London Plan FALP 2016

- 2.9 - Inner London
- 2.14 - Areas for regeneration
- 2.18 - Green infrastructure: the network of open and green spaces
- 3.1 - Ensuring equal life chances for all
- 3.2 - Improving health and addressing health inequalities
- 3.3 - Increasing housing supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and design of housing developments
- 3.6 - Children and young people’s play and informal recreation facilities
- 3.7 - Large residential developments
- 3.8 - Housing choice
- 3.9 - Mixed and balanced communities
- 3.10 - Definition of affordable housing
- 3.11 - Affordable housing targets
- 3.13 - Affordable housing thresholds
- 4.12 - Improving opportunities for all
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies

- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking
- 7.1 - Building London's neighbourhoods and communities
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.7 - Location and design of tall and large buildings
- 7.8 - Heritage assets and archaeology
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.18 - Protecting local open space and addressing local deficiency
- 7.19 - Biodiversity and access to nature
- 7.21 - Trees and woodland
- 8.2 - Planning obligations

5.4 **Core Strategy 2010**

- SP01 - Refocusing on our town centres
- SP02 - Urban living for everyone
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP06 - Delivering successful employment hubs
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero-carbon borough
- SP12 - Delivering placemaking
- SP13 - Planning Obligations

5.5 **Managing Development Document 2013**

- DM0 - Delivering Sustainable Development
- DM1 - Development within the town centre hierarchy
- DM3 - Delivering homes
- DM4 - Housing standards and amenity space
- DM8 - Community infrastructure
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM13 - Sustainable drainage
- DM14 - Managing Waste

- DM15 - Local job creation and investment
- DM20 - Supporting a sustainable transport network
- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place sensitive design
- DM25 - Amenity
- DM26 - Building Heights
- DM27 - Heritage and the historic environments
- DM29 - Achieving a zero-carbon borough and addressing climate change
- DM30 - Contaminated Land

5.6 **Supplementary Planning Guidance/Documents and Other Documents**

Mayor of London

- Shaping Neighbourhoods: Play and Informal Recreation (2012)
- Sustainable Design and Construction (2013)
- All London Green Grid (2012)
- Housing (2016)

Other

- Planning Obligations SPD (2016)
- Tredegar Square Conservation Area Appraisal (2007)
- Clinton Road Conservation Area Appraisal (2007)
- Ropery Street Conservation Area Appraisal (2007)

5.7 **Tower Hamlets Community Plan objectives**

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

6.0 **CONSULTATION RESPONSE**

6.1 The views of the Directorate of Place are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The summary of consultation responses received is provided below.

6.2 The following were consulted regarding the application:

External Consultees

6.3 London Underground Infrastructure Protection (LUIP)

LUIP object to this development as the site is a TfL asset and permission has not been granted for demolition of existing buildings and construction of a mixed use development. The lease states that the tenant shall not make any application for planning permission without the previous written consent of the Landlord.

6.4 LUIP state that the objection can be lifted once the terms of the lease have been amended and request the tenant to contact us.

6.5 Should planning permission be granted, and these works go ahead, it would need to be demonstrated that suitable precautions have been included in the designs to avert any short or long term risk to London Underground assets. In that instance they request that the grant of planning permission be subject to a condition and informative to secure a design and method statement in consultation with LUIP.

6.6 Transport for London

6.7 April 2017: Confirm that they are satisfied with the loading bay proposals on the condition that a Delivery and Servicing Plan demonstrates that loading can be accommodated within the loading bay restrictions that currently exist. TfL expect to be consulted on the Delivery and Servicing Plan by the Council.

6.8 As a car free development that has excellent public transport links and that is well connected by cycle, we expect the majority of trips to the site to be non-car. This is welcome. Trip generation forecast is requested (Officer Note: this will be secured by condition).

Thames Water (TW)

6.9 No objections. Conditions and/or informatives are requested relating to the provision of a piling method statement, public sewers crossing or close to the development, surface water drainage, impact studies on of the existing water supply infrastructure, development near to and future access to large water mains adjacent to the proposed development.

Greater London Authority

6.10 The Deputy Mayor considered the application at Stage 1 on 5th July 2016. The Council was informed that the application broadly conforms with the London Plan but does not fully comply. Possible amendments could add dress the following:

- **Principle of development** - The principle of a residential-led mixed use development is strongly supported in strategic planning terms.
- **Housing** - comments were made on the basis of incorrect information. An increase in the proportion of affordable housing and policy compliant housing mix is generally sought.
- **Residential standards** - All dwellings comply with minimum space standards, 'lifetime homes' and 10% of units would be wheelchair accessible which is supported in principle. It is advised that a condition securing standards M4(2) and M4(3) of the Building Regulations should be imposed.
Child play space provision would address the needs of under 5s. The Council is encouraged to consider seeking an additional open space contribution for Mile End Park to mitigate the scheme's reliance on it for older children's play space.
The scheme would exceed the London Plan density matrix which is acceptable in the context of its central location and accessibility.
- **Urban design** – although not designated heritage assets the loss of the existing buildings are of some value in townscape terms but the submitted heritage statement is considered to justify the loss citing the wider benefits of the scheme.
Tall building appropriate. Although visible from various conservation areas the proposal would provide an appropriate response in townscape terms.

On ground floor there should be no sizing disparity between the entrances and lobbies for the private and affordable units, maximising active frontages to Burdett Road and allowing cycle storage areas to be accessed from within the building.

- **Inclusive access** – The provision of only one on-site disabled car parking space does not accord with Housing SPG standards. Applicant should identify appropriate on-street provision.
- **Sustainable development** – a number of detailed clarifications are sought with respect to efficiency standards and district networking.
The Council is encouraged to secure detailed approval of the various climate change adaptation measures via condition.
- **Transport** – Swept path analysis is sought to demonstrate that larger vehicles can access the blue badge space.
Applicant should identify more on-street disabled parking spaces.
Transport Statement should be updated to reflect current street conditions.
Trip generation assessment should be based on a larger site sample size.
The applicant should also disaggregate by mode.
The scheme meets cycle parking standards but more spaces are encouraged owing to the proximity of the scheme to new cycling infrastructure.
Location and design of 3 commercial visitor spaces should be confirmed.
Confirmation of whether the visitor spaces are for the residential or commercial elements of the development is requested.
Pedestrian Environment Audit should be submitted. Pedestrian environment on Burdett Road could be improved.
Frequency of deliveries and vehicle size should be assessed to determine the adequacy of the loading bay.
Travel Plan should be submitted.

London Fire

- 6.11 The Brigade needs to confirm that the Access and Water Supplies for the proposed development are sufficient and meet the requirements in Approved Document B (B5, Section 15, 16 & 17) and British Standard 9990.
- 6.12 The Brigade is satisfied with the proposals at this stage of the planning process.
- 6.13 This Authority strongly recommended that sprinklers are considered for the new development.

London City Airport

- 6.14 The proposed development has been examined from an aerodrome safeguarding perspective and from the information given LCY has no safeguarding objection. However please include the following condition:

No cranes shall be erected on the site unless construction methodology and details of the use of cranes in relation to location, maximum operating height of crane and start/finish dates during the development has been submitted to London City Airport for approval.

Internal Consultees

Environmental Health – Contamination

- 6.15 A scheme of investigation for contamination is requested as a condition.

Environmental Health - Noise and Vibration

6.16 No comments received.

Air Quality

6.17 The air quality assessment shows that the development is located in a highly polluted area. The results show that the NO₂ annual objective will be exceeded at the site up to the 4th floor.

6.18 (Officer note: as such mitigation measures will be conditioned to be provided to all facades and floors where the objective is reported to be exceeded.)

Balconies should be avoided looking over Burdett Road and Mile End Road on the lower floors to reduce residential exposure to and mitigate against the high pollution levels.

6.19 (Officer note: an area outdoor private amenity space has been prioritised for the lower units but winter gardens are a possible alternative should there be concern in this regard)

The proposed CHP plant has a NO_x emission rate of 100mg/m³ which is slightly over the GLA's emissions limits of 95mg/m³ for a development in Band B.

Air Quality Neutral Assessment benchmarks are exceeded for the building emissions.

7.0 LOCAL REPRESENTATION

Statutory Consultees

7.1 Consultation for the proposal was carried out when the application was first submitted in May 2016 and in January 2017 and March 2017 following respective amendments to the scheme.

7.2 Letters were sent to occupiers of neighbouring properties, a total of 1,095 in all, 3 site notices were displayed outside the application site, and a press advert was published in a local newspaper.

7.3 Following reconsultation in March 2017, based on the current proposal, the Council received 16 additional responses, of which 10 previously objected.

7.4 The total number of representations received in response to notification and publicity of the application is as follows:

| | |
|-----------------------------|---------------------------------|
| No of individual responses: | Objecting: 104 Supporting: 1 |
|-----------------------------|---------------------------------|

| | |
|---------------------------|---|
| No of petitions received: | 0 |
|---------------------------|---|

This included 3 objections from local community groups: The Geezers Club, Mile End Old Town Residents Association (MEOTRA) and Friends of Mile End Park.

- 7.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

Design/Conservation

Inappropriate height, scale and bulk, development being out of scale with the surroundings

Adverse heritage impacts

Existing buildings should be retained

Adverse impact on local views, including from Mile End Park and the Green Bridge

Poor quality, unremarkable design

Amenity

Daylight, sunlight and overshadowing impacts

Impact on redevelopment potential of the site to the east

Loss of privacy

Wind tunnel effect

Disruption from construction work

Air pollution is too high at the site for residential development and affects affordable units more

Housing

Proposed flats being too small

Housing mix is overwhelmingly for smaller flats rather than family units

Insufficient affordable housing

Land Use

Shop units likely to be left under-utilised and boarded up, units should be as flexible as possible so they are occupied

Loss of gay nightclub as a community facility

Loss of nightclubs as leisure facilities, impact on evening economy.

Leisure, cultural or community use should be provided.

Residential/commercial development on this site welcome

Highways

Too few on-site car parking places, increase in parking stress in the area

Increase in public transport demand and overcrowding of Mile End underground station

Access and servicing provision is inadequate

Too many cycle parking spaces for residents

Other

Lack of community benefits

Increased demand for local services

Insufficient play space

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Committee are requested to consider are:

- Land Use
- Housing
- Design
- Amenity

- Transport, Access and Servicing
- Sustainability and Environmental Considerations
- Planning Obligations

Land Use

- 8.2 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles:
- an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure;
 - a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and
 - an environmental role – protecting and enhancing the natural, built and historic environment.
- 8.3 These economic, social and environmental goals should be sought jointly and simultaneously.
- 8.4 Paragraph 9 of the NPPF highlights that the pursuit of sustainable development includes widening the choice of high quality homes, improving the conditions in which people live and take leisure, and replacing poor design with better design. Furthermore, paragraph 17 states that it is a core planning principle to efficiently reuse land that has previously been developed and to drive and support sustainable economic development through meeting the housing needs of an area.
- 8.5 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health for those living there.
- 8.6 The site is within the Mile End neighbourhood centre and the place of Mile End as set out in the Core Strategy SP12 Annex which seeks to create a lively and well-connected place with a vibrant town centre complemented by the natural qualities offered by the local open spaces.

Principle of residential use

- 8.7 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan seeks to alleviate the current and projected housing shortage within London through provision of an annual average of 42,000 net new homes. The minimum ten year target for Tower Hamlets, for years 2015-2025 is set at 39,314 with an annual monitoring target of 3,931. The need to address the pressing demand for new residential accommodation is addressed by the Council's strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.
- 8.8 The principle of residential use at this site is acceptable in line with SP02 (1a) which focuses new housing in the eastern part of the borough including the Place of Mile End. The Core Strategy vision for the Place of Mile End specifies that the area is anticipated to undergo housing growth on infill sites.

- 8.9 Given the above and the residential character of surrounding area around the site, the principle of a housing development this brownfield site is strongly supported in policy terms.

Loss of Nightclubs

- 8.10 The proposal would remove a vacant nightclub and an existing nightclub. With regards the loss of the vacant nightclub, Boheme, this establishment was stripped of its license in 2011 following a murder at the club and has not been used since. It is considered that reprovision of this club is unviable and the use of the site for the proposed residential led mixed-use scheme is the optimal use of the site.
- 8.11 The existing nightclub to the rear of the site: "The Backstreet" with entrance on Wentworth Mews is a gay nightclub. The nightclub operates a strict dress code specialising in leather and rubber. The website states that it has been running for 32 years, that the club has a large international membership of more than 6,000 members and is unique in Britain for its strict dress code. A number of representations received attest to the fact that it is an important and renowned LGBT venue, both within London and further afield.
- 8.12 Policy 3.1 of the London Plan states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving loss of these facilities without adequate justification or provision for replacement should be resisted. The supporting text links the policy to the statutory duties under the Equalities Act 2010 which identifies sexual orientation as a protected characteristic.
- 8.13 Policy DM8 of the Managing Development Document states that health, leisure and social and community facilities will be protected where they meet an identified local need and the buildings are considered suitable for their use.
- 8.14 The policy does not provide an exhaustive list of what constitutes community infrastructure, instead the policy lists the types of facilities that can be included.
- 8.15 It is considered that the nightclub could be considered as community infrastructure for the purpose of the aforementioned policies, being a meeting place and a social & leisure facility for a certain section of the LGBT community. From neighbour representations the impression is that it meets a local need in addition to serving a much wider catchment.
- 8.16 The current location of the backstreet is within an appropriate town centre location and the use has existed in the area with no noise or licensing complaints received by the Council. However re-provision on site is considered inappropriate in this instance as there is not sufficient space in the basement for the nightclub in addition to the space for plants, refuse and bike storage required for the rest of the building. It is also not considered appropriate at ground floor level as the intention is to provide as much active frontage as possible across the site, which a nightclub would not provide.
- 8.17 The applicant has committed to working with the present night club operator to help relocate the nightclub to suitable premises within the borough. The relocation strategy would be included in the S106 Heads of Terms and would allow the club to operate for 12 months from the date of the planning permission while alternative premises are searched for and secured. As part of the relocation strategy the applicant would contribute towards the operator's relocation costs such as estate agent and legal fees (up to a cap of £10,000.00 exclusive of VAT).

Re-provision of commercial space

- 8.18 In addition to the nightclubs, the scheme would also remove three existing commercial units on Burdett Road, however, in terms of the proposed non-residential uses at the site, the scheme would provide 779sqm gross internal area for retail (use class A1), financial and professional (A2) and business (B1) floorspace across 4 units. Concern was raised in a representation received that the commercial floorspace would remain vacant. In order to allow flexibility for market conditions to ensure occupation the total commercial space could either be used in combination of these use classes or one of the use classes could be used for all of the commercial units.
- 8.19 Regarding the proposed commercial uses, a re-provision of high quality floorspace and range of units within the designated Mile End neighbourhood centre is supported in accordance with the SP01 (4a) of the Core Strategy which looks to direct additional retail and business uses to town centres.
- 8.20 In terms of employment floorspace, the site is within a local office location. Policy DM16 of the MDD states that the redevelopment of Local Office Locations (LOLs) to include residential uses will be supported if the existing office floor space is re-provided on-site and where it provides separate access and servicing for commercial uses and residential uses, ensures the provision of residential uses does not jeopardise the function and viability of the office uses, provides high quality flexible working space which is usable and provides a range of flexible units including units less than 250 square metres and less than 100 square metres to meet the needs of Small and Medium Enterprise (SMEs). The four units proposed would comply with this policy providing a range of unit sizes at 242.8sqm, 220.1sqm, 192.6sqm and 84.6sqm.

Housing

- 8.21 The NPPF identifies as a core planning principle the need to encourage the effective use of land through the reuse of suitably located previously developed land and buildings. Section 6 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development” Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 8.22 As mentioned in the Land Use section of this report, delivering new housing is a key priority both locally and nationally.

Residential density

- 8.23 Policy 3.4 of the London Plan seeks to optimise the density of development with consideration for local context and public transport capacity. The policy is supported by Table 3A.2 which links residential density to public transport accessibility and urban character. Policy SP02 of the Core Strategy while reiterating the above adds that density levels of housing should correspond to the Council’s town centre hierarchy and that higher densities should be promoted in locations in or close to designated town centres.
- 8.24 As stated earlier in this report, the site has an excellent public transport accessibility level (PTAL) of 6b, the very highest level. The London Plan defines “Urban” areas as

those with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. The site and surrounding area has a character that fits this definition of an “Urban” area given in the London Plan.

- 8.25 Table 3.2 of the London Plan sets out an indicative density range for sites with these characteristics and transport accessibility of 200 to 700 habitable rooms per hectare (hrph) and with an average of just over 3 habitable rooms per unit: 70 to 260 units/hectare (uph).
- 8.26 The proposed density has been reduced from 1,671hbph from the scheme as was submitted to 1,465hrph. This is just over double the upper end of the density ranges set out in this table, for both habitable rooms per hectare and units pre hectare and as such particular care has been taken to ensure that this density can be appropriately accommodated on site.
- 8.27 The Housing SPG (2016) states that “in appropriate circumstances, it may be acceptable for a particular scheme to exceed the ranges in the density matrix, providing important qualitative concerns are suitably addressed.” Schemes that exceed the density matrix must be of a high quality design and should be tested against the following considerations:
- the factors outlined in Policy 3.4, including local context and character, public transport capacity and the design principles set out in Chapter 7 of the London Plan;
 - the location of a site in relation to existing and planned public transport connectivity (PTAL), social infrastructure provision and other local amenities and services;
 - the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and, in particular, accord with the housing quality standards set out in Part 2 of this S PG;
 - a scheme’s overall contribution to local ‘place making’, including where appropriate the need for ‘place shielding’;
 - depending on their particular characteristics, the potential for large sites to define their own setting and accommodate higher densities;
 - the residential mix and dwelling types proposed in a scheme, taking into account factors such as children’s play space provision, school capacity and location;
 - the need for the appropriate management and design of refuse/food waste/recycling and cycle parking facilities; and
 - whether proposals are in the types of accessible locations the London Plan considers appropriate for higher density development (eg. town centres, opportunity areas, intensification areas, surplus industrial land, and other large sites).
- 8.28 The following report will go on to demonstrate that the scheme, on balance, meets the above criteria. Officers have sought to weigh up the proposal’s impacts against the benefits of the scheme and in particular the significant provision of housing in a highly sustainable location.

Affordable housing

- 8.29 In line with section 6 of the NPPF, the London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing. Policy

3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period. Policy 3.13 states that the maximum reasonable amount of affordable housing should be secured.

- 8.30 The LBTH Community Plan identifies the delivery of affordable homes for local people as one of the main priorities in the Borough and Policy SP02 of the Core Strategy 2010 sets a strategic target of 35-50% affordable homes on sites providing 10 new residential units or more (subject to viability).
- 8.31 Policy SP02 requires an overall strategic tenure split for affordable homes from new development as 70% social rent and 30% intermediate.
- 8.32 The scheme that was originally submitted in April 2016 offered a total of 15 of the 52 residential units to be provided as affordable units, which represented a total on-site provision of 35% affordable housing based on habitable rooms. However the tenure split was 40% affordable rent to 60% intermediate which failed to comply with the LBTH policy of 70% affordable rent to 30% intermediate. Following negotiations a revised tenure split was put forward in January 2017 of 69.6% affordable rented and 39.4% intermediate which closely aligned with policy. This was presented at Strategic Committee in February.
- 8.33 Following the decision by committee to reject the application in February the height and massing of the building has been reduced which has put increased pressure on the housing offer.
- 8.34 The current scheme would provide 46 units (35% affordable) in the following mix, the figure in the brackets represents the change from the earlier scheme:

| | Units | % Units | Hab Rooms | % Hab Rooms |
|-------------------------|----------------|-------------|------------------|---|
| Affordable Rent | 8 (-2) | 17% | 25 (-7) | 23% |
| Intermediate | 4 (-1) | 9% | 13 (-1) | 12% |
| Total Affordable | 12 (-3) | 26% | 38 (-8) | 35% |
| Market Sale | 34 (-3) | 74% | 70 (-12) | 65% (at a tenure split of 66:34 Rented: Intermediate) |
| TOTAL | 46 (-6) | 100% | 108 (-20) | 100% |

Table 1 - Affordable Housing Mix

- 8.35 The proposed delivery of 35% affordable housing meets the Council's minimum policy target. The tenure split within the affordable housing however moves from the preferred 70:30 to 66:34 affordable rented to intermediate. The housing offer has been independently scrutinised by viability consultants appointed by the Council who consider that what is offered is the maximum reasonable amount of affordable housing that can be provided whilst ensuring the scheme remains viable. The profit margin for the applicant has been reduced in order to achieve policy targets.

8.36 The affordable rented accommodation would be provided at 50% London Affordable Rent and 50% LBTH Living Rents based upon LB Tower Hamlets most up-to-date rental policy.

8.37 The affordable rent levels are:

| 2017-18 Borough wide figs. | 1 bed | 2 bed | 3 bed | 4 bed |
|---|--------|--------|--------|--------|
| London Affordable Rent (excl. service charge) | 144.26 | 152.73 | 161.22 | 169.70 |
| TH Living Rent (inc. service charge) | 202.85 | 223.14 | 243.42 | 263.71 |

Table 2 - Rent Levels

8.38 The intermediate properties are to be provided as shared ownership and would accord with affordability levels of the London Plan.

8.39 Overall, the provision of affordable housing has been maximised, the proposal meets policy targets and the overall tenure mix on site would assist in creation of a mixed and balanced community.

Dwelling mix

8.40 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type.

8.41 Policy SP02 of the Core Strategy also seeks to secure a mixture of small and large housing, requiring an overall target of 30% of all new housing to be of a size suitable for families (three-bed plus), including 45% of new affordable homes to be for families.

8.42 Policy DM3 (part 7) of the Managing Development Document requires a balance of housing types including family homes.

8.43 The proposed dwelling mix for the revised scheme is set out in the table below:

| Unit size | Total units | affordable housing | | | | | | market housing | | |
|--------------|-------------|--------------------|-------------|------------------------|--------------|-------------|------------------------|----------------|-------------|------------------------|
| | | Affordable rented | | | intermediate | | | private sale | | |
| | | scheme units | scheme % | Core Strategy target % | scheme units | scheme % | Core Strategy target % | scheme units | scheme % | Core Strategy target % |
| studio | 9 | 0 | 0 | 0% | 0 | 0 | 0% | 9 | 26 | 0% |
| 1 bed | 17 | 2 | 25 | 30% | 0 | 0 | 25% | 15 | 44 | 50.00% |
| 2 bed | 15 | 3 | 38 | 25% | 3 | 75 | 50% | 9 | 26 | 30.00% |
| 3 bed | 5 | 3 | 38 | 30% | 1 | 25 | 25% | 1 | 3 | 20% |
| 4 bed+ | 0 | 0 | 0 | 15% | 0 | 0 | | 0 | 0 | |
| Total | 46 | 8 | 100% | 100% | 4 | 100% | 100% | 34 | 100% | 100% |

Table 3 - Dwelling Mix

- 8.44 In terms of affordable Rented Housing:- there are 25% one beds against a policy target of 30%, 38% two beds against a 25% target, a 38% provision of three beds against a 30% target and no provision of 4 beds or larger for which there is a 15% target. It can be seen that there is an under provision of rented family sized units (3 beds and larger), at 38% it falls slightly below the Council's 45% requirement. It is appreciated that as the total rented only equates to 8 units, the percentage within the tenure mix is easily skewed.
- 8.45 In terms of intermediate/shared ownership: - there are no one beds against a policy target of 25%, 75% two beds against a target of 50% and 25% provision of three beds against a target of 25% for three beds or larger. The intermediate mix provides more 2 bed units at the expense of 1 bed units but meets the target for 3 bed units. Again the small amount of units means the percentages are skewed.
- 8.46 It can therefore be seen that within the affordable rented and intermediate tenures of the proposed development the dwelling mix generally accords with the policy targets.
- 8.47 Within the private element of the scheme 26% are studio units against no policy target, 44% of one beds are provided against a policy requirement of 50%, 26% of two bed units against our policy requirement of 30%, 3% of three bed units are provided against a policy requirement of 20%.
- 8.48 Within the private element of the scheme it can be seen that there is a very slight under-provision of 1 and 2 bed flats. A large percentage of studio units and an under provision of 3 bedroom units skews the percentages away from the policy targets for these sizes of units. Family units are considered less appropriate on the upper floors of this tower development which is considered to be a mitigating factor in the mix. This mix also has been designed to maximise the viability of the scheme and therefore allowed it to provide more affordable housing. It is considered that although there is this divergence from the policy targets, having generally accorded with policy in the other tenures including providing 38% of affordable units as family-sized, it is considered that the housing mix is acceptable.

Standard of residential accommodation

- 8.49 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be "fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime."
- 8.50 All of the proposed units would meet or exceed the baseline internal floorspace standard. In line with guidance, the detailed floor plans submitted with the application demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and activity space requirements.
- 8.51 The large majority of the proposed units would be at least double aspect and none of the units that would be single aspect would be north facing. These would either be oriented west or south.

- 8.52 It is considered that the proposal would meet and exceed the relevant design standards and would represent an exemplary standard of living accommodation and amenity to the future occupiers of the scheme.

Safety and security

- 8.53 The site has been design to high security standards. The proposed entrances on Burdett Road and fenestration to the ground floor would result in a high proportion of active frontage. This would result in a high level of passive surveillance and have a positive effect on actual and perceived safety and security.
- 8.54 A condition would be attached to the permission for secure by design standards to be secured.

Inclusive Access

- 8.55 Policy 3.8 of the London Plan and Policy SP02 of the Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 8.56 Four wheelchair accessible homes are proposed which amounts to 9% of the total units. These would be spread across all tenures with 1 unit to be located within the affordable rented tenure, 1 within the intermediate tenure and 2 within the private tenure.
- 8.57 The rented unit will be “wheelchair accessible” as opposed to “adaptable”. This 3 bed wheelchair unit for rent will also benefit from a large private amenity space by way of a 57.5sqm terrace.
- 8.58 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. One disabled accessible parking space would be provided on Wentworth Mews while one space would be allocated to be converted to accessible spaces should there be demand within the scheme.
- 8.59 All of the units would meet the new Building Regulations standards which have replaces the Lifetime Homes Standards.

Private, Communal and Child Play Space

- 8.60 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private and communal amenity space for all new homes.
- 8.61 All of the proposed units would have a private balcony or terrace that is at least 1500mm wide and would meet the minimum space standards set out in the MDD. These would all have level access from the main living space.
- 8.62 For all developments of 10 units or more, 50sqm of communal amenity space plus 1sqm for every additional unit should be provided. As such, a total of 86sqm of communal amenity space is required across the development.
- 8.63 In addition to the private and communal amenity space requirements, policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated child play space within new residential developments. The Mayor of London’s SPG ‘Shaping Neighbourhoods:

Play and Informal Recreation’ sets a benchmark of 10sqm of useable child play space per child. The GLA child yield calculator is used to project the number of children for the new development. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within short walking distances. The proposed scheme is anticipated to accommodate 12 children using the GLA yield calculator, translating to a policy requirement of 120sqm.

- 8.64 The combined total space across the scheme to meet the policy requirement for communal and child play space would therefore be 206sqm. Two communal terraces would be provided, one on the 5th floor (119sqm) and one on the 8th floor (130sqm) that would combine to provide 249sqm. As such the scheme overall would exceed the policy requirement by 43sqm.
- 8.65 However, the 5th floor terrace would be exclusively for the affordable rented units and the 8th floor terrace would be shared between the intermediate and market units. As such it is considered appropriate to calculate the policy requirement for space separately according to the tenures and mix of the units that will be using each terrace.
- 8.66 To take communal space first, the 5th floor terrace would serve 25 habitable rooms (23%) and the 8th floor terrace would serve 83 habitable rooms (77%). By dividing the overall policy requirement of 86sqm proportionately by habitable room the 5th floor terrace should provide 20sqm and 8th floor terrace should provide 66sqm.
- 8.67 In terms of child play space the 5th floor terrace would serve affordable rented units that have a much higher child yield than intermediate and market units.

| | GLA Child Yield | | Proposed within scheme |
|----------------------|-----------------|-------|------------------------|
| Under 5 | 4 | 40sqm | 99sqm |
| 5-11 year olds | 3 | 30sqm | |
| 12+ | 2 | 20sqm | 0sqm |
| Total | 9 | 90sqm | 99sqm |
| Excess in play space | | | 9sqm |

Table 4 - Child Play Space - 5th Floor Terrace

| | GLA Child Yield | | Proposed within scheme |
|----------------------|-----------------|-------|------------------------|
| Under 5 | 2 | 20sqm | 35sqm |
| 5-11 year olds | 1 | 10sqm | |
| 12+ | 0 | 0sqm | 0sqm |
| Total | 3 | 30sqm | 35sqm |
| Excess in play space | | | 5sqm |

Table 5 - Child Play Space - 8th Floor Terrace

- 8.68 To meet policy the 5th floor terrace should provide 20sqm communal amenity space and 90sqm child play space, a total of 110sqm. At a total 119sqm the terrace exceeds this by 9sqm. 20sqm would be provided for communal amenity space, meeting the policy target and 99sqm would be provided for play space exceeding the policy target by 9sqm.

- 8.69 The 5th floor terrace would include 2m high timber trellis verticals that would match building cladding to define the space; play equipment such as play panel, climbing frame/slide and soft spheres; wetpour safety surfacing; benches, decking and planting around the edge of the space and in the undercroft area.
- 8.70 There would be an excess provision of playspace in both parts of amenity areas. The 20sqm requirement for older playspace is considered too small to create a genuinely useable space for older children. As such it is envisaged that this excess space would be used for younger children and older children would be able to use Mile End Park, a high quality and large open space that is less than 30m from the site. London Mayor's Play and Informal Recreation SPG sees 800m as an acceptable distance for young people over the age of 12 to walk for recreation.
- 8.71 The 8th floor terrace should provide 66sqm of communal amenity space and 30sqm of child play space, a total of 96sqm. At a total of 130sqm this terrace exceeds policy by 34sqm. The space would be divided as 35sqm of child play space, exceeding the policy by 5sqm and the remaining 95sqm would be communal amenity space, exceeding policy by 29sqm.
- 8.72 The 8th floor terrace would include a contemporary pergola providing a framework for climbing plants, evergreen planting in contemporary planters, hardwood benches on top of low retaining walls to the edges of the space, slate paving, decking and wetpour safety surfacing. There would also be two play structures provided.
- 8.73 The proposed landscaping is considered to be well thought out and would be of a high quality. Overall, the proposed provision of private, communal and play space would make a significant contribution to the creation of a sustainable, family friendly environment. It is considered that the proposal would provide an acceptable play environment for children.

Design

- 8.74 The National Planning Policy Framework attaches great importance to the design of the built environment.
- 8.75 In accordance with paragraph 58 of the NPPF, new developments should:
- function well and add to the overall quality of the area,
 - establish a strong sense of place, creating attractive and comfortable places to live,
 - respond to local character and history, and reflect the identity of local surroundings and materials,
 - create safe and accessible environments, and
 - be visually attractive as a result of good architecture and appropriate landscaping.
- 8.76 Chapter 7 of the London Plan places an emphasis on robust design in new development.
- 8.77 The Council's policy SP10 sets out the broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds. Further guidance is provided through policy DM24 of the Managing Development Document. Policy DM26 gives detailed guidance on tall buildings and specifies that building heights should be considered in accordance with the town centre hierarchy,

and sensitive to the context of its surroundings. Policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces.

- 8.78 The placemaking policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.
- 8.79 Responding to members concerns at the February 2017 Strategic Development committee the height and massing of the building has since been reduced. The building has come down from 15 to 12 storeys and the shoulder element on the north side of the building has been reduced by a storey. In addition to the overall lowering of the massing by three storeys, the roof level parapet has been reduced to a standard safety barrier height. The three-storey element would also be finished in red brick rather than Mystique.
- 8.80 The 12 storey height of the building has been considered by Officers and a balanced view has been arrived at taking into account the clear planning gains of the development.
- 8.81 Policies on tall buildings within the London Plan (7.7) and the Local Plan (SP10 of the CS, DM26 of the MDD) have been thoroughly assessed in relation to the scheme.
- 8.82 Given the level of housing and employment growth in Tower Hamlets there is pressure for tall buildings across the borough. DM26 of the MDD provides the basis to manage this pressure by considering tall buildings within the wider Core Strategy objective of refocusing on our town centres and providing detailed criteria to ensure all tall buildings are designed to the highest standards with any negative impacts appropriately mitigated.

Mile End Town Centre

- 8.83 The site is within a designated town centre, Mile End, where larger commercial and residential development that takes advantage of higher accessibility is sought to be focused. Policy DM26 states that proposals for tall buildings will be required to be of a height and scale that is proportionate to their location within the town centre hierarchy.
- 8.84 Within the town centre hierarchy Mile End is designated as a neighbourhood centre. Neighbourhood centres would tend to have a lower tolerance for tall buildings than the three higher types of town centre. However, the specific characteristics of the site and Mile End neighbourhood centre are considered to offer the site opportunities that allow greater flexibility for the scale of development than that which would usually be appropriate in a neighbourhood centre.
- 8.85 The Mile End neighbourhood centre is a transport hub. The site is located at a prominent corner of the two major roads, Mile End Road and Burdett Road that the Mile End neighbourhood centre is focused around. Mile End Road has recently been redeveloped to provide separate cycle lanes along its length that provide convenient and sustainable access to central London or Stratford. It is also located within 2 minute walk from Mile End Underground station and 6 separate bus routes cross the junction. These attributes give the centre an unusually high transport accessibility for a neighbourhood centre, with the site having a PTAL of 6b, the highest level.

- 8.86 The Mile End neighbourhood centre is also unusual in that it is adjacent to a first class higher education institution (Queen Mary University) and a significant open space (Mile End Park).
- 8.87 The Core Strategy identifies Mile End as a strategic location for intensifying housing growth on infill sites and to support an upgraded mixed-use town centre that supports the university. It is considered that a tall building will optimise the potential of the site to deliver housing growth and a high-quality commercial offer.
- 8.88 The current political direction to address the housing crisis in London is set out by The Mayor of London in A City for All Londoners (2016), in which he states that “intensifying development around well-connected transport nodes will form an important part of my vision for the city, and I will explore the potential of areas around a number of stations as locations for significant and much higher-density housing development.” The intense pressure for housing in Tower Hamlets must be borne in mind when assessing the proposal.

Height, Scale & Massing

- 8.89 Part 2c of DM26 states that tall buildings need to achieve high architectural quality and innovation in the design of the building, including a demonstrated consideration of its scale, form, massing, footprint, proportion and silhouette, facing materials, relationship to other buildings and structures, the street network, public and private open spaces, watercourses and water bodies, or other townscape elements.
- 8.90 Part 2d states that tall buildings should provide a positive contribution to the skyline, when perceived from all angles during both the day and night, assisting to consolidate clusters within the skyline.
- 8.91 Part 2e states that tall buildings should not adversely impact on heritage assets or strategic and local views, including their settings and backdrops.
- 8.92 The streetscape around the junction of Mile End Road, Burdett Road and Grove Road is generally between 2-4 storeys in height. There are two larger buildings around the site, the telephone exchange which is adjacent and makes up most of the urban block but is set back from the main roads and 1-36 Wentworth Mews, a 9 storey post-war slab block that is south of the site. On the north side of Mile End Road is the Tredegar Square conservation area and the Clinton Road conservation area. To the east and to the south of the site there are two nearby conservation areas: Tower Hamlets Cemetery conservation area and Ropery Street conservation area. These conservation areas all have a similar Victorian scale of 2-4 storeys and a fine urban grain. Other than 1-36 Wentworth Mews, the post-war development in the surrounding area and more recent development also maintain this scale, albeit with a more open grain than the Victorian conservation areas.
- 8.93 As previously the proposal would be comprised of three elements, a 3 storey element on Mile End Road, a central taller element which would now be 12 storeys and an 8 storey element to the south.
- 8.94 The 3 storey element would be sensitive to the fine grain Victorian scale of the buildings on Mile End Road and Grove Road. It would match the height of the neighbouring 564 Mile End Road completing the street frontage and addressing the corner at this scale. During the course of the application amendments were gained for the building to properly complete this corner, rather than there being a single storey element and terrace at the corner. The resulting scale, form and massing of

this 3 storey element is considered a robust and elegant treatment that respects the scale of the adjacent conservation areas.

- 8.95 The 8 storey element to the south of the proposal is considered to relate well with the larger scale presented by the adjacent Telephone Exchange and 1-36 Wentworth Mews to the south, being only slightly higher than these buildings. This element knits with the mid-rise scale in this location and provides a step in height towards the central tower element.
- 8.96 The central tower element would now be 12 storeys and the parapet has been reduced in height. Although it would still be somewhat taller and have a greater massing than neighbouring buildings the reduction in height of the central element and shoulder element has clearly brought the building much more in line with the immediate scale of the Telephone Exchange and 1-36 Wentworth Mews. The height of the tallest element would just be 3 storeys taller than 1-36 Wentworth Mews. As such it would remain a prominent landmark building within the surrounding area and be proportionate to the local scale.

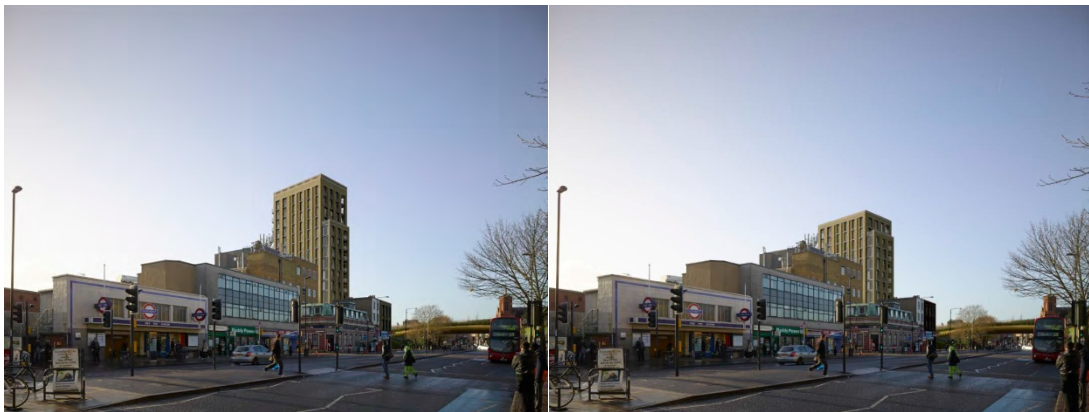


Figure 3 – Comparison CGI View West on Mile End Road - Original (left) and Current (right)

- 8.97 The shoulder element to the north, which has been reduced by a further storey since the February committee, creates a mediating step in the height of the building; at 10 storeys, that is midway between the 8 storey southern element and the 12 storey central element.
- 8.98 With regards height, scale and massing it can be seen that the various levels of the building correspond to different heights of surrounding buildings and create a stepped increase in height as you move up the building that allows the building, which is clearly of a larger scale, to nonetheless suitably respond to the immediate surrounding area.
- 8.99 The height and massing of the development would provide a landmark building at the location of this town centre, busy road junction and Mile End underground station. It would also provide a visual marker that would help people orientate themselves and navigate in the local area.

Elevation Design & Materials

- 8.100 The building has a contemporary appearance achieved with a vertical linear pier grid that is expressed on all elevations. The contemporary lines of the building are combined with a traditional material treatment and high quality detailing and finish.

8.101 The proposal would have a simple and high-quality material palette. The central taller element would be of Mystique or buff brick construction with flush joints in stretched bond. The 8 storey elements to the south and following the February 2017 committee, the northern 3 storey element would be finished in a red multi-stock ('Weston Red' Multistock or similar). The sills/coping would be made from light coloured reconstituted stone. The windows would be quartz grey aluminium. The balconies would be of a simple glass design with grey aluminium railing and boxed frame bases. It is considered that the materials are robust and would age well.

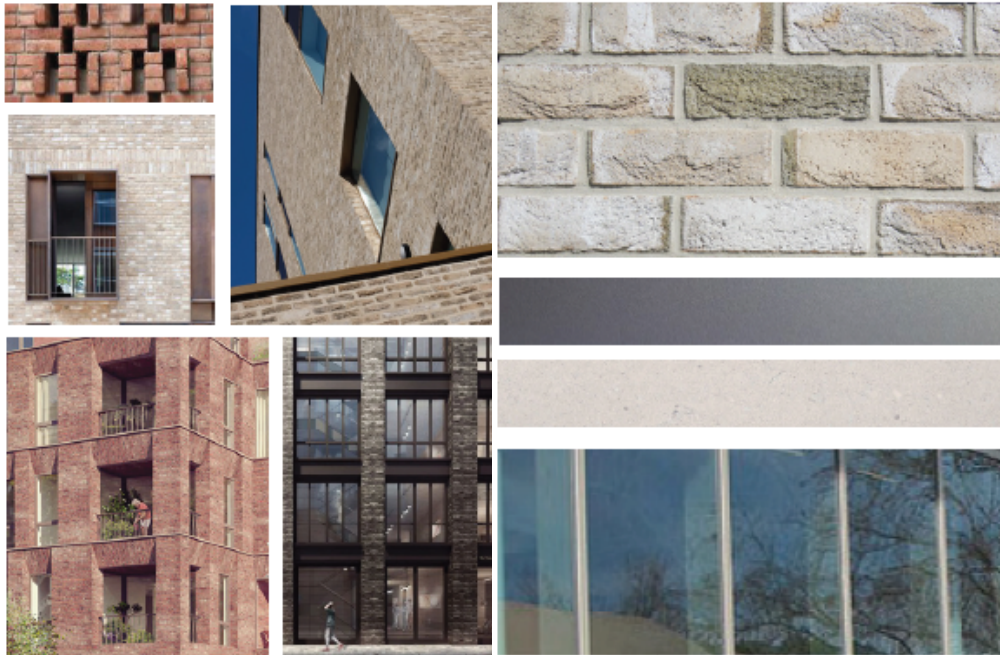


Figure 4 – Precedents (left) & Material Palette (right)

- 8.102 The ground level commercial space provides a 4.5 floor to floor slab height offering commercial units a substantial ceiling height and providing a clear base level to the building that is light and transparent. This commercial part of the building would activate Mile End Road and Burdett Road.
- 8.103 Of the three elements of the building the same architectural style and palette is used albeit with slight variations in the detailing and treatment of the elevations. This will serve to break up the massing and provide visual interest.
- 8.104 The 3 storey block to the north mirrors the proportion of the neighbouring 364 Mile End Road. The fenestration also aligns with this building. The fenestration is articulated with a double storey recessed panels that group the windows vertically.
- 8.105 A strong vertical emphasis would be achieved for the tower element on all elevations, with tall brick piers and recessed panels that run the height of the building. These vertical columns of windows would then be linked more subtly in vertical pairs with stone coping/sill detail at top and bottom. Further interest would be added to the north and west elevations with the position of the windows alternating on which side they are within the columns every two storeys. Corbelled brick design comprised of alternating courses of protruding bricks within the recesses would also be used. The south and east elevations element windows would be simply vertically aligned.
- 8.106 The use of the red brick for the 8 storey southern element the 3 storey northern element, would relate to other red brick finishes in the immediate surroundings on Burdett Road. It is considered that the variation in colour would assist in breaking up

the perceived massing of the western elevation and highlighting the central taller element as a more slender visual element.

- 8.107 The balconies for the residential units would be inset on the north and west elevations. The southern elevation would have protruding balconies, providing variation to this elevation and maximising the amenity benefits of a southern orientation. The two roof terrace communal amenity spaces are located to the south side of the building, to maximise daylight and sunlight.
- 8.108 Decorative brickwork, in line with the glazing columns, would appear on the parapets of the 8 storey element and neatly finish the upper parts of the building.
- 8.109 The simple material palette and ordered vertical pier grid with brick, stone and fenestration detailing is considered to provide the building with a strong and pleasing elevation design befitting a prominent landmark building.
- 8.110 In terms of public realm landscaping, at the front of the development on Burdett Road near to the corner with Mile End Road there would be evergreen tree planting on a raised bed. This would also help to mitigate the impact of wind. On Wentworth Mews, 4 street trees would be planted and there would be granite, concrete and New Yorkstone paving in addition to 3 new stainless steel seats. The trees here would also help to mitigate wind impacts.

Heritage

- 8.111 No buildings on the site are listed and the site is not within a conservation area. The buildings on the site have some limited heritage value. As outlined above, the site is adjacent to two conservation areas to the north: Clinton Road and Tredegar Square. The proposal would also be visible from the Ropery Street conservation area. The setting of certain listed buildings within these conservation areas will also be affected by the proposal.

Loss of Existing Buildings

- 8.112 The existing buildings of 562 Mile End Road is comprised of three parts. Firstly, a 2 and 3 storey Victorian building facing Mile End Road. Secondly, an extension to the rear of these Victorian properties was built in the early 1920s to create La Boheme Dance Hall. Thirdly, next to this is 1 Burdett Road which was built in the early 1930s. These buildings have some local historical value in maintaining the Victorian grain and exhibit some attractive architectural features but are relatively simple in design and appear tired and neglected. A long blank elevation is presented to Burdett Road. They do not make a significant contribution to the townscape of the area. Given their limited heritage value their loss is considered acceptable as an opportunity to enhance the appearance of this prominent corner location.

Impact of Proposed Building

- 8.113 The applicant submitted a Heritage Statement and Townscape and Visual Impact Assessment with the application. The visual impact assessment provides verified views to consider the proposal's visual impacts on the townscape. Some of the views have been identified as causing a significant visual change where the proposed tower would be visible from certain parts of the surrounding Tredegar Square, Clinton Road and Ropery Street conservation areas.

8.114 Within the Tredegar Square conservation area the proposal would be readily visible from Aberavon Road, looking south. Following the reduction in height the building would not be visible from Tredegar Square itself. The proposal would however still be visible from Aberavon Road over the roofline of a group of Grade II listed buildings on its western side, shown in the photograph below.



Figure 5 – Comparison CGI View South on Aberavon Road – Original (left) and Current (right)

8.115 Within this conservation area there is a rare quality of uniform rooflines, which requires careful consideration when high rise development is proposed on its periphery. This is also the case for listed terrace groups, in particular the group located on the west side of Aberavon Road. The proposed 12 storey development would still rise above the parapet line of this listed terrace group but would be a less prominent addition to the skyline that is considered to cause some minor harm to the background setting of the listed buildings and conservation area from these views looking south.

8.116 Clinton Road also includes uniform terraces although these are Victorian and are not listed, and the proposal would again be clearly visible when looking south, representing a substantial change to the skyline at the end of the street. From the photo shown below both the Mile End and Burdett Road elevations would be visible. Following the reduction in height and massing the building would appear less dominant in the background of this view causing a marginal level of harm to the setting of this conservation area from this view looking south.

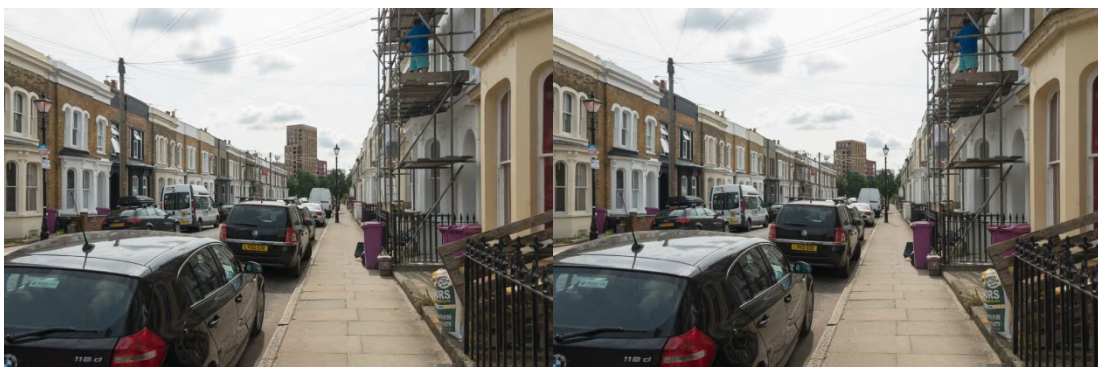


Figure 6 - Comparison CGI View South on Clinton Road – Original (left) and Current (right)

8.117 the Ropery Street conservation area is characterised by the horizontal lines of the wide road and low-rise buildings. The reduced proposal would not follow this horizontal uniformity when looking north from the conservation area but would

instead relate to the more mixed heights of the immediate built environment around the site.



Figure 7 - Comparison CGI Views North on Burdett Road – Original (left) and Current (right)

8.118 The reduction in the height and massing of the proposal has clearly reduced the level of minor harm caused by the proposal. Notwithstanding this it is still considered to cause a minor degree of harm to the three surrounding conservation areas and a listed terrace group. Notwithstanding the prominence of the building and its vertical emphasis that is a variation to the horizontal emphasis of the surrounding areas, it is considered that this minor harm is clearly mitigated by a number of factors. The robust brick construction is considered to correspond well with the materiality of the conservation areas and the high-quality contemporary architectural design provides a clear distinction between the surrounding historic styles and the proposal. The proposal is located in a town centre where larger development is sought to be located and there are already some larger buildings located there. It also must be noted that the site itself is not within a conservation area and the views of the building, although important, would be in the background from specific parts of the surrounding conservation areas. This is considered to be commonplace in an inner London borough. It is rare that larger newer development will be completely absent from the background of conservation areas. The building would also not be visible from many other parts and approaches within these conservation areas. Given the above, the harm to the significance of these heritage assets is considered to be minor and less than substantial. According to the NPPF less than substantial harm should be weighed against the public benefits of the proposal. The provision of a significant amount of housing and commercial space for the town centre must be weighed in the proposal's favour.

Design and Heritage Conclusions

8.119 The site is currently comprised of somewhat neglected buildings with a long blank façade facing Burdett road. The site occupies a highly visible corner location on a wide busy junction and the redevelopment of the site is an opportunity to enhance the visual amenity of the area. The reduced size of the proposed building would remain larger in scale than the immediate area but has reduced the prominence and is more in-keeping with the local scale. It is considered that it would still have some minor harmful impacts on certain background views from surrounding conservation areas but these have been reduced by the amendments following the committee in February 2017.

8.120 The stepped massing allows the building to relate to the different surrounding scales in the immediate context and the central taller element also sets its own scale as a landmark building that is still proportionate to the local area. It is considered that the traditional materiality of brick and stone will relate well to the buildings of the surrounding area. The excellent architectural quality and finish of the proposal would allow the building to be a landmark for Mile End town centre that would be commensurate with the size of the junction and takes advantage of the site's transport accessibility. It is considered that the building will aid in creating a sense of place that signifies the regeneration of the town centre and may stimulate further investment. In addition to this it will aid in the legibility of the city, marking the town centre and Mile End underground and as such helping way-finding. The limited harm to certain views from conservation areas and to the setting of listed buildings is considered acceptable given the public benefits of the scheme including provision of much needed housing, provision of upgraded commercial space in a town centre location and the potential wider regenerative benefits of the scheme.

Amenity

8.121 In line with the principles of the National Planning Policy Framework the Council's policies SP10 of the Core Strategy and DM25 of the Managing Development Document aim to safeguard and where possible improve the amenity of existing and future residents and building occupants, as well as to protect the amenity of the surrounding public realm with regard to noise and light pollution, daylight and sunlight, outlook, overlooking, privacy and sense of enclosure.

Overlooking and privacy

8.122 Policy DM25 of the Managing Development Document requires new developments to be designed to ensure that there is sufficient privacy and that they do not enable an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The policy specifies that in most instances, a distance of approximately 18 metres between windows of habitable rooms would reduce inter-visibility to a degree acceptable to most people. Within an urban setting, it is accepted that lower distances could be acceptable reflecting the existing urban grain and constrained nature of urban sites such as this.

8.123 The building would have a close relationship with 564 Mile End Road, a 4 storey building adjacent to the site facing Mile End Road. It is retail on ground floor with flats above. There would be localised inter-visibility impacts between certain windows in the northern part of the development and the windows serving bedrooms on the rear of this building.

8.124 There would be oblique views between the first floor bedroom window of 564 Mile End Road and the living room of Unit 4 at a distance of 5.4m. There would be views between the second floor bedroom windows of 564 Mile End Road and the living room of unit 8 at a distance of 8.2m and 8.9m. The views from the third floor bedrooms windows of 564 Mile End Road would have the same relationship as the second floor but with unit 13. Windows on the east of the northern elevation of the development serving the living rooms were removed on the second and third floors over the course of the application in order to reduce the impact. It is considered that the oblique angle of these windows would suitably mitigate privacy impacts.

- 8.125 Directly to the south of the development is Beckett Court on the corner of Wentworth Mews and Burdett Road. This 4 storey property also has commercial on ground floor and residential on the upper floors. On each of the first, second and third floors there would be small secondary windows on the north elevation on Wentworth Mews. These serve the kitchen part of a combined kitchen/dining/living space. The closest separation distance between windows in the proposal and these kitchen windows would be 11m on the lower floors of the development. There would also be a window on the recessed northern elevation facing into the balcony space. These provide a secondary window for bedrooms. These would be set back from the main Wentworth Mews elevation and be heavily shaded by the balconies above. The closest separation distance between windows in the proposal and these windows would be 15m on the lower floors of the development. This is tighter than optimal but it is considered acceptable within this type of urban environment. A relationship of this distance is typical for habitable rooms that face each other across a street. As such the relationship between the proposal and Beckett Court is also considered acceptable.
- 8.126 All other aspects to surrounding residential buildings: 1-36 Wentworth Mews, Butcombe House and buildings on the north side of Mile End Road would comfortably exceed the 18m policy target.

Outlook and sense of enclosure

- 8.127 The distance between the development proposal and habitable rooms of adjoining properties would follow the separation distances mentioned in the above section and the proposed massing generally would not result in an overbearing appearance or sense of enclosure. The relationship of the proposed development on the bedroom windows of 364 Mile End Road is most relevant here. The outlook from these windows would be reduced on the west side creating a corridor effect. However, any meaningful development of the site is likely to lead to a similar sense of enclosure and the outlook is already similarly affected by the telephone exchange building. The impact would also be limited to the rear aspect of the building; there would still be a very good quality outlook from the living space to the front of this building out across Mile End Road, this being the principal aspect of the affected residential accommodation.

Daylight, Sunlight and Overshadowing

- 8.128 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when, as a result of development, the VSC figure falls below 27 and is less than 80% times its former value.
- 8.129 In order to better understand impact on daylighting conditions, should the VSC figure be reduced materially, the daylight distribution test (otherwise known as the no skyline test) calculates the area at working plane level inside a room that would have direct view of the sky. The resulting contour plans show where the light would fall within a room and a judgement may then be made on the combination of both the VSC and daylight distribution, as to whether the room would retain reasonable daylighting. The BRE does not set any recommended level for the Daylight Distribution within rooms but recommends that where reductions occur more than 20% of the existing they will be noticeable to occupiers.

- 8.130 The applicant submitted a Daylight and Sunlight Assessment originally prepared in line with the BRE methodology, which looks at the impact of the development on the neighbouring properties. This was been reviewed by independent consultants appointed by the Council and there assessment is discussed below. In addition to this, following the reduction in the height and massing of the scheme following the February 2017 committee an addendum has been submitted.
- 8.131 The reductions in height and massing will clearly result in less obstruction to skylight access of neighbouring dwellings post development when compared to the original 15 storey tower, which was previously considered acceptable in daylight/sunlight terms. The following section and figures remains the same as in the originally submitted scheme but it should be noted that these will have improved marginally in some cases due to the reduction in bulk of the building. As such, they represent a worse case scenario.
- 8.132 The Council's daylight/sunlight consultants stated that "The daylight/sunlight impact should be slightly less for the new scheme because of the reduced height of the tallest element. Overall our conclusions should be unchanged."
- 8.133 The new development would affect daylight to only a limited number of residential properties. The following most sensitive surrounding buildings are discussed in terms of how they would be impacted in terms of daylight, sunlight and overshadowing: Beckett Court to the south, 1-36 Wentworth Mews to the south and 564 Mile End to the east.

Beckett Court, Wentworth Mews

- 8.134 There are small secondary windows that would directly face the development. These are visible on the left side of the image below. The Council's consultant's review states that there would be a large loss of daylight to these windows but they are secondary windows; the main windows (with balconies in front of them) look out onto Burdett Road and would be scarcely affected by the new development. Accordingly these rooms would retain sufficient daylight with the new development in place.



Figure 8 - Beckett Court

8.135 There would be one more window for which the loss of vertical sky component would be outside the BRE guidelines this is on the top floor looking onto the balcony area. However the same room has another window which is virtually unobstructed so that the overall loss of light from both windows would be acceptable.

1-36 Wentworth Mews

8.136 1-36 Wentworth Mews is a 9 storey post-war slab block located further south than Beckett House. The windows on the northern elevation directly face the development. At the time of the site visit the block was undergoing refurbishment and was covered in netting, as can be seen in the image below.



Figure 9 - 1-36 Wentworth Mews

- 8.137 There are residential windows on the first floor and above. The odd numbered floors incorporate an access deck; there are doors to the flats, and a window to each flat that has been taken to light a kitchen. The even numbered floors project outward and have been taken to contain bedrooms (either one or two per flat).
- 8.138 The loss of daylight to all bedrooms would be within the BRE guidelines. The kitchens however would have their vertical sky components reduced by between 20% and 55%. The Council's consultants state that it is clear that the main reason for the large relative loss of light is the projecting elements above the kitchen windows. As such the kitchen windows already do not receive much light. The figures are not given but it follows that the impact without the projecting elements would almost all be policy compliant. Because all of the bedrooms would be within the BRE guidelines, it is deduced that all of the kitchens above 2nd floor level would also receive reductions of less than 20%. As such it can be seen that the site has been designed with an over-reliance on light from the development site. The relative loss on the more obstructed first floor might still be greater but these windows receive such a little amount of light at present the figures are easily skewed. It should also be noted that the flats of 1-36 Wentworth Mews are dual aspect with south-facing living rooms which would not be impacted by the development. Lighting would often be used in a kitchen for food preparation most parts of the day. It is considered that the daylight impact to these flats is not substantial given that both bedrooms and living rooms would be unaffected.
- 8.139 Prior to the February 2017 committee, in addition to this building the daylight/sunlight impacts of the nearby Butcombe House and Coopers Court to the south east of the development were also assessed and found not have any unduly negative daylight/sunlight impacts
- 8.140 In terms of sunlight impacts to these above mentioned properties to the south of the proposal site, they would all have windows facing within 90 degrees of due south and therefore loss of sunlight would not be an issue for these units.

564 Mile End Road

- 8.141 The rear bedrooms of the three flats of 564 Mile End Road, adjacent to the east, would experience significant losses in daylight and sunlight.
- 8.142 In terms of daylight, the vertical sky component relative losses would range from 31% for the 1st floor windows, to 57% and 58% for the 2nd floor windows and 55% for both the 3rd floor windows. For context all of the bedrooms would comply with the 1% minimum standard for ADF, a standard usually only applied to new dwellings, and would retain adequate daylight distribution.
- 8.143 In terms of sunlight, the average total loss would range from 41% to 68%. The BRE guidelines place less importance on bedrooms as opposed to living areas and conservatories however this impact is noted.
- 8.144 As the bedrooms still receive the minimum ADF in terms of daylight and there will be good daylight levels to rooms to the front of the property the overall impact from the development to these properties is considered acceptable.
- 8.145 The BRE guidelines state that account should be taken of the constraints of the site and the nature and character of the surrounding built form which in this location is characterised by dense development in relatively close proximity. Officers consider that there are some localised amenity impacts especially to 564 Mile End Road; however the benefits of the scheme outweigh those impacts given the nature of the area.
- 8.146 In response to neighbour concerns relating to potential overshadowing of buildings to the north, a shadow analysis was submitted that took a sample of buildings on Aberavon Road, Nos.13-25. The position of the sun was set to specific times and dates; 9am, 12pm, 3pm and 6pm on the 21st March, 21st June, 21st September and 21st December to ensure that accurate information was portrayed for the shortest, longest and mean hours of sunlight throughout the year. It was found that the development would not impact these properties on any of the dates tested.

Daylight/Sunlight Impacts on Proposed Development

- 8.147 DM25 of the MDD seeks to ensure that new development optimises the level of daylight and sunlight for the future occupants of new developments.
- 8.148 For calculating daylight to new developments, the BRE Handbook advises that average daylight factor is the most appropriate method of assessment.
- 8.149 The application is supported by a Daylight and Sunlight Assessment (DSA) and subsequent addendums to this. The robustness of the methodology and conclusions has been appraised by the Council's independent daylight and sunlight consultants.
- 8.150 The original GVA report provides tables of daylight and sunlight provision on level 1 of the new development. The daylight provision would be good with rooms within the development receiving the required ADF.
- 8.151 In terms of sunlight to the proposed development, again the 1st floor has been tested as a worst case scenario. On the 1st floor only 1 of 4 living rooms tested would achieve the BS sunlight recommendations. The Council's consultant's state that this is partly due to site constraints with obstruction by surrounding buildings. As you move up the building the sunlight levels would improve, particularly for the rooms at

the south of the building which are most affected by surrounding buildings. The Council's consultant's state that overall sunlight provision is expected to be reasonable given the site constraints.

- 8.152 Following the recent amendments to the scheme in the south-east corner, the revised living room has been made smaller and features an extra window. These will have the combined effect of increasing natural light amenity. In the same area, one of the north facing bedrooms has been removed, meaning better sunlight provision to the proposed dwellings overall.

Along the western elevation, the overall number of habitable rooms has been reduced, which has had the effect of introducing a second window to one bedroom, whereas previously all bedrooms only featured a single window. It is therefore considered that the daylight/sunlight situation for the proposed building would be acceptable and marginally improved by the amended proposals.

8.153 *Sunlight to Gardens and Open Spaces*

- 8.154 The Council's consultant's state there are no existing gardens and open spaces that would experience a significant loss of sunlight as a result of the new development. The nearest open space is Mile End Park. While the new development could cast a shadow over the park in the morning, there would be enough sunlight at other times of day for the BRE guidelines to be met.

Noise and Vibration

- 8.155 Policy 7.15 of the London Plan (2015), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.156 The proposed development will experience high levels of noise from local road traffic along Mile End Road and Burdett road which has a significant number of HGV and bus movements. There is also possible vibration from underground trains that run under the north part of the site.
- 8.157 A Noise and Vibration Assessment by Sharps Redmore accompanied the application. The contents of the report takes into account the glazing specification required to achieve good noise insulation. Noise and vibration surveys have been undertaken at the site and daytime and night-time noise levels were determined. In order to mitigate the high levels of noise measures relating to glazing, ventilation, plant noise, building fabric and vibration have been recommended for the proposed building.
- 8.158 All of these specialist mitigation measures will ensure that internal and external noise/ levels will meet the recommended acoustic criteria based on the guidelines set out in BS 8233: 2014. These measures would be secured by condition.
- 8.159 It is considered that the quality of the build and these appropriate measures would guard against a significant impact on the amenity of the occupants of the proposed development.

Air Quality

- 8.160 The air quality assessment shows that the development is located in a highly polluted area. The results show that the NO₂ annual objective will be exceeded at the site up to the 4th floor. In line with advice from the Council's Air Quality team appropriate mitigation measures, in the form of mechanical ventilation for all facades and floors where the objective is reported to be exceeded will be secured by condition. The scheme will also be conditioned so that the Nox emission rate meets the air quality neutral requirements too.
- 8.161 A balanced decision has been arrived at with regards the provision of balconies overlooking Burdett Road and Mile End Road on the lower floors. Although the lower air quality is noted, the benefit of these units having outdoor private amenity has been prioritised.

Transport, Access and Servicing

- 8.162 The National Planning Policy Framework emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and consider the needs of people with disabilities.
- 8.163 The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel by private vehicle by making it safer and easier for people to access jobs, shops, leisure facilities and services by public transport, walking and cycling. Strategic Objective SO20 of the Core Strategy states that the Council seeks to: "Deliver a safe, attractive, accessible and well-designed network of streets and spaces that make it easy and enjoyable for people to move around on foot and bicycle." Policy SP09 provides detail on how the objective is to be met.
- 8.164 Policy DM20 of the Council's Managing Development Document reinforces the need to demonstrate that developments would be properly integrated with the transport network and would have no unacceptable impacts on the capacity and safety of that network. It highlights the need to minimise car travel and prioritise movement by walking, cycling and public transport. The policy requires development proposals to be supported by transport assessments and a travel plan.
- 4.16. The site benefits from excellent access to public transport, being located approximately 50 metres to the west of Mile End underground station to the north east. Bus stops are located on Mile End Road, Burdett Road and Grove Road a few minutes walk away serving different 8 routes. The proposed development site has a Public Transport Accessibility Level (PTAL) of 6b, the highest level.
- 4.17. Transport for London (TfL) have also recently completed a large scale upgrade of the cycle infrastructure along Mile End Road providing separated lanes leading in and out of central London.
- 4.18. The frontage to the majority of the site, Burdett Road and Mile End Road is on the TLRN, for which TfL is the highway authority. Overall, the proposal's likely highways and transport impact are considered to be acceptable to the Transport for London and Council's Transportation & Highways section. The relevant issues are discussed below.

Cycle Parking

- 8.165 The London Plan (FALP 2016) cycle parking standards require 66 cycle parking spaces to be provided for use by residents. The development provides 74 covered secure cycle parking spaces in two locations. Core A, serving the affordable rented units would have a store to the east of the building at ground floor level with 19 cycle spaces. Core B would have a basement store accessed by a cycle lift with 55 spaces. Both stores would also include wider spaces. The relative number in each store exceeds the policy target and these are provided in a mixture of double stacked and Sheffield stands.
- 8.166 There would also be 16 visitor spaces, 8 to north of the proposal on Mile End and 8 to the south of the development on Wentworth Mews. These would be for use by shoppers and visitors to the homes.
- 8.167 A further 9 covered and secure cycle parking spaces would be provided across the commercial space for staff to utilise.

Car Parking

- 8.168 The development would be subject to a 'car free' planning obligation restricting future occupiers from obtaining residential on-street car parking permits.
- 8.169 One accessible space is proposed which is accessed from the eastern arm of Wentworth Mews (the western arm is closed with bollards at either end). Vehicles using this bay will be required to use the existing turning head at Wentworth Mews to allow vehicles to enter and exit the site in forward gear. This road is not heavily trafficked and the movement, utilising an existing space dedicated to turning is considered acceptable by TfL and the Council's Highways team. Further swept path analysis was undertaken to demonstrate that a larger car could safely access the space. This is considered satisfactory. The parking bay will be managed by means of demountable Telescopic bollard which the disabled driver would be able to control to stop unauthorised access to this space.
- 8.170 An additional on-street parking bay is proposed on Eric Street that would be in lieu of a pay and display bay. The Councils Highway team suggest that the applicant enter in a S106 to provide a commuted sum, for a period of three years after occupation, to fund any on street changes which may be required should there be demand for the accessible space, rather than losing a pay and display bay immediately (which are well used for the local shopping area).
- 8.171 Two accessible spaces would be under the policy target of 5, representing 1 for each accessible unit within the development, however owing to the site constraints the offer of 1 on site and one on-street space is considered acceptable.

Servicing and Refuse Storage

- 8.172 As previously the servicing is proposed from an existing bay on Burdett Road, immediately adjacent to the site. TfL have confirmed that this approach is supported providing a delivery and servicing plan is conditioned that demonstrates that loading can be accommodated within the loading bay restrictions that currently exist and where TfL are consulted. Given the proximity to the cycle infrastructure the number of servicing vehicles attending the site must be regulated to ensure the safety of other road users, especially cyclists and pedestrians. A delivery and servicing management

plan will be attached to the permission. It should be noted that that the number of properties that rely on the loading bay is relatively low as an additional longer bay is provided approximately 100 metres to the south, outside East London Tabernacle Baptist Church.

- 8.173 Further to policy SP05 of the Core Strategy which requires provision of adequate waste storage facilities in all new development, policy DM14 of the Managing Development Document sets out the Council's general waste and recycling storage standards. The proposed capacity of the waste storage has been calculated in accordance with current waste policy.
- 8.174 The refuse strategy currently aims for the residential recycling and non-recycling refuse to be dropped off by residents in bin stores at ground floor and basement level. A managed system will collect the refuse at one point within the basement to bring the refuse to the collection point at ground floor level via a service lift to allow for easy access during refuse collection days.
- 8.175 All public realm alterations would be secured as part of a wider S.278 agreement reserved by condition.

Sustainability and Environmental Considerations

Energy efficiency and sustainability standards

- 8.176 The National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.
- 8.177 At a strategic level, the climate change policies as set out in chapter 5 of the London Plan, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the Managing Development Document Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.178 In line with London Plan policy 5.6, the Core Strategy policy SP11 seeks to implement a network of decentralised heat and energy facilities that connect into a heat and power network. Policy DM29 requires development to either connect to, or demonstrate a potential connection to a decentralised energy system.
- 8.179 The Managing Development Document policy 29 includes the target for new developments to achieve a 50% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. However, following the adoption of the Building Regulations 2013 (April 2014) the London Borough of Tower Hamlets have applied a 45 per cent carbon reduction target beyond Part L 2013 of the Building Regulations as this is deemed to be broadly equivalent to the 50 per cent target beyond Part L 2010 of the Building Regulations.
- 8.180 The submitted proposals have followed the energy hierarchy (use less energy- Be Lean; supply energy efficiently - Be Clean; and use renewable energy - Be Green), and seek to minimise CO2 emissions through the implementation of energy efficiency measures, use of a centralised CHP system and a PV array. The CO2 emission reductions proposed are anticipated to result in a circa 35.2% reduction against the Building Regulations falling short of the 45% target.

- 8.181 The Planning Obligations SPD includes the mechanism for any shortfall in CO2 to be met through a cash in lieu contribution for sustainability projects. This policy is in accordance with Policy 5.2 (E) of the London Plan 2015 which states:
- 8.182 ‘...carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.’
- 8.183 It is proposed the shortfall in CO2 emission reductions will be offset through a cash in lieu payment. The current identified cost for a tonne of CO2 is £1,800 per tonne of CO2. This figure is recommended by the GLA (GLA Sustainable Design and Construction SPG 2014 and the GLA Planning Energy Assessment Guidance April 2014).
- 8.184 For the proposed scheme it is recommended that a figure of £12,780 is sought for carbon offset projects as identified in the submitted Energy Statement.
- 8.185 With the shortfall in CO2 emissions met through carbon offsetting S106 contribution, the current proposals are considered appropriate for the development and meet policy requirements for energy and sustainability.

Microclimate

- 8.186 Tall buildings can have an impact upon the microclimate, particularly in relation to wind. Where strong winds occur as a result of a tall building it can have detrimental impacts upon the comfort and safety of pedestrians and cyclists. It can also render landscaped areas unsuitable for their intended purpose. DM26 of the Local Plan requires that the microclimate of the new development surrounding areas is not adversely affected by the proposal.
- 8.187 The application was originally supported by a microclimate study in accordance with the widely accepted Lawson Comfort Criteria. The criteria reflects the fact that sedentary activities such as sitting require a low wind speed for a reasonably level of comfort whereas for more transient activities such as walking, pedestrians can tolerate stronger winds.
- 8.188 The wind conditions in and around the proposed development site, within the context of existing surrounds, were considered largely suitable, in terms of both safety and comfort, for their intended usage throughout the year. However, there were areas where wind conditions deteriorate, such as along the southern façade of the development, and the southern region of the first floor terrace.
- 8.189 In response to the modelling a new raised planter was proposed for the northern corner of the site to mitigate any wind effects for pedestrians crossing the road and walking along the footways in this location. Similarly, an additional tree has been included to the Wentworth Mews public realm improvements to mitigate effects of wind on pedestrians in that area. At 8th floor level, an additional glazed balustrade has been introduced to the south and west facades to ensure the comfort of users of the amenity space. Minor amendments to the first floor terrace were also included, making the private terrace more comfortable.
- 8.190 With the inclusion of these further soft landscaping and wind mitigation measures conditions were improved such that all measured locations were considered suitable for their intended use, both in terms of comfort and safety.

8.191 Following the amendments to the scheme, the microclimate consultants stated the changes would have a minor beneficial impact on the results of the original testing. They advised that the above mentioned mitigation measures were retained in order to ensure the positive microclimatic situation is maintained.

Biodiversity

8.192 Policy DM11 of the MDD requires developments to provide net benefits for biodiversity in accordance with the Local Biodiversity Action Plan (LBAP).

8.193 The plans include roof gardens on the 5th and 8th floors. Proposed planting in both of these includes a good diversity of nectar plants, which will contribute to a LBAP objective to provide more forage for bumblebees and other pollinators.

8.194 The biggest opportunity for biodiversity enhancement would be biodiverse green roofs on the non-amenity levels. This would be compatible with the proposed photovoltaics (PVs), and would enhance the efficiency of the PVs by lowering ambient temperature. The application will be conditioned to provide green roofs on the roof of the 3 storey element and 15 storey element. designed in accordance with best practice guidance published by Buglife.

8.195 Other opportunities to enhance biodiversity would be the inclusion of nest boxes for birds such as swifts, house sparrows and house martins in the fabric of the building. Biodiversity enhancements would be secured by condition.

Land Contamination

8.196 The site has been identified as having potential historic contamination. In accordance with the Environmental Health Contaminated Land Officer's comments a condition will be attached which will ensure the developer carries out a site investigation to identify potential contamination and remediate the land as appropriate.

Flood Risk

8.197 The NPPF, London Plan policy 5.12 and Core Strategy policy SP04 make clear that there is a need to consider flood risk at all stages in the planning process.

8.198 The development falls within Flood Risk Zone 1 indicating low risk. The application is supported by a flood risk assessment.

8.199 There is no in principle objections to the proposal, subject to the imposition of suitable sustainable urban drainage conditions which would be attached if planning permission was granted. The proposal complies with the NPPF, London Plan policy 5.12 and Core Strategy Policy SP04.

Health Considerations

8.200 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough while the Council's policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.

8.201 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:

- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
- Providing high-quality walking and cycling routes.
- Providing excellent access to leisure and recreation facilities.
- Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
- Promoting and supporting local food-growing and urban agriculture.

8.202 The application proposal would result in the delivery of much need affordable housing. A proportion of housing on site would also be provided as wheelchair accessible or capable of easy adaptation.

Planning Obligations and CIL

8.203 The NPPF requires that planning obligations must be:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

8.204 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

8.205 Securing appropriate planning contributions is supported by policy SP13 of the Core Strategy which seeks to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate impacts of the development.

8.206 The proposed heads of terms are:

Financial Obligations:

- a) A contribution of **£18,696** towards employment, skills, training for construction job opportunities
 - b) A contribution of **£21,850.95** towards employment, skills, training for unemployed residents
 - c) A contribution of **£12,780** towards Carbon Off-Setting.
 - d) Commuted sum to secure an accessible space on Eric Street should there be demand
 - e) **£4,000** towards monitoring fee (£500 per s106 HoT's)
- Total £57,326.95**

8.207 The following non-financial planning obligations would also be secured:

- a) Affordable housing 35% by habitable room (12 units)
66% Affordable Rent (8 units)
34% Intermediate Shared Ownership (4 units)
- b) Access to employment
20% Local Procurement
20% Local Labour in Construction
20% Local Labour in End User Phase
6 Apprentices

- c) Car free agreement
- d) Securing public realm as accessible
- e) Re-provision strategy for Nightclub including financial help for this up to **£10,000**
- f) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Local Finance Considerations

8.208 Section 70(1) of the Town and Country Planning Act 1990 (as amended) provides: "In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration."

Section 70(4) defines "*local finance consideration*" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.209 In this context "grants" might include the Government's "New Homes Bonus" - a grant paid by central government to local councils for increasing the number of homes and their use. The Community Infrastructure Levy would be the London Mayor's CIL and Tower Hamlets CIL.

8.210 Using the DCLG's New Homes Bonus Calculator, this development is estimated to generate approximately £72,445 in the first year and a total payment £434,668 over 6 years.

8.211 Tower Hamlets CIL liability would be £42,175 and the London CIL liability would be £69,440

8.212 The Committee should take these estimates into consideration when determining the application.

Human Rights Considerations

8.213 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:

8.214 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. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and

political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;

- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court of Human Rights has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

8.215 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

8.216 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 must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

8.217 As set out above, it is necessary, 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.

8.218 The balance to be struck between individual rights and the wider public interest has been carefully considered. Having taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement, officers consider that any interference with Convention rights is justified.

Equalities Act Considerations

8.219 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

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

8.220 The proposed contributions towards, commitments to use local labour and services during construction, apprenticeships and employment training schemes, provision of a substantial quantum of high quality affordable housing and improvements to permeability would help mitigate the impact of real or perceived inequalities and would serve to support community wellbeing and promote social cohesion.

8.221 As discussed within the Land Use section above, it is considered that the nightclub could be considered as community infrastructure for the purpose of the aforementioned policies, being a meeting place and a social & leisure facility for a certain section of the LGBT community. No conclusive evidence has been presented to demonstrate that the needs of the community are adequately met elsewhere. However, the applicant has stated that the operator of the nightclub is seeking to cease trading due to age and ill health and is not seeking to relocate irrespective of their impending closure by the freeholder. The applicant has stated that a letter from the operator confirming this will be submitted to the Council before the committee date. Should this not be received it is considered important to secure relocation strategy as part of the S106 agreement.








9.0 CONCLUSION

9.1 All other relevant policies and considerations have been taken into account. Planning permission should be GRANTED for the reasons set out in the EXECUTIVE SUMMARY and MATERIAL PLANNING CONSIDERATIONS sections and the details of the decision are set out in the RECOMMENDATION at the beginning of this report

10.0 SITE MAP

Planning Application Site Map
PA/16/00943



| | | | | | | |
|---|------------------------------------|---|----------------------------|---|--|---|
|  | Planning Application Site Boundary |  | Locally Listed Buildings |  | Land Parcel Address |  |
|  | Consultation Area |  | Statutory Listed Buildings | 0 40 m |  | |

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. Ref AF510138PD
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Agenda Item 5.2

| | | |
|--|---|--|
| Committee: Strategic Development Committee | Date: 25 th April 2017 | Classification: Unrestricted |
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| | |
|--|--|
| Report of: Director of Place | Title: Applications for Planning Permission |
| Case Officer: Kate Harrison | Ref No: PA/16/01041 |
| | Ward: Mile End |

1.0 APPLICATION DETAILS

- Location:** 42-44 Thomas Road, London, E14 7BJ
- Existing Use:** Cash & Carry Wholesale Warehouse (mixed retail and warehousing use) with ancillary offices
- Proposal:** Demolition of existing buildings and redevelopment of the site to provide new buildings ranging from five to nine storeys comprising 184 residential units (Use Class C3) and 140sqm of flexible commercial space (Use Class A1, A2, A3 or D1), together with associated car parking, landscaping and infrastructure works.
- Drawings:** 3332_PL(90)_00 rev P1, 3332_PL(20)_100 rev P7, 3332_PL(20)_101 rev P11, 3332_PL(20)_102 rev P10, 3332_PL(20)_103 rev P8, 3332_PL(20)_104 rev P8, 3332_PL(20)_105 rev P8, 3332_PL(20)_106 rev P9, 3332_PL(20)_107 rev P8, 3332_PL(20)_108 rev P8, 3332_PL(20)_109 rev P8, 3332_PL(20)_110 rev P9, 3332_PL(20)_200 rev P7, 3332_PL(20)_201 rev P7, 3332_PL(20)_202 rev P6, 3332_PL(20)_203 rev P7, 3332_PL(21)_100 rev P1, 3332_PL(21)_101 rev P1, 3332_PL(21)_102 rev P1, 3332_PL(21)_103 rev P1, 3332_PL(20)_300 rev P4, Tenure Diagram 3332_.2 rev L, Landscape Masterplan 1442-001 rev K, and Play Strategy 1442-002 rev F.
- Documents:**
- Accommodation Schedules: 3332_SC_01 rev P1, 3332_SC_02 rev P3, and 3332_SC_03 rev P3;
 - Planning Statement (inc. Relocation Strategy), with Addendum dated March 2017;
 - Heritage Townscape and Visual Impact Assessment, with Addendum dated March 2017;
 - Transport Statement dated March 2017;
 - Design and Access Statement, with Addendum dated March 2017;
 - Daylight and Sunlight Assessment dated March

- 2017;
- Energy Strategy with Revised Energy Calculations dated April 2017;
- Delivery and Servicing Management Plan;
- Construction Traffic Management Plan;
- Framework Travel Plan;
- Sustainability Statement;
- Overheating Assessment;
- Noise Impact Assessment;
- Air Quality Assessment;
- Flood Risk Statement;
- Desk Based Archaeological Assessment;
- Geo-Environmental Assessment;
- Ecological Report;
- Utilities Statement;
- Statement of Community Involvement; and
- Retail Impact Assessment Technical Note.

Applicant: Bellway Homes (Thames Gateway Division)

Owner: Ghandi Oriental Foods

Historic Building: None

Conservation Area: Adjacent to, and partially within, Limehouse Cut Conservation Area

2.0 EXECUTIVE SUMMARY

- 2.1 This report considers an application for planning permission for a residential-led redevelopment of a brownfield site currently housing a cash & carry store to provide 184 residential units with an ancillary commercial unit.
- 2.2 The proposal would deliver 35% affordable housing at a tenure split of 65% affordable rented to 35% intermediate. 46% of affordable units would be family sized and delivered at London Affordable Rent; with one and two-bed units delivered at Tower Hamlets Living Rent.
- 2.3 The development would be of a high architectural quality with heights and design appropriately responding to local context, safeguarding the character and appearance of the Limehouse Cut Conservation Area. The buildings would be set back from the canal and the layout of the development would serve to maintain the open character of the area, in particular as appreciated from the canal towpath.
- 2.4 Generous play space and communal space would be provided with all requirements met on site within a south-east facing courtyard and a publicly accessible canalside walkway.
- 2.5 The proposed residential units would meet the relevant size standards and would be generally well-lit.

- 2.6 The distribution of heights and massing and the layout of the development optimise the capacity of the site while minimising the proposal's amenity impacts. Appropriate separation distances would be achieved to safeguard neighbour's privacy and outlook while the impact on daylighting and sunlighting to surrounding properties would generally be negligible to minor adverse with isolated moderate and major adverse daylight impact which can be attributed mostly to the design of the neighbouring properties and not to the height and massing of the proposed development.
- 2.7 Subject to the recommended conditions and obligations, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material considerations which would indicate that it should be refused.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
- 3.2 Any direction by the London Mayor.
- 3.3 The prior completion of a legal agreement to secure the following planning obligations:

Financial obligations:

- a) £62,256 towards construction phase employment skills and training
- b) £3,046 towards end-user phase employment skills and training
- c) £9,000 towards carbon off-setting
- d) £3,500 monitoring fee (£500 per each substantial Head of Terms)

Total financial contribution: £77,802

Non-financial obligations:

- e) Affordable housing (35% by habitable room)
 - 37 affordable rented units
 - 20 intermediate units
 - f) Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 9 construction phase apprenticeships
 - g) Car Free
 - h) Travel Plan
 - i) Publicly Accessible Open Space
 - j) Compliance with Considerate Constructors Scheme & LBTH Code of Construction Practice
 - k) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
- 3.4 That the Director of Place is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the

resolution the legal agreement has not been completed, the Director of Place is delegated power to refuse planning permission.

3.5 That the Director of Place is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

3.6 Conditions:

Compliance

- a) Compliance with plans
- b) 3 year time limit for implementation
- c) Withdrawal of permitted development rights for painting of brickwork and erection of fences & gates
- d) Compliance with energy and sustainability strategies
- e) Noise insulation standards for residential units and noise limits for plant
- f) Provision and retention of wheelchair accessible parking spaces, electric vehicle charging points
- g) Inclusive access standards for residential units, provision of lifts

Pre-commencement

- h) Construction Management Plan including working hours restrictions and other measures to protect amenity and minimise noise & air pollution
- i) Logistics Plan and Travel Plan for construction phase, feasibility of waterborne transport in construction (in consultation with TfL)
- j) Piling Method Statement (in consultation with Thames Water)
- k) Land contamination remediation
- l) Details of surface water drainage & SUDs (in consultation with CRT)
- m) Details of works to canal wall, development in accordance with Flood Risk Assessment (in consultation with CRT & Environment Agency)
- n) Details of biodiversity measures

Pre-superstructure

- o) Samples of all facing materials, elevation & fenestration details, rainwater goods
- p) Details of landscaping including soft & hard landscaping, street furniture & play equipment, gates & fences, lighting, wayfinding, visitor cycle parking, security measures and inclusive access provisions (in consultation with CRT).
- q) Details of internal cycle parking
- r) Details of waste storage facilities
- s) Details of Secured by Design measures

Prior to relevant works / prior to occupation

- t) Details of wheelchair accessible units
- u) Details of extract system for commercial unit
- v) Details of air quality mitigation for the heating system
- w) Delivery & Servicing Plan, Waste Management Plan (in consultation with TfL)
- x) Details of highway works (S278 agreement)
- y) Details of opening hours for commercial use

3.7 Informatives:

- a) CIL

- b) Thames Water
- c) Canal & River Trust
- d) National Grid

3.8 Any other conditions or informatives as considered necessary by the Director of Place.

4.0 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

4.1 The application site is located on the south-eastern side of Thomas Road, off Burdett Road within the Mile End Road. The site is bounded by Thomas Road to the north, Thomas Road Industrial Estate to the north-east, Limehouse Cut Canal to the south-east and the newly constructed Burdett Wharf residential development to the south-west.

4.2 The rectangular site measures approximately 0.51ha and consists of a part 1, part 3 storey commercial building with ancillary car parking and servicing areas. The site is currently occupied by a cash & carry wholesaler who also retails to individual members of the public in a mixed retail and wholesale use (sui generis). The offices on site are ancillary to the main use. The business operator is currently in the process of relocating the commercial activities to Barking.

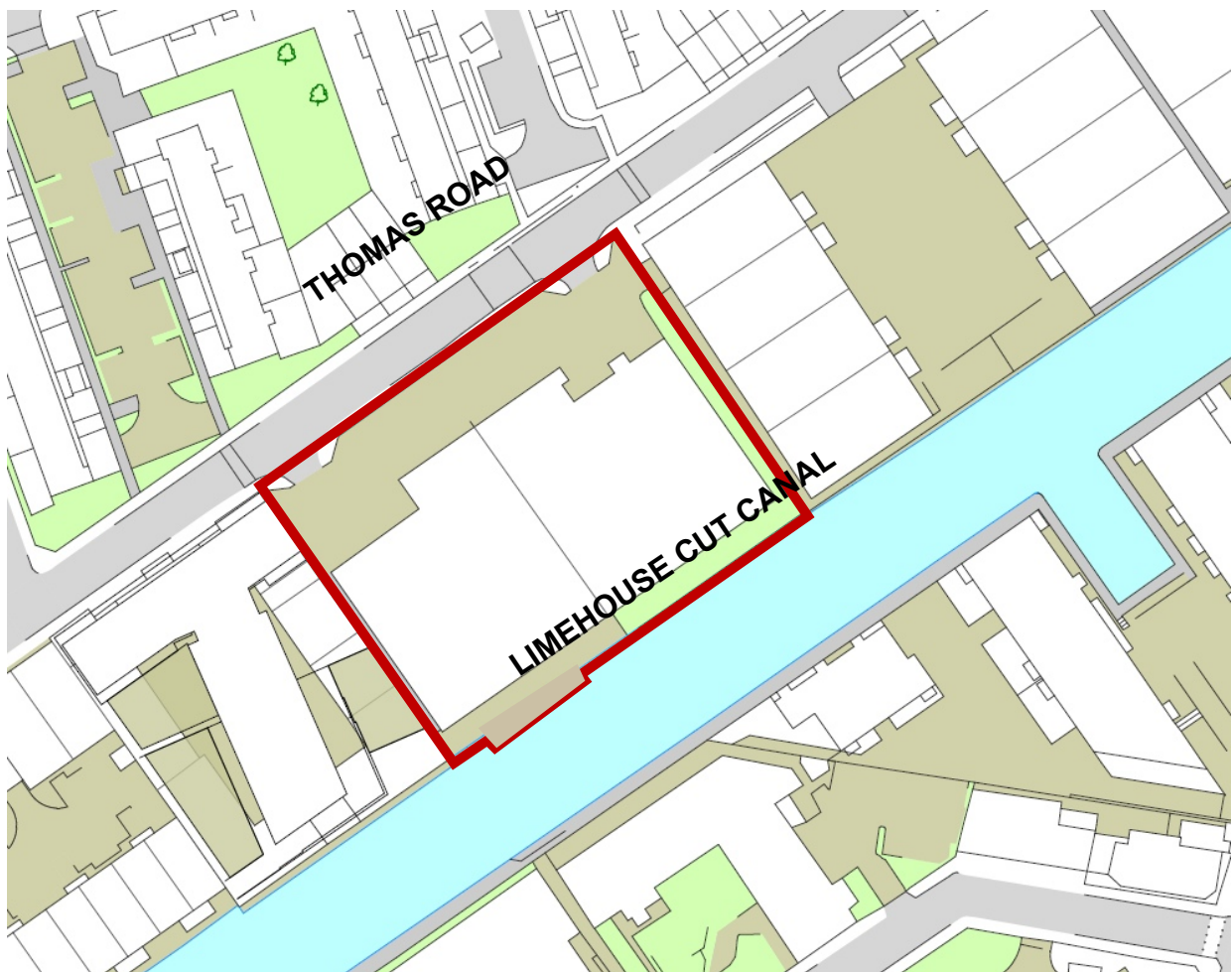


Figure 1 – Site location plan

- 4.3 The nearest residential properties are located to the north-west - on the opposite side of Thomas Road, to the south-east - on the opposite side of the canal, and to the south-west – immediately adjacent to the site.
- 4.4 The buildings on site are not listed and are of no heritage value. The majority of the site is not located within a conservation area, however a small strip projects into the Limehouse Cut Conservation Area which runs south-west to north-east, along the south-eastern boundary of the site. There are no listed buildings in the immediate vicinity of the site. Limehouse Cut canal is a Site of Metropolitan Importance for Nature Conservation.
- 4.5 The site benefits from good public transport accessibility with a PTAL of 4. There are numerous bus services operating along Burdett Road, approximately 120m to the west of the site. The nearest train station is the DLR station at Westferry, some 700m walking distance to the south.
- 4.6 The nearest town centres are the Neighbourhood Centre at Salmon Lane, circa 500m walking distance to the west, and the Chrisp Street District Centre, circa 1km walking distance to the south-east. The nearest existing shopping facilities are some 120m away on Burdett Road. The nearest schools are the Stebon Primary School and St Pauls way Secondary School, respectively less than 100m and less than 400m walking distance to the north. Mile End Park and Birchfield Gardens are some 300m walking distance to the west while the Bartlett Park is some 400m to the south-east.

Proposal

- 4.7 The application proposes redevelopment of the site to provide 184 residential units in a part 5, part 8 and part 9 storey building along with an ancillary commercial unit of 140sqm in flexible use (Use Class A1 'retail', A2 'professional services', A3 'restaurant' and D1 'community').
- 4.8 The building footprint would be broadly U-shaped with a 5 storey frontage provided along Thomas Road with two higher perpendicular projections extending towards the canal at 8 storeys for the western block and 9 storeys for the eastern block.
- 4.9 The proposal would deliver 35% affordable housing by habitable room at a tenure split of 65% affordable rented to 35% intermediate. 46% of affordable units would be family sized (three bedroom) at London Affordable Rent with one and two-bed units delivered at Tower Hamlets Living Rent.
- 4.10 Communal amenity space, on-site play space for all age groups and publicly accessible open space would be provided. The scheme would also include 4 wheelchair accessible parking spaces, 274 cycle parking spaces for the residents and 5 cycle parking spaces for the commercial unit.



Figure 2 – Bird's eye view CGI, looking north-west

- 4.11 Following submission of the application at the end of April 2016, the proposal was significantly revised with the most significant amendments received in March 2017. The amendments resulted in a reduction in the height of the taller blocks by 3 stories, and of the block linking with Burdett Wharf by 1 storey, introduction of two story setbacks at roof level, removal of external cycle stores from the public realm, improvements to the daylighting and sunlighting to proposed units, reductions in impact on the daylighting and sunlighting to existing neighbouring occupiers and a consequential reduction to the unit numbers by 37 units.
- 4.12 The below verified view images contrast the originally submitted scheme with that currently proposed.



Figure 3 – Verified view of the proposal as submitted (left) and as amended (right) as viewed from the canal towpath, looking north-east.



Figure 4 – Verified view of the proposal as submitted (left) and as amended (right) as viewed from across Thomas Road, looking south.

Planning History

- 4.13 Certificate of lawful development to confirm existing use as a Cash & Carry Wholesale Warehouse, ref PA/99/000329, issued 10/05/1999.
- 4.14 EIA Screening Opinion confirming that that an Environmental Impact Assessment is not required, ref PA/16/00722, issued 29/03/2016.

5.0 POLICY FRAMEWORK

5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

5.2 Government Planning Policy

National Planning Policy Framework 2012
Planning Policy Guidance 2014 with subsequent alterations

5.3 London Plan 2016

- 2.9 - Inner London
- 3.1 - Ensuring equal life chances for all
- 3.3 - Increasing housing supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and design of housing developments
- 3.6 - Children and young people’s play and informal recreation facilities
- 3.7 - Large residential developments
- 3.8 - Housing choice
- 3.9 - Mixed and balanced communities
- 3.10 - Definition of affordable housing
- 3.11 - Affordable housing targets
- 3.12 - Negotiating affordable housing
- 3.13 - Affordable housing thresholds
- 4.4 - Managing industrial land and premises
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.4A - Electricity and gas supply
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies
- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.16 - Waste net self-sufficiency
- 5.17 - Waste capacity
- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.7 - Better streets and surface transport
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking
- 7.1 - Lifetime neighbourhoods
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character

- 7.5 - Public realm
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology
- 7.9 - Access to Nature and Biodiversity
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.19 - Biodiversity and access to nature
- 7.24-7.28 Blue Ribbon Network
- 7.30 - London's Canals
- 8.2 - Planning obligations

5.4 **Core Strategy 2010**

- SP02 - Urban living for everyone
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP06 - Delivering successful employment hubs
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero carbon borough
- SP12 - Delivering placemaking
- SP13 - Planning obligations

5.5 **Managing Development Document 2013**

- DM0 - Delivering sustainable development
- DM2 - Local shops
- DM3 - Delivering homes
- DM4 - Housing standards and amenity space
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM12 - Water Space
- DM13 - Sustainable drainage
- DM14 - Managing waste
- DM15 - Local job creation and investment
- DM20 - Supporting a sustainable transport network
- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place-sensitive design
- DM25 - Amenity
- DM27 - Heritage and the historic environment
- DM26 - Building heights
- DM29 - Achieving a zero carbon borough and addressing climate change
- DM30 - Contaminated land

5.6 **Other Material Planning Documents**

- Planning Obligations SPD (LBTH 2016)
- Draft Development Viability SPD (LBTH 2017)
- Control of Dust and Emissions during Construction and Demolition SPG (GLA 2014)
- Accessible London: Achieving an Inclusive Environment SPG (GLA 2014)

- Housing SPG (GLA 2016)
- Draft Affordable Housing and Viability SPG (GLA 2016)
- Shaping neighbourhoods: character and context SPG (GLA 2014)
- Shaping neighbourhoods: play and informal recreation SPG (GLA 2012)
- Sustainable Design and Construction SPG (GLA 2013)
- Site Layout Planning for Daylight and Sunlight (BRE 2011)
- Limehouse Cut Conservation Area Character Appraisal (LBTH 2011)

6.0 CONSULTATION RESPONSE

6.1 The views of the Place Directorate are expressed in the MATERIAL PLANNING CONSIDERATIONS section.

6.2 The following were consulted regarding the application. The responses are summarised below.

Mayor of London / Greater London Authority (GLA) Stage I referral

6.3 The scheme is broadly acceptable in strategic planning terms but does not fully comply with the London Plan. The following observations have been made and remedies suggested:

- a) The loss of the existing use and redevelopment for residential use complies with the London Plan. The small commercial unit is commensurate with a local shop or service and is supported given the area's increasing population.
- b) The Council should confirm that the proposed unit mix is in line with local needs. The proportion of affordable housing needs to be robustly interrogated and maximised.
- c) Given the high internal and external quality of the development and provision of ample open space and play space, the proposals for a high density development exceeding the London Plan density range is supported.
- d) Delivery of play space, communal space, public open space and the canal side route should be secured.
- e) Given that the character of the surrounding area is in a period of transition the development provides an opportunity to define a new setting and create new routes in conjunction with the development of the adjacent sites. The demolition of the existing building is supported as the building is of no architectural merit and does not contribute to the historic environment.
- f) The proposed layout would ensure provision of amenity space, separation from neighbouring development and future development, and allow for a high proportion of dual aspect units, good daylight and sunlight penetration and a courtyard which will receive excellent levels of sunlight. The coherent building line and generous space will enable the creation of a high quality public realm provided that the proposals for redevelopment of the adjoining Thomas Road Industrial Estate include a reciprocal provision. Activity and surveillance is provided by the proposed commercial unit, which is welcomed but further work is required to the ground floor layout to reduce the dominance of back of house uses and provide greater levels of activity and natural surveillance.

- g) The provision of a tall building represents a distinctive architectural approach and will provide a high quality addition to the local area, which is supported.
- h) The results of the daylight and sunlight assessment do not indicate any effects of strategic concern upon existing residential properties having regard to the urban location and under developed nature of the existing site. The Council should satisfy itself that localised effects upon individual properties are acceptable.
- i) The proposed development is consistent with the emerging context along the Limehouse Cut and will enhance the character and appearance of the area through the replacement of the existing building with a building of a high quality design. The proposed material palette seeks to respond to the industrial heritage of the area as well as its emerging residential nature. The approach to elevational design and materials creates attractive high quality elevations which contribute to the legibility of the site and the character of the area, which is supported.
- j) The U-shaped layout with blocks perpendicular to the canal is an appropriate response which protects the open character of the canal. The development would make an important contribution to the creation of a new pedestrian and cycle route along the Limehouse Cut, which is strongly supported. Biodiversity enhancement measures, detail of lighting and a construction management plan should be secured by condition.
- k) The ramped paths to navigate the 50cm change in levels are supported from the inclusive design perspective. The provision of accessible dwellings and associated parking spaces should be secured.
- l) Further information should be provided on the efficiency and feasibility of the proposed CHP unit but on the basis of the submitted energy assessment the carbon emission savings would exceed those stipulated by policy 5.2 of the London Plan.
- m) Given the uncertainty about the details of surface water discharge provisions, including potential discharge to the canal (which would be supported), the details should be secured by condition.
- n) Car free nature of the development with the exception of 4 wheelchair spaces is welcome. Further details are required on short stay cycle parking for visitors and access to cycle stores for residents. The canal side walkway is supported from the transport perspective but should be complemented with a wayfinding strategy which should be secured. Based on the expected trips, the development can be accommodated within the public transport network and will not require any site specific mitigation.
- o) The Council should ensure that the loading bay capacity is sufficient for the demand from the development with a final delivery and servicing management plan secured by condition with TfL consulted on any details. Given the limited amount of evidence provided to back up the submitted construction traffic management plan, the demolition and construction activities are likely to have a detrimental impact on the TLRN. An updated plan should be secured by condition, giving consideration to the use of waterborne transport and mitigating the impact of trips on the highway network through re-timing and consolidation. Use of the Fleet Operator

Recognition Scheme (FORS) is encouraged. Submission of a framework travel plan is welcome but the plan should encourage a mode shift to cycling by offering cycle hire memberships to residents. The plan should be secured and monitored.

[officer comment: no response has been received to the consultation on the amendments to the scheme]

Environment Agency

- 6.4 No objection to the proposed development.
- 6.5 A condition should ensure that the development is carried out in accordance with the approved Flood Risk Assessment and that mitigation measures outlined within the canal wall condition survey are implemented.

Natural England

- 6.6 No comments to make.

Historic England

- 6.7 Does not wish to make comments or express any views on the merits of the proposal. The application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

Historic England – Greater London Archaeological Advisory Service

- 6.8 The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are necessary.

6.9

Thames Water

- 6.10 No objection with regard to sewerage infrastructure capacity.
- 6.11 Piling method statement should be secured by condition to minimise the risk of damage to subsurface sewerage infrastructure.
- 6.12 Standard informatives requested to advise the applicant regarding necessary consents to be obtained from Thames Water, drainage matters, ground water sewer discharges, commercial sewer discharges and water pressure levels.

National Grid

- 6.13 Standard informative requested to advise the applicant of infrastructure protection requirements.

Metropolitan Police – Crime Prevention

- 6.14 No objection. Secured by Design measures should be secured by condition.

Crossrail Safeguarding

- 6.15 The site is outside the land subject to the Safeguarding Direction. Does not wish to make any comments.

Canal & River Trust

- 6.16 Pleased that the height of the blocks has been reduced.
- 6.17 A waterway wall survey and details of repair works to the waterway wall should be secured by condition. Discharge of surface water into the canal requires the Trust's consent and drainage details should be secured by condition including measures to safeguard against water contamination. Details of lighting should be secured by condition to minimise impact on biodiversity. The Trust should be consulted on details of landscaping secured by condition. Feasibility study into the transport of freight by water should be secured by condition. An informative should be attached to advise the applicant of necessary consents from the Trust and of the Code of Practice for Works affecting the Canal & River Trust.
- 6.18 Potential of water source heat pumps has not been considered in the energy strategy.
- 6.19 There may be potential for moorings alongside the site to animate the water space, the Trust would be pleased to discuss this further with the applicant.
- 6.20 The introduction of 184 additional units and commercial space into a canal side location would place an additional burden on the Trust's management of the water space and towpath. The trust would usually request a contribution towards enhancements to the canal environment but understand that these now fall within CIL.

LBTH Transportation & Highways

- 6.21 Car free development is supported. Four wheelchair car parking spaces would be provided but it might be possible to provide more.
- 6.22 A proportion of Sheffield stands should be provided within each cycle store. It is not clear where commercial cycle parking and visitor parking would be and how each residential store would be accessed.
- 6.23 For on-street servicing to be acceptable, a minimum footway width of 2m needs to be achieved to the rear of the proposed loading bay. The applicant needs to set out how deliveries and servicing are to be managed. A S278 agreement is required for the necessary highway works.
- 6.24 Pedestrian routes to the canal should be secured as publicly accessible.

7.0 LOCAL REPRESENTATION

- 7.1 Public consultation took place in accordance with statutory requirements. This included a total of 474 letters sent to occupiers of neighbouring properties, a press advert published in East End Advertiser and site notices displayed outside the application site.
- 7.2 18 objections were received to the original proposal. The following issues were raised by objectors:
- Inadequacy of the applicant's consultation at pre-application stage (only properties on the northern side of the canal were consulted)

- Adverse impact on the character of the Limehouse Cut Conservation Area
- Loss of daylight and sunlight
- Adverse impact on the setting of historic warehouses on Dod Street
- Overdevelopment / overcrowding
- Strain on public services
- Transport network congestion
- Noise pollution from commercial use
- Increase in car parking stress
- Disturbance from construction works
- General increase in noise and fly tipping

7.3 2 objections were received to the March 2017 amendments, of which 1 from an original objector.

7.4 The following additional issues were raised:

- Loss of private view
- Enforcement of parking & speed restrictions and poor condition of local roads
- The proposal does not address local housing need and would lead to gentrification
- Social issues and crime would increase

7.5 The above issues are addressed in the Material Planning Considerations section of this report, other than for the applicant's public consultation which is addressed below and the loss of a private view which is not a material planning consideration.

Applicant's consultation

7.6 The applicant has submitted a Statement of Community Involvement detailing how around 1,200 leaflets have been distributed inviting the public to an exhibition at St Paul's Bow Common Church on 11/02/2016 and to seek feedback from those not able to attend, however, the leaflets were distributed only to the residents living on the north side of the canal and not to those on the south side. The applicant has carried out a wider consultation exercise as part of submission of the March 2017 amendments to include the residents living on the south side of the canal.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Committee must consider are:

1. Land use
2. Housing
3. Townscape & design
4. Amenity

8.2 Other material issues addressed within the report include transportation & servicing, energy efficiency & sustainability, biodiversity, planning obligations, as well as financial, health, human rights and equalities considerations.

Land Use

- 8.3 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives, introducing a presumption in favour of sustainable development. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles: an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure; a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and an environmental role – protecting and enhancing the natural, built and historic environment.
- 8.4 These economic, social and environmental goals should be sought jointly and simultaneously. The framework promotes the efficient use of land with high density, mixed-use development and encourages the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing.
- 8.5 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health.
- 8.6 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan seeks to alleviate the current and projected housing shortage in the Capital through provision of an annual average of 39,314 of new homes over a ten year period (2015-2025). The minimum ten year target for Tower Hamlets is set at 39,314 with an annual monitoring target of 3,931. The need to address the pressing demand for new residential accommodation is embraced by the Council's strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.
- 8.7 The London Plan policies 4.1 and 4.2 seek to promote and enable the continued development of a strong, sustainable and diverse economy - ensuring the availability of sufficient workplaces in terms of type, size and cost. The Council's Core Strategy policy SP06 seeks to support the competitiveness, vibrancy and creativity of the local economy, ensuring a sufficient range, mix and quality of employment uses and spaces with a particular focus on the small and medium enterprise sector, and through ensuring job opportunities are provided or retained in each place. The relevant Managing Development Document policy is DM15. This policy supports the upgrading and redevelopment of employment sites outside of spatial policy areas provided that redevelopment does not result in the loss of active and viable employment uses.
- 8.8 Policy SP01 of the Core Strategy, with related objectives SO4 and SO5, seeks to ensure that the scale and type of development is proportionate to the town centre hierarchy and to promote mixed use at the edge of town centres and along main streets. Further guidance is provided by policy DM1 of the Managing Development Document which directs evening economy uses to town centres and policy DM2 which seeks to restrict the size of local shops to 100sqm.
- 8.9 The site is currently occupied by a cash & carry wholesaler who also retails to individual members of the public in a mixed retail and wholesale use (sui generis)

with some ancillary office accommodation. The site is not located within a town centre or an edge-of-centre area and does not carry any land-use designations.

- 8.10 The applicant has submitted a relocation strategy detailing a sequential search for available relocation sites to facilitate residential redevelopment of the site. Due to the lack of suitable sites within Tower Hamlets, a site in Barking was found and relocation of the business is currently in progress to premises at 640 Ripple Road in Barking.
- 8.11 Over the last 10-15 years, the character of the area has changed substantially, with all of the nearby light industrial and employment sites nearby redeveloped for residential use other than for the Thomas Road Industrial Park and the Post Office operations on the west side of Burdett Road.
- 8.12 Cash & carry wholesale use with retail to members of the public is a quasi-retail quasi employment use and is not a typical business use that policy DM15 seeks to protect. Such a substantial quantity of retail accommodation would also normally only be acceptable within a designated town centre. As such, given the increasingly residential character of the area the loss of the cash & carry use is considered to be acceptable to allow provision of a significant quantum of residential accommodation to meet the Council's identified housing need. While it could be possible to redesign the scheme to include an alternative and more conventional business use this would inevitably put a significant strain on the viability of the scheme which would result in a reduction in affordable housing provision.
- 8.13 A commercial unit of 140sqm in flexible use (Use Class A1 'retail', A2 'professional services', A3 'restaurant' and D1 'community') would be provided within the northern corner of the site, on the corner of Thomas Road and of the new public access route to the canal. While the unit would be in excess of 100sqm in size and the site is neither in a designated town centre nor in an edge-of-centre area, the proposed use would be of a scale ancillary to and proportionate to the size of the proposed residential development and as such does not raise concerns which would warrant refusal of the proposal on this ground alone. The commercial units would also provide public benefits through activating the development's frontage.
- 8.14 Given the above, it is considered that erection of a residential led-development on this highly accessible vacant brown field site is acceptable from the land use perspective, contributing towards provision of much needed housing in accordance with the aforementioned policies and the principles of the National Planning Policy Framework.

Housing

Affordable Housing

- 8.15 In line with section 6 of the National Planning Policy Framework, the following London Plan policies guide the provision of affordable housing:
- policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing
 - policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London's population by tenure

- policy 3.11 requires that 60% of affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale, with priority given to provision of affordable family housing.
- policy 3.13 states that the maximum reasonable amount of affordable housing should be secured, subject to viability and site constraints

8.16 The Council’s policy SP02 of the Core Strategy sets an overall strategic target for affordable homes of 50% of new construction, with a minimum of 35% provision sought, subject to viability. The overall strategic tenure split for affordable homes is set as 70% affordable rented and 30% intermediate. This split is reiterated by policy DM3 of the Managing Development Document which also requires that affordable housing provision is to be calculated by using habitable rooms to allow for the most suitable mix of affordable housing. Policy DM3 of the Managing Development Document requires developments to maximise affordable housing on-site.

8.17 The following tables illustrate the proposed mix of housing:

| | Affordable Rented | | Intermediate | Market |
|-------|---------------------------|------------------------|------------------|--------|
| | Tower Hamlets Living Rent | London Affordable Rent | Shared Ownership | |
| 1 bed | 14 | 0 | 5 | 79 |
| 2 bed | 6 | 0 | 10 | 29 |
| 3 bed | 0 | 17 | 5 | 19 |
| Total | 20 | 17 | 20 | 127 |

Figure 5 – Proposed housing mix

8.18 The proposal would deliver 35% affordable housing by habitable room at a tenure split of 65% affordable rented to 35% intermediate. 46% of affordable units would be family sized (three bedroom) at London Affordable Rent with one and two-bed units delivered at Tower Hamlets Living Rent.

8.19 A viability appraisal has been submitted with the application and was independently reviewed by the financial viability consultants appointed by the Council. The review, based on establishing land value by reference to the existing use value, demonstrates that the 35% affordable housing offer is the most the scheme can viably provide. Accordingly, the proposed affordable housing offer complies with the aforementioned policies. Given that the tenure split sits between LBTH and GLA policy targets and that family sized units would be provided at London Affordable Rent, it is considered that the proposed tenure mix is acceptable and in broad compliance with policy.

Unit Mix

8.20 In line with section 6 of the National Planning Policy Framework and London Plan policy 3.8, the Council’s Core Strategy policy SP02 and policy DM3 of the Managing Development Document require development to provide a mix of unit sizes in accordance with the most up-to-date housing needs assessment. The relevant targets and the breakdown of the proposed accommodation is shown in the table below.

| Unit size | Affordable Rented | | | Intermediate | | | Private | | |
|-----------|-------------------|------|--------|--------------|----|--------|---------|------|--------|
| | Units | % | Target | Units | % | Target | Units | % | Target |
| 1 bed | 14 | 37.8 | 30% | 5 | 25 | 25% | 79 | 62.2 | 50% |
| 2 bed | 6 | 16.2 | 25% | 10 | 50 | 50% | 29 | 22.8 | 30% |
| 3 bed | 17 | 46 | 30% | 5 | 25 | 25% | 19 | 15 | 20% |
| 4 bed | - | - | 15% | - | - | | - | - | |

Figure 6 – Proposed unit mix vs policy targets

- 8.21 Within the affordable rented tenure, 46% of units would be delivered as family sized although all of the family units would be three-bed. There would be no four-bed units and a slight under-provision of two-beds and over-provision of one-beds. While the lack of four-bed units is regrettable, given that the overall target for family sized units is broadly achieved, the proposed mix of affordable accommodation is considered to be acceptable.
- 8.22 The intermediate accommodation would be provided exactly in accordance with the policy targets.
- 8.23 In relation to private units, there would be an over-provision of one-beds and an under-provision of two and three-beds. Given that prioritisation of smaller units within the private tenure assists with viability of the scheme and delivery of affordable family units at London Affordable Rent, the proposed mix is considered acceptable. It is also noted that the Housing SPG advocates flexibility with regard to application of unit mix targets for private housing: *“housing mix requirements especially in relation to market housing, where, unlike for social housing and most intermediate provision, access to housing in terms of size of accommodation is in relation to ability to pay, rather than housing requirements”*.
- 8.24 On balance, whilst there is some conflict with policy targets, the scheme overall provides a balance of different unit sizes which contributes favourably to the mix of units across tenures within the borough as a whole and the mix as proposed contributes to the viability of the scheme to ensure that provision of affordable housing and in particular family housing is prioritised.

Housing Quality

- 8.25 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime. Additionally, policy DM3 requires that affordable housing should be built to the same standards and should share the same level of amenities as private housing.
- 8.26 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private amenity space for all new homes. Policy DM25 requires a good level of amenity for the future

occupiers including through provision of adequate daylight and sunlight, outlook and privacy

- 8.27 The internal areas of the proposed flats would be appropriate, with all of the flats meeting or exceeding the minimum floorspace standards. The submitted floor plans demonstrate that all necessary furniture and storage can be comfortably accommodated within the proposed layouts. 2.5m high floor to ceiling heights would be provided.
- 8.28 The proposed building would be divided into five access cores, with generally 5 to 7 flats per floor per core.
- 8.29 Provision of dual aspect units has generally been maximised as far as the courtyard layout allows and there would be no single aspect north facing units due to the orientation of the block.
- 8.30 The proposed flats would benefit from adequate privacy, outlook and private external amenity space in excess of the minimum standards.



Figure 7 - typical floor plan

- 8.31 Average daylight factor calculations have been submitted to demonstrate the quality of daylighting to the proposed units. Out of the 496 rooms relevant for the assessment, 468 would achieve the appropriate targets, representing 94% of

habitable rooms. 23 living rooms or living/kitchen/dining areas out of 184 would be below the 1.5% ADF standard, representing 12.5% however in most instances this is due to presence of balconies and kitchens located deep within the floor plans. Given that artificial lighting would normally be used in such kitchen areas and that living rooms would be located at the front, closest to the windows and balconies, this arrangement is considered to be acceptable and adequate lighting would generally be achieved.

- 8.32 Appropriate sunlighting would be achieved both to the proposed residential units and to the external amenity areas with 234 out of 274 windows facing within 90 degrees due south in line with the targets (85%). In majority of instances where properties do not achieve the standards this is due to balconies which themselves would be very well sunlit and would provide adequate amenity.
- 8.33 A condition has been included to require appropriate accessibility standards including 10% of units to be delivered as either Wheelchair Adaptable or Accessible.
- 8.34 Overall, the proposal would provide a high quality of living accommodation and amenity to the future occupiers of the development, in accordance with the aforementioned policies.

Communal amenity space and play space

- 8.35 Policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated play space within new residential developments, this is in addition to communal amenity space required by London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document at a ratio of 50sqm for the first 10 units plus 1sqm for every additional unit.
- 8.36 Policy DM4 advises that LBTH child yields should be applied to ensure that 10sqm of useable child play space is provided per child. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within a short walking distance.
- 8.37 Using the LBTH child yield calculations, the development is anticipated to yield 55 children (24 under 5s, 19 of 5 - 11 year olds and 12 older children). Accordingly, 555sqm of play space is required for all of the three age groups, in addition to 224sqm of communal amenity space.
- 8.38 The application proposes creation of a secure communal courtyard measuring 1,034sqm in addition to 1,370sqm of public realm including the canalside walkway. This is significantly in excess of the minimum requirements. The submitted Play Strategy drawing identifies that 566sqm of play space would be provided, in excess of the policy requirement.
- 8.39 The indicative landscaping proposals submitted with the application envisage that the majority of play space would be provided within the courtyard, where it is most accessible and well-overlooked from the windows of the proposed development; however, some play space can also be incorporated within the public realm areas which open onto the canal. All details would be reserved by condition.
- 8.40 Overall, the proposed communal amenity and play space areas would be acceptable, in accordance with the aforementioned policies. A condition has been included to secure the details of landscaping and play facilities.

Density

- 8.41 Policy 3.4 of the London Plan seeks to optimise the density of development with consideration for local context and public transport capacity. The policy is supported by Table 3A.2 which links residential density to public transport accessibility and urban character. Policy SP02 of the Core Strategy while reiterating the above adds that density levels of housing should correspond to the Council's town centre hierarchy and that higher densities should be promoted in locations in or close to designated town centres.
- 8.42 The application site measures approximately 0.52 hectare, benefits from an urban context, and good public transport accessibility - PTAL score 4. In areas of PTAL 4 and urban setting, the density matrix supports densities of up to 700 habitable rooms per hectare. Once the 140sqm of commercial floorspace is discounted, the proposed net residential density would be 966 habitable rooms per hectare, in excess of the suggested range.
- 8.43 The policy acknowledges that it is not appropriate to apply the matrix mechanically to arrive at the optimum potential of a given site. Generally, development should maximise the housing output while avoiding any of the adverse symptoms of overdevelopment.
- 8.44 The Housing SPG advises that small sites have specific opportunities and constraints with regards to density. When establishing the appropriate density for small sites, special attention should be given to factors influencing the setting of a development site, including existing streetscapes, massing and design of the surrounding built environment. Where the density of surrounding buildings is above the appropriate range in the matrix, a small site can be developed to the higher end of the appropriate density range. In both cases detailed urban form analyses may suggest that higher or lower densities are necessary to respect local context.
- 8.45 Furthermore, the SPG advises that development outside the prescribed ranges would require demonstration of exceptional circumstances (taking account of relevant London Plan policies) and states that unless significant reasons to justify exceeding the top of the appropriate range can be demonstrated, proposals should normally be resisted. The SPG recognises that making decisions on housing density requires making a sensitive balance which takes account of a wide range of complex factors. The SPG outlines the different aspects which should be assessed, these include:
- inadequate access to sunlight and daylight for proposed or neighbouring homes;
 - sub-standard dwellings (size and layouts);
 - insufficient open space (private, communal and/or publicly accessible);
 - unacceptable housing mix;
 - unacceptable sense of enclosure or loss of outlook for neighbouring occupiers;
 - unacceptable increase in traffic generation;
 - detrimental impacts on local social and physical infrastructure; and,
 - detrimental impacts on visual amenity, views or character of surrounding area.
- 8.46 All of the above aspects of the development have been assessed elsewhere within this report and found to be acceptable given the site's inner city context, the built form of adjoining development and the site's size. On balance, taking into account the high

standard of proposed accommodation, the unit mix which appropriately prioritises provision of family sized affordable units, and the high quantity & quality of proposed communal amenity, play spaces and public realm, it is considered that the proposed density appropriately optimises the development potential of the site.

Design & Townscape

- 8.47 The National Planning Policy Framework attaches great importance to the design of the built environment.
- 8.48 In accordance with paragraph 58 of the NPPF, new developments should:
- function well and add to the overall quality of the area,
 - establish a strong sense of place, creating attractive and comfortable places to live,
 - respond to local character and history, and reflect the identity of local surroundings and materials,
 - create safe and accessible environments, and
 - be visually attractive as a result of good architecture and appropriate landscaping.
- 8.49 Chapter 7 of the London Plan as well as the Council's policy SP10 set out broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds and that heritage assets and their settings are safeguarded. These aims are to be realised through the detailed development management policies DM24 and DM27.
- 8.50 Furthermore, policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces.
- 8.51 The placemaking policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.
- 8.52 In line with the Blue Ribbon Network policies of the London Plan, Policy DM12 of the Managing Development Document provides guidance for development adjacent to the Blue Ribbon Network. Firstly development should not have an adverse impact. Secondly, with regard design and layout development should provide appropriate setbacks from the water space edges where appropriate. Finally, development should identify how it will improve the quality of the water space and provide increased opportunities for access, public use and integration with the water space.
- 8.53 The application proposes redevelopment of the site to provide 184 residential units in a part 5, part 8 and part 9 storey building. The building footprint would be broadly U-shaped with a 5 storey frontage provided along Thomas Road with two higher perpendicular projections extending towards the canal at 8 storeys for the western block and 9 storeys for the eastern block. The top two stories of the 8 and 9 storey blocks would be set back.
- 8.54 The below elevations show the proposed buildings in elevation view, in the context of existing surrounding development.

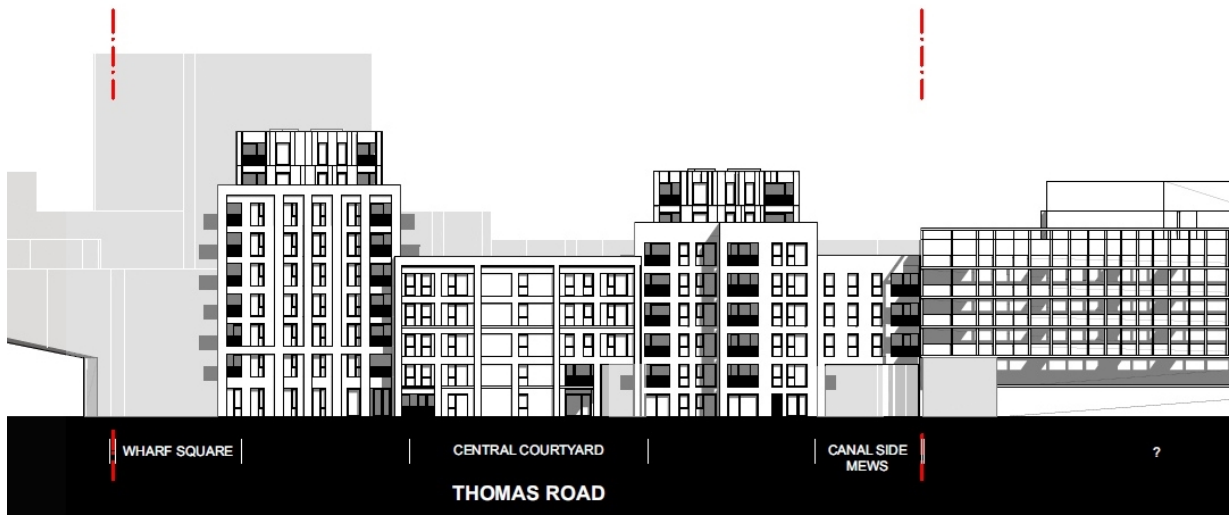


Figure 8 – Thomas Road elevation (Burdett Wharf to the right)



Figure 9 – Canalside elevation (Burdett Wharf to the left)

- 8.55 The proposed heights respond to the local context, with the longer and taller blocks perpendicular to the canal at 8 and 9 stories with set backs at top level responding to Burdett Wharf to the east which is 8 storey high with the top storey set back. There is some precedent locally for taller buildings at 8 to 12 stories on the south side of the Canal although it should be noted that the buildings of Vickery's and Abbott's Wharf have been built prior to the designation of the Limehouse Cut conservation area.
- 8.56 The 5 storey frontage to Thomas Road appropriately responds to the 4 to 5 storey high public housing estate on the north side of Thomas Road and the 3 storey infill housing development immediately opposite the site. The massing of this elevation has also been additionally broken up through introduction of additional set-backs as illustrated on the below CGI.



Figure 10 – CGI view of the Thomas Road elevation (Burdett Wharf to the right)

- 8.57 The buildings would be clad in brick, with two different brick tones used to provide visual interest, provide depth and enhance articulation through creation of a robust protruding brick frame. Deep window recesses would be used. The two storey set-back elements would be clad in standing seam zinc to distinguish the top from the brick faced elevations below in order to reduce the perceived height of the scheme and to further add to the visual interest.
- 8.58 A communal courtyard would be provided between the taller elements and opening onto a publicly accessible walkway along the canal. The walkway would continue from the Burdett Wharf development at 18-36 Thomas Road and could be extended further east in the future, should the Thomas Road Industrial Estate come forward for redevelopment. The walkway would be accessible from Thomas Road through an undercroft in the western corner of the site as well as along the north-eastern boundary.
- 8.59 As illustrated on the below CGI, the proposal would be set back from the water edge by approximately 7m and due to its relatively modest scale and incorporation of setbacks for the top stories would achieve an appropriate relationship with the water space in accordance with the Blue Ribbon Network policies. The U shaped layout opening to the canal would provide views into the green landscaped courtyard and would maintain the general open character of the canal, minimising the building mass fronting onto the canal. The proposed publicly accessible canal edge together with access routes to it would be of a significant public benefit, allowing better public interaction with the waterspace.

- 8.60 In terms of safety and security, Secured By Design standards and details of lighting and security measures would be secured by condition. All of the proposed public realm and the communal courtyard would be well overlooked with passive surveillance provided by the residential accommodation.



Figure 11 – Verified view from the canal towpath, looking north-east

- 8.61 The only part of the application site falling into the Limehouse Cut Conservation Area is an existing protrusion of the dock edge in the south-western corner of the site which would be landscaped to provide public seating, while the canal wall would be repaired. The remainder of the application site, including the areas where the residential buildings would stand is not designated as part of the conservation area but is within the conservation area's setting.
- 8.62 The buildings which currently occupy the site most likely date back to the late 1980s or early 1990s and relate poorly to the conservation area. The buildings are of no heritage value and neither engage with the canal nor provide public access to its edge. The proposed buildings, faced with brick and with set-back stories clad in zinc have been designed to respond to the industrial heritage of the canal and would be of considerably higher quality than the existing buildings on site. As described earlier in this section of the report, the heights and distribution of massing appropriately

respond to the context of the application site. The proposed layout would maximise public access to the canal and through setting back and orientation of the courtyard opening towards the canal, preserve the canal's open character. Overall, the proposal would result in no heritage harm while generally enhancing the character and appearance of the Limehouse Cut Conservation Area.

- 8.63 In conclusion, the proposed development would be of a high design quality and would make a positive contribution to local townscape, in accordance with aforementioned policies.

Amenity

- 8.64 Further to policy 7.6 of the London Plan and SP10 of the Core Strategy, policy DM25 of the Managing Development Document requires development to protect, and where possible improve, the amenity of surrounding existing and future residents as well as the amenity of the surrounding public realm. The policy states that this should be by way of protecting privacy, avoiding an unacceptable increase in sense of enclosure or loss of outlook, unacceptable deterioration of sunlighting and daylighting conditions or overshadowing and not creating unacceptable levels of noise, vibration, light pollution or reductions in air quality during construction or operational phases of the development.
- 8.65 There are a number of properties which could be affected by the proposed development. The closest residential properties are located on the opposite side of Thomas Road, at 7-11 Thomas Road and at Landin House and Linborough House; adjoining the site to the south-west, at 18-36 Thomas Road (Burdett Wharf) and across the canal at 13-15 Dod Street, Aspen Court, Vickery's Wharf and Abbot's Wharf.

Daylight, Sunlight and Overshadowing

- 8.66 Guidance on assessment of daylight and sunlight is set out in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when, as a result of development, the VSC figure falls below 27 and is less than 0.8 times its former value. Further information on the quality of daylighting is provided by the Daylight Distribution (No Sky Line) contour drawings and calculations which show the area of the room with sky visibility at working plane height.
- 8.67 With regard to sunlight, 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% 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%. 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.
- 8.68 The applicant has submitted a Daylight & Sunlight report which has been reviewed by an independent consultant appointed by the Council.
- 8.69 With regard to Abbots Wharf buildings B1 and B2, Vickery's Wharf building B3, Aspen Court Care Home, Maydwell House, Landin House and 13-15 Dodd Street

any loss of daylight or sunlight would not be noticeable and would be within BRE guidelines.

- 8.70 The Vickery's Wharf building B4 faces the tallest building of the proposal, some 30m across the canal. The impact on the B4 building has been significantly reduced through amendments of the scheme and would now be generally minor: while 8 out of 9 upper ground floor windows would still experience material daylighting reductions, these would be marginal and only one window would be left with VSC 0.7 times its former value although this is partially due to the fact that daylight is already restricted by a balcony above the window. On the first floor, there would be marginal noticeable daylight losses to 3 windows out of 6. All of the windows above this level would not experience material losses. Only one of the rooms would be outside the BRE guidelines for daylight distribution but this would be only marginally.
- 8.71 7-11 Thomas Road is a small terrace siting on the opposite side of Thomas Road, to the north-west of the site. Even though the impact of the proposal has been reduced through the reductions in height, the residents of this terrace of three houses would still experience moderate adverse impact on their daylighting with 10 out of 15 windows tested experiencing noticeable reductions although 3 windows would experience a before/after ratio of 0.7 and 1 of 0.6 which would can be described as minor to moderate adverse impact. The significance of the daylight losses is primarily due to the existing unusually low height of 42-44 Thomas Road and the large existing forecourt within the application site. Any significant redevelopment of the application site would be likely to lead to significant reductions in daylighting to the occupiers of the terrace. Sunlighting to the terrace would remain within the guidelines.
- 8.72 Within Limborough House some of the windows would still have results marginally outside the guidelines but when results are averaged for whole rooms served by multiple windows, the daylight impact would be within the BRE guidelines. One room would be marginally outside the guidelines for winter sunlight however it would continue to receive good levels of sunlight all year round.
- 8.73 Burdett Wharf, at 18-36 Thomas Road, is the recently developed residential block immediately to the west of the application site. The occupiers of the block currently enjoy a relatively open outlook and very good daylighting as the east facing flats look over the low-rise warehouse within the application site. The recessing of some of the windows at Burdett Wharf means that they are highly dependent upon light across the development site and extremely sensitive to changes with any loss of daylight resulting in a disproportionate loss of VSC to these windows. Nonetheless, while the losses on the lower floors might be relatively high due to the design of the Burdett Wharf development, the retained VSC values would be reasonably good for an urban location.
- 8.74 At ground level 14 windows have been tested with 10 windows experiencing material daylight reductions ranging from 0.57 to 0.77 of the former VSC value, representing minor and moderate to major daylighting impact. At first floor, 12 windows have been tested with all but one window experiencing material reductions - generally ranging from 0.59 to 0.69 of the former VSC value but there are three windows with 0.32, 0.39 and 0.47 of the former VSC value representing a very significant reduction in daylighting; however, in each instance, the living/kitchen/dining rooms affected also have two other windows that experience much lower VSC reductions and it is clear that the 3 windows are so substantially affected due to being substantially recessed within the elevation. A similar situation takes place on the second floor where out of 20 windows tested, 13 experience material reductions, generally ranging between 0.64 and 0.78 of the former value but there are 5 windows with VSC at between 0.30

and 0.49 of the former value. These windows are substantially recessed which leads to their overreliance on the application site. Similar reductions are repeated on the upper floors of the scheme, although the level of reduction reduces further up the building and the retained level of VSC increases.

- 8.75 However, as Burdett Wharf is itself a substantial building, similar in massing to the proposed development, the Council's consultant considers that a mirror assessment which allows the proposed building the opportunity to match its height and dimension is reasonable and in accordance with BRE guidelines. The proposal would generally not result in a substantially worse impact than the mirror image, and as such, the daylight impact on the Burdett Wharf is not considered to be such as to warrant refusal of the application.
- 8.76 Officers have requested further commentary on the impact of the proposal on Burdett Wharf from the Council's daylight & sunlight consultants. This will be included within the update report and summarised in officer's presentation.
- 8.77 Overall, as would be expected, the proposals would result in some impact on the daylighting conditions of the surrounding development. However, the revisions to the proposal have appropriately minimised the daylight and sunlight impact on adjoining occupiers – the impact would now be generally be negligible to minor adverse in significance with some isolated moderate to major daylight losses in circumstances where the neighbouring properties unduly rely on the application site for their daylighting.

Outlook & Sense of Enclosure, Overlooking & Privacy

- 8.78 The separation distances to habitable room windows within the surrounding properties would be generally generous with 17m to 20m to the properties across Thomas Road, more than 30m to the properties across the Limehouse Cut canal and 23m at the narrowest point to the Burdett Wharf development to the south-west.
- 8.79 The separation distances would be sufficient to safeguard neighbours privacy and prevent undue overlooking. Given the separation distances and the scale of the proposed building, the proposal would have no undue effect on outlook and sense of enclosure to neighbouring properties.

Construction Impacts

- 8.80 Noise, vibration and air quality impacts would be mitigated through submission of a Construction Management Plan. The plan, to cover both demolition and construction works, would be required to be prepared in accordance with the Council's Code of Construction Practice and limit the construction hours to the Council's standard construction hours of 8am – 6pm Monday to Friday, 8am – 1pm on Saturdays, with no works on Sundays and Bank Holidays.
- 8.81 Air quality impacts of the operational development would be negligible, given that only 4 car parking spaces are proposed and that heating would be provided by a CHP unit and boilers. Full specification of the heating system would be secured by condition.

Amenity impacts arising from the operation of the commercial unit

- 8.82 Suitable conditions have been included to deal with noise insulation, plant and extract systems as well as to require approval of details of opening hours for the commercial

use prior to occupation. These conditions would ensure that the amenity of neighbours is not affected to an unacceptable extent.

Conclusion

- 8.83 Overall, the proposal would give rise to no unacceptable impacts on the amenity of the adjoining building occupiers. Appropriate conditions have been included to mitigate adverse impacts.

Highways, transportation and servicing

- 8.84 The NPPF emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel.
- 8.85 Policy 6.3 of the London Plan and SP09 of the Core Strategy aim to ensure that development has no unacceptable impact on the safety and capacity of the transport network. This is supported by policy DM20 of the Managing Development Document.
- 8.86 Policies 6.3 of the London Plan and DM22 of the Managing Development Document set standards for bicycle while policies SP05 of the Core Strategy and DM14 of the Managing Development require provision of adequate waste and recycling storage facilities.
- 8.87 The site benefits from good public transport accessibility (PTAL rating of 4), with convenient pedestrian access to bus connections on Burdett Road and within walking distance of the DLR Station at Westferry.
- 8.88 In accordance with policy, 274 cycle parking spaces for the residents and 5 cycle parking space for the commercial unit. 4 wheelchair accessible car parking spaces would be provided and the development would be secured as 'car free' other than for future affordable housing residents benefiting from the operation of the permit transfer scheme. The number of wheelchair accessible car parking spaces has been maximised and it would not be possible to provide more spaces within significantly undermining the quality of the public realm.
- 8.89 Given the good public transport accessibility, the majority of trips would be undertaken on foot, by cycle or by public transport. The proposed development would not result in an adverse impact on the transport system, either on its own or in comparison to the extant scheme and TfL confirmed that the proposal would not give rise to public transport capacity issues. The number of car trips generated by the proposal would be lower than that of the existing cash & carry use.
- 8.90 It is noted that neither TfL nor LBTH Transportation & Highways raise an objection to the scheme, subject to imposition of relevant conditions. The following conditions and planning obligations have been included as requested by consultees:
- Travel Plan
 - Car free development
 - Construction Management Plan
 - Construction Logistics Plan
 - Delivery & Servicing Plan
 - S278 highway works agreement

- Details of cycle storage facilities

- 8.91 The applicant has provided auto tracking diagrams showing how refuse and fire service vehicles can safely access the site.
- 8.92 Adequate waste storage facilities would be provided.
- 8.93 Overall, subject to conditions and S106 agreement, the proposal would not give rise to any unacceptable highway, transportation or servicing impacts.

Sustainability and Energy Efficiency

- 8.94 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The climate change policies as set out in Chapter 5 of the London Plan, policy SP11 of the Core Strategy and the Managing Development Document policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.95 The submitted proposals have followed the energy hierarchy of be lean, be clean & be green and seek to minimise CO2 emissions through the implementation of energy efficiency measures, photovoltaic panels and a CHP system.
- 8.96 The CO2 emission reductions are anticipated to be at 43.5% against the Building Regulations 2013, with a small gap to the 45% policy target. A S106 contribution to carbon offsetting has been secured to ensure that the policy target is met. A condition has also been included to require implementation of the development in accordance with the submitted sustainability and energy efficiency strategies
- 8.97 The indicative sustainable drainage measures have been submitted including discharge to the Limehouse Cut canal – a condition requiring submission of full details has been included.

Biodiversity

- 8.98 Policies 7.19 of the London Plan, SP04 of the Core Strategy and DM11 of the Managing Development Document seek to protect and enhance biodiversity value in order to achieve an overall increase in biodiversity.
- 8.99 The site has no significant existing biodiversity value, and the buildings are not suitable for bats. The site is adjacent to the Limehouse Cut, part of a Site of Metropolitan Importance for Nature Conservation. As the application site is on the north side of the canal, shading would not be an issue.
- 8.100 The canal is known to be of value to foraging and commuting bats. Any increase over current levels of illumination of the canal, either during construction or use of the new development, should be avoided and details of lighting would be secured by condition. The proposal would not result in any significant adverse impacts on biodiversity.
- 8.101 While the proposal includes significant areas of soft landscaping, this appears to be of low ecological value and no details of green roofs or other biodiversity measures have been provided. In order to ensure a net biodiversity improvement, full details of biodiversity measures would be secured by condition.

Planning Obligations

- 8.102 Core Strategy Policy SP13 seeks planning obligations to offset the impacts of the development on local services and infrastructure in light of the Council's Infrastructure Delivery Plan (IDP). The Council adopted a Borough-level Community Infrastructure Levy on April 1st 2015. Consequently, planning obligations are much more limited than they were prior to this date, with the CIL levy used to fund new education, healthcare and community facilities to meet the additional demand on infrastructure created by new residents.
- 8.103 The NPPF requires that planning obligations must 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.
- 8.104 Regulation 122 of the CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.
- 8.105 The applicant has agreed to meet the entire financial obligation requirements calculated in accordance with LBTH guidance. These are:
- a) £62,256 towards construction phase employment skills and training
 - b) £3,046 towards end-user phase employment skills and training
 - c) £9,000 towards carbon off-setting
 - d) £3,500 monitoring fee (£500 per each substantial Head of Terms)
- Total financial contribution: £77,802
- 8.106 The non-financial obligations include:
- a) Affordable housing (35% by habitable room)
 - 37 affordable rented units
 - 20 intermediate units
 - e) Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 9 construction phase apprenticeships
 - f) Car Free
 - g) Travel Plan
 - h) Publicly Accessible Open Space
 - i) Compliance with Considerate Constructors Scheme & LBTH Code of Construction Practice
- 8.107 All of the above obligations are considered to be in compliance with aforementioned policies, the NPPF and CIL Regulations tests.

Financial Considerations

8.108 Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that the authority shall 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,
- Any other material consideration.

8.109 Section 70(4) defines “local finance consideration” as:

- A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.110 In this case, the proposed development would be liable for Tower Hamlets and the London Mayor’s Community Infrastructure Levy.

8.111 The estimated liability (including estimated indexation and social housing relief) is as follows: London Mayor’s CIL of £358,533.57 and LBTH CIL of £573,905.07.

8.112 Using the DCLG’s New Homes Bonus Calculator, this development is likely to generate approximately £292,929 of New Homes Bonus in the first year and a total payment of £1,757,572 over 6 years.

8.113 These financial benefits are material considerations of some weight in favour of the application.

Health Considerations

8.114 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals while the Council’s policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people’s wider health and well-being.

8.115 The proposal raises no unique health implications, and would not prejudice the opportunity of, residents, neighbours or members of the public to benefits from appropriate living conditions and lead healthy and active lifestyles. The play space and communal amenity space proposed would be in excess of policy requirements.

Human Rights Considerations

8.116 Section 6 of the Human Rights Act 1998 prohibits authorities from acting in a way which is incompatible with the European Convention on Human Rights. The relevant rights include:

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person’s civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;

- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

8.117 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as a local planning authority.

8.118 Members need to satisfy themselves 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 local planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must carefully consider the balance to be struck between individual rights and the wider public interest.

Equalities Act Considerations

8.119 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to:

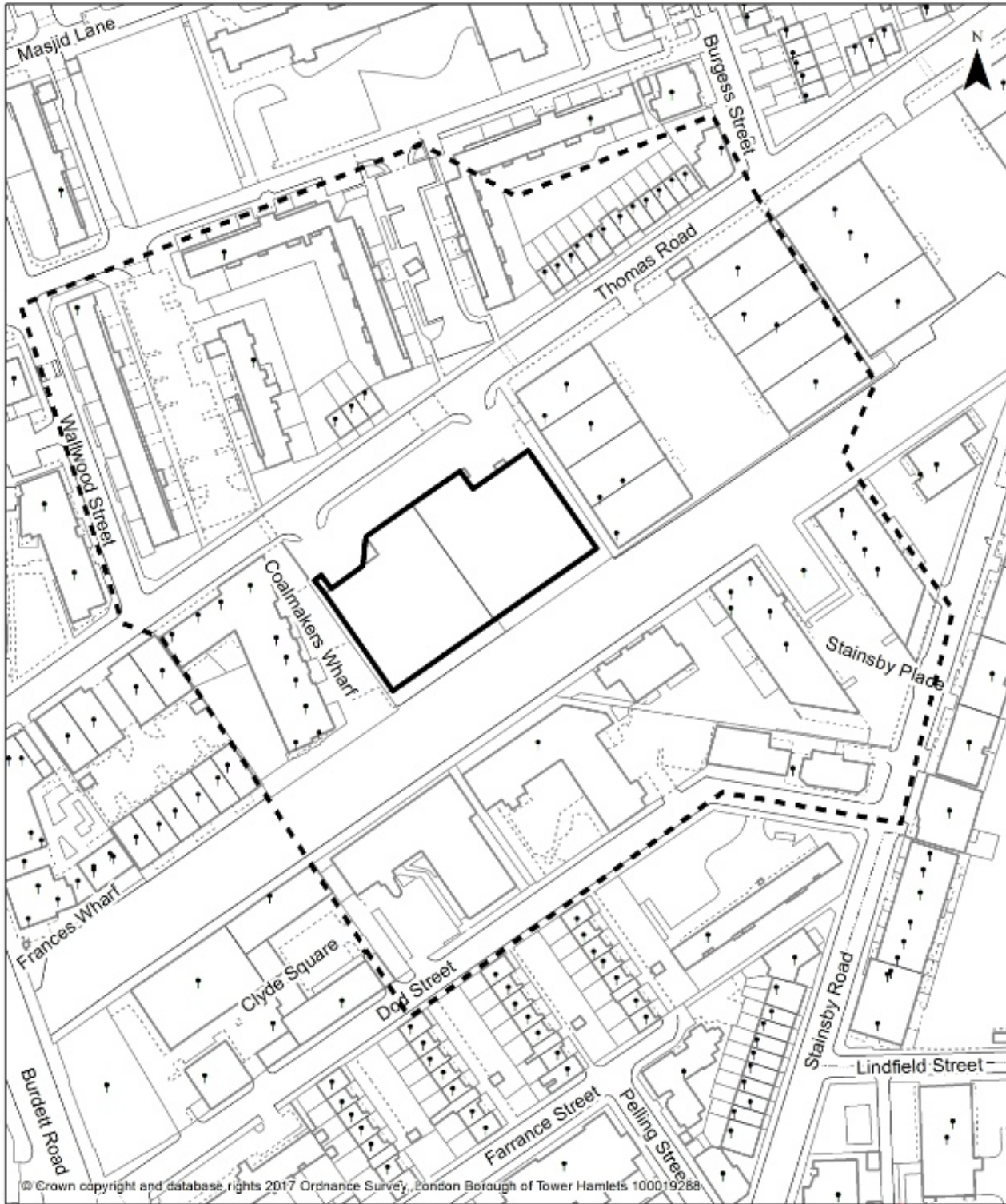
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a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

9.0 CONCLUSION

9.1 All other relevant policies and considerations have been taken into account. It is recommended that full planning permission should be GRANTED.

10.0 SITE MAP

10.1 Please refer to the next page of this report.



- ↑ Land Parcel Address
- Consultation Area
- Planning Application Site Boundary
- Statutory Listed Buildings
- Locally Listed Buildings

Scale @ 1:1,500
 20 10 0 20 40 60 Meters

Planning Application Site Map PA/16/01041

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.



GIS for
Place Directorate
LONDON BOROUGH OF TOWER HAMLETS
Date: 10/04/2017



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