

STRATEGIC DEVELOPMENT COMMITTEE

Thursday, 20 September 2018 at 6.30 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 John Pierce
Vice Chair : Councillor Abdul Mukit MBE
Councillor Dan Tomlinson, Councillor Dipa Das, Councillor Kevin Brady, Councillor Val Whitehead, Councillor Zenith Rahman and Councillor Rabina Khan

Substitutes:

Councillor Kyrsten Perry, Councillor Asma Begum and Councillor Marc Francis

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Tuesday, 18 September 2018**
Please contact the Officer below to register. The speaking procedures are attached
The deadline for submitting material for the update report is **Noon Wednesday, 19 September 2018**

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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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 7 - 10)

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 11 - 20)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 24th July 2018.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 21 - 22)

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director 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 Strategic Development Committee.

| PAGE NUMBER | WARD(S) AFFECTED |
|------------------------|-----------------------------|
|------------------------|-----------------------------|

4. DEFERRED ITEMS

None.

5. PLANNING APPLICATIONS FOR DECISION

23 - 24

5.1 Former London Chest Hospital, Bonner Road, London, E2 9JX (PA/16/03342 and PA/16/03343)

25 - 144

Bethnal
Green

Proposal

Planning permission for demolition of all existing buildings on-site (excluding main hospital building and sanitation tower) to redevelop the site to provide 291 residential units (Use Class C3) and 428sqm non-residential institution space (Use Class D1) with the new residential units located within an enlarged main hospital building and within the erection of three new buildings (rising to a maximum of 8 storeys which includes a lower ground floor internal courtyard storey) with associated works to built heritage, selected removal of TPO trees, plus new tree planting and landscaping works, provision of 9 disabled car parking spaces and other works incidental to the development.

Listed Building Consent for works to main hospital building including; demolition of south wing and other extensions to the rear of the main building, extension across the rear of main building, removal of existing roof structure to the main building and erection of new roof, including removal and replacement of existing chimneys to roof, removal and replacement of roof dormers, alterations to the building including the removal and replacement of all windows, various internal alterations, and associated works of repair across main building; demolition of all other ancillary buildings on site; and repair and reinstatement placement where necessary of site boundary railings

Officer Recommendation:

That the Strategic Development Committee resolves to GRANT full planning permission subject to any direction by The Mayor of London, the prior completion of a legal agreement to secure obligations; conditions and informatives on the planning permission.

That the Strategic Development Committee resolves to GRANT listed building consent subject to conditions.

Proposal

FULL PLANNING APPLICATION: PA/18/00528

Demolition of the existing buildings, with the exception of 21-22 Gillender Street (Magnolia House), and redevelopment of the site to provide 307 residential units (Use Class C3), 1,815 sq m of commercial floorspace (Use Class B1) and 100 sq m of flexible commercial/retail floorspace (Use Class A1/A3/B1) within three buildings of 8 storeys (42.9m AOD), 16 storeys (67.0m AOD) and 20 storeys (78.5m AOD) with public and private amenity spaces, together with disabled car parking, cycle parking and associated landscaping.

LISTED BUILDING CONSENT: PA/18/00520

Remedial works to Grade II listed wall that forms the north wall of the Dowgate Wharf P B Burgoyne and Company Limited Warehouse (List Entry UID: 1065050) in association with redevelopment of the site at 20 -22 Gillender Street for demolition of the existing buildings, with the exception of 21-22 Gillender Street (Magnolia House), and redevelopment of the site to provide 307 residential units (Use Class C3), 1,815 sq m of commercial floorspace (Use Class B1) and 100 sq m of flexible commercial/retail floorspace (Use Class A1/A3/B1) within three buildings of 8 storeys

Officer Recommendation:

That subject to any direction by the London Mayor, planning permission is APPROVED subject to the prior completion of a legal agreement to secure planning obligations; conditions and informatives.

That the application for the Listed Building Consent is APPROVED, subject to conditions.

6. OTHER PLANNING MATTERS

None.

**Bethnal
Green**

Next Meeting of the Strategic Development Committee

Thursday, 25 October 2018 at 6.30 p.m. to be held in Council Chamber, 1st Floor,
Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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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:-

Asmat Hussain Corporate Director of 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 6.30 P.M. ON TUESDAY, 24 JULY 2018

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

Members Present:

Councillor John Pierce (Chair)
Councillor Abdul Mukit MBE
Councillor Dan Tomlinson
Councillor Dipa Das
Councillor Kevin Brady
Councillor Val Whitehead
Councillor Zenith Rahman

Other Councillors Present:

Councillor James King

Apologies:

Councillor Rabina Khan

Officers Present:

| | |
|--------------------|--|
| Paul Buckenham | – (Development Manager, Planning Services, Place) |
| Jerry Bell | – (Area Planning Manager (East), Planning Services, Place) |
| Elizabeth Donnelly | – (Senior Planning Officer, Place) |
| Amanda Helliwell | – (Legal Services, Governance) |
| Graham Harrington | – (Planning Officer, Place) |
| Alison Thomas | – (Head of Housing Strategy, Partnerships and Affordable Housing, Place) |
| Joseph Ward | – (Development Viability Team Leader, Place) |
| Zoe Folley | – (Committee Officer, Governance) |

The agenda order was varied at the meeting to consider item 8.1, 21 Buckle Street Public Inquiry reasons for refusal (PA/16/01612) before 7.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612). For ease of reference, the items are listed in the minutes in the order that they appeared on the agenda.

1. ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2018/19.

It was proposed by Councillor Kevin Brady and seconded by Councillor Dipa Das and **RESOLVED**

That Councillor Abdul Mukit MBE be elected Vice-Chair of the Strategic Development Committee for the Municipal Year 2018/2019.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Dipa Das declared a non disclosable personal interest in agenda item 7.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612) as she had met with Steve Stride, (one of the speakers registered to address the Committee in support of the application) to discuss local services after the local election.

Councillor Zenith Rahman declared a non disclosable personal interest in agenda item 7.1, Chrisp Street Market, Chrisp Street, London (PA/16/01612). This was on the grounds that she was the Vice- President of the Bromley by Bow Centre and they worked with Poplar HARCA who were one of the applicants (along with Telford Homes) for the application.

Councillor Val Whitehead declared a non disclosable personal interest in agenda item 7.1, Chrisp Street Market, Chrisp Street, London (PA/16/01612) as she had met with Steve Stride, to discuss local services after the local elections.

3. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 15th February 2018 and the extraordinary meeting held on 28th February 2018 be agreed as a correct record and signed by the Chair.

4. 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.

5. STRATEGIC DEVELOPMENT COMMITTEE'S TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF FUTURE MEETINGS

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

That the Strategic Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to the report be noted.

6. DEFERRED ITEMS

No deferred items.

7. PLANNING APPLICATIONS FOR DECISION

7.1 Chrisp Street Market, Chrisp Street, London (PA/16/01612)

Update report tabled.

Paul Buckenham (Planning Services) introduced the application for the comprehensive redevelopment of the site comprising the demolition of existing buildings (with the exception of the Festival of Britain buildings, Clock Tower and Idea Store) for the erection of new residential buildings (including the re-provision of the existing affordable residential units); existing market enhancement, the reconfiguration, replacement and provision of new commercial uses and associated works.

The Chair invited registered speakers to address the Committee.

Objector's case

Mr Murtuza Hasanie (local trader), Sue Brian and Terry Mcgrenera (local residents) addressed the Committee. Concern was expressed about the planning application documents, especially the applicant's transport study in respect of the need for customer parking spaces. They questioned its methodology and that it was carried out independently. Their own survey showed that most of the trips to the market were car born. Businesses and customers relied on these spaces so it would adversely affect them. They also expressed concern about the loss of existing services in view of the absence of a written agreement guaranteeing 'like for like' services for traders and the loss of trade during the construction phase.

It was also considered that there was a lack of consultation and engagement over the plans. A ballot of residents should have been carried out in compliance with the Mayor of London's requirements in respect of estate regeneration.

There would also be a lack of social and affordable housing particularly for the existing residents under the proposed equity share option. This would lead to the displacement of leaseholders. Steps should be taken to increase the level of affordable housing.

The proposal would also harm residential amenity late at night due to the increase in establishments such as restaurants that could apply for a late night license.

Concern was also expressed about the loss of the existing shops and the need for the new shops and cinema etc.

In response to Members questions, they clarified their concerns about the applicant's parking study. It was considered that the organisation that conducted the survey had been appointed to negotiate with traders rather than carry out a survey. They stressed the need for like for like services especially loading bays with suitable delivery times for smaller traders and customer car parking to meet current business needs.

They also responded to questions about the loss of residents homes, the affordability of the new units, the impact of the proposal on residential amenity and the adequacy of the consultation.

Councillor James King addressed the Committee. He considered that the viability assessment should be reviewed to better understand the risks and to maximise the amount of affordable housing that could reasonable be provided. He answered questions from Members about the discrepancies in the various viability appraisals submitted to the Council and the GLA.

Applicant's case.

Scott Hudson, (Planning consultant), Steve Stride (Poplar HARCA) and Shabel Khan (local resident), spoke in support of the application. They confirmed that the plans had been updated since the February 2018 Committee meeting as set out in the Committee report. There would be more affordable housing, over and above what was currently on site. This included two and three bed affordable units. There would be no net loss of social housing. There would also be no increase in A4 drinking establishments. Furthermore, the car parking plans complied with policy. Additional on street pay and display bays could potentially be provided. The scheme would deliver a wide range of community benefits, including a variety of shops, a new market place with enhanced facilities, a family orientated night time economy, jobs and a guaranteed space for the post office. Further consultation had been carried out. The feedback indicated that there was widespread support for the proposals.

In response to Members questions, the speakers explained in further detail the scope of their engagement with the market traders and residents. They also highlighted their reasons for providing a number of 2-3 bed affordable units rather than 5 bed units. Judging by the housing waiting list, these types of units were most in demand in the Borough. The housing mix broadly complied with policy.

There would be measures to assist existing traders, such as the provision of rent concessions over a number of years. It was planned that the new development would accommodate a diverse mix of both new and existing businesses and give local people a greater choice of services.

The car parking plans, including the loss of parking spaces, complied with policy as shown by the applicant's independent review. The plans would help reduce air pollution. The plans would be kept under review.

The speakers also provided reassurances about the decantation strategy, including the equity review option for existing residents. This had worked well elsewhere. They also answered questions about the affordable housing review mechanism, and the establishment of a liaison forum to discuss and resolve issues with people with a direct interest in the scheme.

Presentation.

Graham Harrington (Planning Services) presented the application describing the site and the character of the surrounding area. The Committee were also advised of the relevant policy site designations and the key features of the application in terms of the layout, the building heights and massing. They also noted verified views of the proposal from the surrounding area.

Consultation had been carried out. The number of representations received for and against and the nature of the objections were noted.

Members were advised that this application for planning permission was considered by the Strategic Development Committee on 15th February 2018.

The application was recommended for approval. However, members resolved to defer the application for further consideration and information on the following issues:

- The level of affordable housing being provided.
- The applicant's consultation with the local community.
- The increase in A4 (Drinking Establishments) in terms of the measures to mitigate any adverse impact from such uses.
- The measures to safeguard the Post Office within the development.
- Details of car parking plans.

In accordance with the Council's Constitution, the application was deferred to enable Officers to prepare a supplementary report to a future meeting of the

Committee addressing the above issues. It was not possible to bring the application back to the Committee before the 2018 Local Election, so it was necessary to bring it back as a new application to the Committee.

The Committee noted the amendments to the application and the further information supplied since that meeting addressing the above issues.

In land use terms, the proposal complied with policy. The applicant had revised the application to remove the proposed additional pub/bar and instead proposed that Unit 301 would be used for A3 purposes (Café/Restaurant). This meant that the application now before the Committee would not result in a net increase in A4 (Drinking Establishments) uses.

The applicant had also confirmed that as part of this purchase, it had entered into a contract with Post Office Ltd such that it had the option of taking a lease and occupying one of two proposed ground floor spaces. The Post Office had withdrawn its previous objection to the application and it could continue to operate during the construction phase.

It was noted that there would be some loss of office floor space, but an overall increase in good quality commercial space. There were also measures to help existing community facilities relocate and to retain the Police Station as set out in the Planning obligations.

The density of the proposal complied with the guidance in the London Plan

There would be a net gain in affordable housing compared to what was on site already. This represented 35.8% of the housing mix by habitable room and a net increase of 11.9% affordable units. There would be an overprovision of one bed affordable units and a slight under provision of 3 and 4 bed units. The units would be of a good quality and the overall housing mix broadly complied with policy.

The density of the proposal complied with the requirements in the London Plan. The child play space met the policy standards.

The application scheme would be car free (with the exception of 10 blue badge spaces for disabled residents within the site). The proposed car parking provision, including the loss of the existing car park, was supported by the Mayor of London and TfL. There was potential to provide additional on street pay and display spaces for visitors to the market. However to secure this, an agreement would need to be reached with the Council and the applicant, in consultation with residents.

The proposal would not significantly adversely impact the amenity of surrounding residents and building occupiers. Therefore, the proposed development was in accordance with relevant policy and thus acceptable in amenity terms in view of the urban setting.

Contributions had been secured as set out in the committee report.

Officers were recommending that the proposal be granted planning permission.

Committee's questions.

In response to the presentation, the Committee asked questions about the affordable housing and the operation of the viability review mechanism to secure more affordable housing if possible. The Committee also sought assurances about the number of affordable units including the number of larger family units and the grant support for the scheme.

Members also asked questions about: the amenity impacts on the surrounding residents and the Lansbury Lawrence School, the retention of the Festival of Britain buildings, the heritage issues, fire safety matters, the micro climate measures and the consultation carried out with the tenants and leaseholders.

In responding, Officers explained the process for carrying out the viability assessment and the proposed schedule for the reviews at various stages of the scheme. It was also explained that the issues in respect of the deficit would need be addressed, before additional affordable housing could be sought in line with the requirements.

It was confirmed that the scheme would result in a net increase in affordable housing compared to what was on the site already– in addition to the retained festival of Britain buildings. Officers were satisfied with the number of family sized units being provided given that the number of two to three bed units only just fell marginally short of the policy targets. It was also confirmed that since the February meeting, the GLA had provided grant funding for additional affordable units. The Council also would explore the option of providing funding for additional Tower Hamlets Living rent units. It was also noted that any further increase in the grant support for the affordable housing could have negative consequences on the level of affordable housing.

It was also confirmed that the impacts on amenity in terms of sunlight and daylight would mostly be minor in nature and on the whole be acceptable. It should be noted that in some instances, particularly in respect of 10 Chrisp Street, the impacts could be attributed to the design of the developments themselves due to the position of balconies that shaded windows underneath. Whilst the Lansbury Lawrence School would experience a slight loss of light, the impact was found to be acceptable. The school had been consulted and had raised no objections about the plans. The Council assessment had been independently reviewed

It was confirmed that the design of the scheme would be of a high quality. It had taken it's references from the surrounding buildings. The impact on the Festival of Britain buildings should be a positive one. There was a condition requiring that details of the materials be submitted.

There would be measures to reduce the carbon emissions. This included financial contributions for carbon offsetting. Officers were satisfied that the applicant had done all that they could in respect of this matter.

Responsibility for the fire safety was a matter for the building control department, but it was noted that the applicant would install sprinkler systems.

The applicant had carried out a lot of consultation with the tenants and leaseholders and with the GLA. All in all, officers consider that the applicant had carried out high quality and thorough consultation on its proposals at both the pre-application and application stages. The requirement to ballot residents only came into effect recently following the completion of the scheme. Therefore, it did not apply to this scheme as it could not be applied retrospectively

Overall, it was considered that the applicant has addressed the issues raised at the February meeting and that the proposals complied with policy.

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

1. That subject to any direction by the London Mayor, Planning permission be **GRANTED** at Chrisp Street Market, Chrisp Street, London for the comprehensive redevelopment of the site (the full description of the proposal is set out in the Committee report) (PA/16/01612)subject to:
2. The prior completion of a legal agreement to secure the planning obligations set out in the Committee report
3. That the Corporate Director for Place is delegated authority 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 for Place is delegated power to refuse planning permission.
4. That the Corporate Director for Place is delegated authority to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report:
5. Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Place.

8. OTHER PLANNING MATTERS

8.1 21 Buckle Street Public Inquiry reasons for refusal (PA/16/01612)

Paul Buckenham (Planning Services) introduced the application seeking the Committee's permission to delegate to Officers authority to remove reason 3 from the proposed reasons for refusal for the public inquiry for 21 Buckle Street. The reason for this was that Officers considered that it would be very difficult to defend this reason at the appeal on planning grounds. It was also considered that the matter should be brought to the Committee since it made the original decision and in the interests of transparency.

Elizabeth Donnelly (Planning Services) presented the report, providing an overview of the application. The application was originally considered by the Committee in August 2017 and the Committee were minded to refuse the application. At its meeting on 4th October 2017, the Committee received an updated report in line with the Committees procedures, and resolved to refuse the application for four reasons as set out in the report.

The Committee were reminded of the full wording of the suggested third reason, relating to the need for short term accommodation.

The Committee were recommended that this ground should be removed given the issues set out in the report in respects of the policy grounds and lack of evidence to support the reason.

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

1. That officers be delegated authority to advise the Planning Inspectorate and the appellant that refusal reason 3 in respect of the public Inquiry for 21 Buckle Street (PA/16/01612) will not be defended by the Council at the Appeal Inquiry and that this can be agreed as part of an updated Statement of Common Ground.

The meeting ended at 9.45 p.m.

Chair, Councillor John Pierce
Strategic Development Committee

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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 5

| | | | |
|---|---|--|------------------------|
| Committee: Development | Date: 20 th September 2018 | 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 2016
 - 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 the Planning Practice Guidance.
- 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

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

Development Plan unless material planning considerations support a different decision being taken.

- 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 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, 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 relevant Agenda Item.

5. RECOMMENDATION

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

Agenda Item 5.1

| | | | |
|---------------------------------|-------------------------------------|--|----------------------------|
| Strategic Development Committee | Date: 20th September 2018 | Classification: Unrestricted | Agenda Item Number: |
|---------------------------------|-------------------------------------|--|----------------------------|

| | |
|--|--|
| Report of: Place Directorate | Title: Applications for Planning Permission and Listed Building Consent |
| Case Officer: Gareth Gwynne | Ref Nos: PA/16/03342 and PA/16/03343 |
| | Ward/s: Bethnal Green |

1.0 APPLICATION DETAILS

Location: Former London Chest Hospital, Bonner Road, London, E2 9JX

Existing Use: Vacant former hospital site

Proposals

No 1 Planning permission for demolition of all existing buildings on-site (excluding main hospital building and sanitation tower) to redevelop the site to provide 291 residential units (Use Class C3) and 428sqm non-residential institution space (Use Class D1) with the new residential units located within an enlarged main hospital building and within the erection of three new buildings (rising to a maximum of 8 storeys which includes a lower ground floor internal courtyard storey) with associated works to built heritage, selected removal of TPO trees, plus new tree planting and landscaping works, provision of 9 disabled car parking spaces and other works incidental to the development.

AND

No. 2 Listed Building Consent for works to main hospital building including; demolition of south wing and other extensions to the rear of the main building, extension across the rear of main building, removal of existing roof structure to the main building and erection of new roof, including removal and replacement of existing chimneys to roof, removal and replacement of roof dormers, alterations to the building including the removal and replacement of all windows, various internal alterations, and associated works of repair across main building; demolition of all other ancillary buildings on site; and repair and reinstatement placement where necessary of site boundary railings

Drawings & Documents: See Appendix 2 and 3

Applicant: Crest Nicholson Operations Ltd

Ownership: Bonner Road LLP

Conservation Area: Victoria Park Conservation Area

Historic Building: The Main Hospital Building, Dwarf wall, Iron Railings, Entrance Gate and Gas Lamp are Grade II Listed

2.0 EXECUTIVE SUMMARY

- 2.1 The Council has considered the particular circumstances of the planning application against the Council's Development Plan policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan (MALP) 2016, the National Planning Policy Framework, relevant supplementary planning documents, material considerations and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 with respect to the impact of the scheme upon Victoria Park Conservation Area.
- 2.2 The Listed Building Consent has been assessed in the context of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which places a duty on Local Planning Authorities to give special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. It has been assessed against the relevant policies in the Council's Development Plan contained in the London Borough of Tower Hamlets adopted Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan (MALP) 2016 and the National Planning Policy Framework and relevant supplementary planning documents.
- 2.3 The scheme would provide 291 new homes that accord with London Plan and Local Plan policy objectives for delivering new housing of a good residential standard. The application proposes 35% affordable housing by habitable room (86 units) on a 73:27 split between affordable rented and intermediate housing by habitable room.
- 2.4 The proposed level of affordable housing has been independently assessed on behalf of the Council and found to represent the maximum reasonable amount of affordable housing deliverable within the scheme.
- 2.5 The proposed scheme would result in significant, albeit less than substantial, harm to the significance of the Grade II listed hospital building owing to the loss of various historic elements including the south wing, the main roof, and the remaining expanse of the rear elevation. There would be some harmful impacts to the setting of the hospital building arising from the proximity and height of the proposed residential buildings, proposed within its curtilage. The scheme would also result in less than substantial harm to the character and appearance of the Victoria Park Conservation Area as a result of the location, scale and appearance of the new residential buildings.
- 2.6 The proposal would result in the loss of 27 trees across the site, including 11 trees subject to the site wide Tree Preservation Order. The proposed replacement planting along with the landscaping works is considered to provide adequate mitigation so as to ensure the green character of the area is preserved.
- 2.7 The scheme would provide significant public benefits including securing the listed hospital's future up keep and conservation, additional housing, affordable housing, guaranteed public access to the front lawn of the site and improvements to a number of elements of the heritage importance across the site including sensitive repair, refurbishment and alterations to the front facade of Hospital Building and the Victorian iron railings, that would together better reveal the significance of these elements of the listed building.

- 2.8 “Less than substantial harm” to heritage assets is required by policy and statute to be given significant weight against the granting of planning permission, unless the public benefits would be such that they would, on balance outweigh the harm. Officers consider that, on balance, the scale of the public benefits which the scheme delivers would outweigh the less than substantial harm to the significance of the Grade II listed Hospital Building along with the adverse impacts upon the character and appearance of the Victoria Park Conservation Area.
- 2.9 The proposals would include the relocation of a Black Mulberry Tree to a new position on the site. The scale of the public benefits deliverable through the scheme is considered to outweigh the potential risk of the veteran Black Mulberry Tree not surviving the proposed relocation.
- 2.10 The proposed development would result in some reductions to daylight and sunlight to neighbouring properties along St James’s Avenue and Bonner Road. However, these reductions are, in part, a result of the design of the existing buildings and are not considered to be of a magnitude to warrant the refusal of the planning application.
- 2.11 In highway, servicing and transportation terms the scheme is considered acceptable, subject to use of appropriate planning conditions and fully mitigating potential additional pressures the scheme may place on surrounding on-street parking (outside the existing Parking Management Schemes (PMS)) through a review of the operation of PMS secured by a Section 106 agreement. The Section 106 agreement would also include a clause to prevent residents from obtaining an on-street residential parking permit.

3.0 RECOMMENDATIONS

3.1 That the Strategic Development Committee resolves to GRANT full planning permission subject to:

- A. Any direction by The Mayor of London
- B. The prior completion of a legal agreement to secure the following obligations:

3.2 Financial obligations:

- a) A contribution of £79,204 towards employment, skills, training and enterprise during the construction stage;
- b) A contribution of £340,506 towards carbon offsetting;
- c) A contribution of £30,000 towards parking surveys and investigating future changes to parking regimes
- d) A contribution of £70,000 for works to improve pedestrian environment junction at Old Ford Road and Sewardstone Road
- e) A contribution of £8,000 (£500 per head of term) towards monitoring compliance with the legal agreement.

Total financial contributions: £527,710

3.3 Non-financial obligations:

- a) Delivery of 35% Affordable Housing on a 73:27 split in favour of affordable rented accommodation;
- b) Early stage viability review mechanism;
- c) 16 construction phase apprenticeships;
- d) Access to employment and construction - 20% local goods/service procurement and 20% local jobs at construction phase;
- e) Permit free agreement restricting future residents from applying for parking permits;
- f) Travel Plan;
- g) Compliance with Code of Construction Practice;
- h) S.278 highways agreement the council securing public realm improvement works;
- i) Commitment to provide on-site facilities in connection with bus services;
- j) The securing of public access to the front lawn during hours of daylight;
- k) Phased delivery plan to ensure works to listed building are delivered timely and completed prior to full occupation of the new residential blocks;
- l) Future on-going maintenance agreement for bus drivers facility
- m) Retained architects for the discharging of conditions and build out of the scheme.
- n) Watching Brief to preserve and maintain historic features in main hospital range

3.4 That the Corporate Director for 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 Corporate Director for Place is delegated power to refuse planning permission.

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

3.6 Conditions:

Prior to commencement:

- 1. Construction Environmental Management Plan and Construction Logistics Plan to include compliance with GLA's NRMM emission and dust monitoring throughout construction phase;
- 2. Ground contamination site investigation;
- 3. Piling method statement in consultation with Thames Water;
- 4. Thames Water capacity study;
- 5. Updated bat survey (precautionary survey prior to demolition);
- 6. Full details of method of relocation of Mulberry Tree including results of non-invasive root investigation;
- 7. Archaeological scheme of investigation (prior to commencement excluding demolition)
- 8. Full details of bus drivers facility including interim provision arrangements during demolition and construction phase.

Prior to Superstructure Works:

- 9. Full details of biodiversity mitigation and enhancements;
- 10. Details within affordable rented tenure units of wheelchair accessible residential units
- 11. Surface water drainage scheme;
- 12. Details of proposed cycle parking;
- 13. Details of all external CCTV and lighting;

14. A fire safety strategy and method statement

Prior to commencement of relevant works

15. Details of all hard and soft landscaping including tree planting, external lighting, play equipment, CCTV, open space furniture
16. Details and specification of all external facing materials, including specification of external glazing and balustrading;

Prior to Occupation Conditions:

17. Agreed works to tower to be carried out prior to occupation of any residential units within Block H
18. Details of landscaping including lighting strategy, play equipment, CCTV apparatus to occupation of relevant building;
19. Delivery of energy strategy;
20. Waste and Service Management Plan
21. Ground contamination verification report;
22. Details of electric vehicle charging points;
23. Confirmation that all proposed plant complies with noise level limits;
24. Details of extraction and ventilation for D1 use;
25. Secure by Design accreditation;
26. Noise insulation measures to residential units and playspaces

Within 6 months of completion

27. As built calculations of CO2 saving
28. Achievement of Final BREEAM Excellence Certificate

Compliance Conditions:

26. Permission valid for 3 years;
27. Development in accordance with approved plans;
28. Inclusive access standards for residential units, provision of lifts
29. Hours of construction;
30. Hours of operation of the D1 use to be limited to 7.30am to 6.30pm Monday to Friday and 9am to 6pm Saturday and Sundays
31. Refuse storage to be provided prior to occupation and retained in perpetuity;
32. Cycle storage to be provided prior to occupation and retained in perpetuity.
33. Obscure glazing to north-east facing windows within Sanitation tower
34. TfL bus drivers toilet provision for life of the development
35. Permitted Development rights removed for extensions or change of use of D1 Space
36. If possible clearing of vegetation should take place outside months of September and February inclusive.

Informatives

1. Subject to S106 and S278 agreements;
2. CIL liable;
3. Thames Water informatives;
4. National Grid informative;

3.7 Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Place.

3.8 That the Development Committee resolves to **GRANT** listed building consent subject to the following conditions:

Conditions

1. Time Limit 3 years
2. Full historic building survey of existing listed building fabric, including ventilation system and structural survey of the central tower.
3. Full Schedule of repair works to listed building for agreement of LPA; to include brickwork repairs, stone carving restoration, works to cills, cornice etc
4. Full schedule of internal features and proposals for retention and repair, or salvage and reuse including piscena, commemorative plaques, annunciator system dials, lobby ceiling fireplaces, historic plaster and joinery, the main staircase.
5. Full recording of the main roof and the entire south wing prior to demolition.
6. If the historic ventilation system is uncovered during works the LPA must be notified and proposals for protection / recording prepared for the approval of the LPA. No removal /relocation should take place until recording is complete.
7. Details of scheme for retention and repair of the tower and retention of the 3rd floor structure
7. Details of proposals to make the retained parts of the main hospital building wind and weathertight following demolition and in preparation for alteration.

Prior to commencement of any relevant works

8. Full particulars / including justification of approach for details of works to:
 - a. Windows
 - b. Dormers
 - c. Chimneys
 - d. Floors
 - e. The main cantilevered staircase
9. Samples of materials to include (but not limited to)
 - a. Natural welsh slate
 - b. Brick for repairs

New extension

10. Full details provided of junction between existing fabric and the new extension.
11. Details of final appearance of roof and rear extension including samples of all new external materials, paint colours, windows, metal panels

Prior to occupation

- 12 Full details of site wide signage and internal signage within listed building
- 13 Details of site wide heritage interpretation
- 14 Schedule of repairs and method statement for the repair of the railings, to include details of the alterations proposed and the new site entrances

Compliance

- 15 Secure and protect existing features prior to commencement of and during works to include historic railings, staircases and balustrades, internal decorative plaster finishes, fireplaces, decorative or structural ironwork. Details to be provided for the agreement of the LPA
- 16 All new external & internal work including finishes shall where LPA deem relevant to match existing in respect of materials used, detailed execution and finished appearance
- 17 No demolition before contract let for completion of the entire scheme including refurbishment of the listed building
- 18 No new plumbing soil stacks flues, vents, ductwork or rainwater pipes fixed to the fact of the building without written agreement
- 19 No new grilles, security alarms, lighting, camera or display screens to be fixed to the exterior of the building

3.9 Any other condition(s) and/or informatives considered necessary by the Corporate Director of Place.

4.0 LOCATION, PLANNING DESIGNATIONS, PROPOSAL

Location Details and Site Description

4.1 The application site lies in the west of the Borough just to the south west of Victoria Park. The site is triangular in shape, bound by Approach Road, St James' Avenue and Bonner Road. The site measures approximately 1.61 hectares.



Figure 1: Site Location Plan

- 4.2 The site was previously occupied by the London Chest Hospital until it was vacated by the Barts Health NHS Trust in April 2015.
- 4.3 The site comprises the main hospital building, first built in 1855, along with historic additions to this building including the South Wing (1865) and the Sanitation Tower (1892). There are also a number of post-war additions to the site including the existing north wing to the hospital building. This replaced the historic north wing which suffered extensive bomb damage during the blitz. Further twentieth century buildings on the site include a separate block of nurses' accommodation to the east of the site set towards St James's Avenue and various piecemeal blocks which accommodated administrative and ancillary functions of the hospital site. The site is contained within Victorian iron railings with ornate entrance gates.
- 4.4 The Main Hospital Building, South Wing and Sanitary Tower, together with the Victorian gas lamp, dwarf wall, iron railings and entrance gate were statutory Grade II listed 18th April 2016.
- 4.5 To the east of the site, on the eastern side of St James' Avenue, lies the St. James-the-less Church and the St James-the-less Vicarage, both of which are Grade II listed along with the railings at the street frontage. To the north of the site, the Bonner Bridge which passes over the Regent's Canal is a Scheduled Ancient Monument whilst the Bridge's Gate Piers are Grade II listed. The site and immediate surrounds lie within the Victoria Park Conservation Area.



Figure 2: Heritage assets in and surrounding the site.

- 4.6 The site has a strong green perimeter with a number of structural trees and large mature trees close to the boundary of the site. A total of 39 trees within the site are subject to a site wide Tree Preservation Order.
- 4.7 Vehicle access to the hospital site was previously from Approach Road, Bonner Road and St James's Avenue. The site is highly accessible and with the majority of the site benefiting from a Public Transport Accessibility Level (PTAL) rating of 5 / 6a (6b being the highest accessibility rating) A small section of land towards the north of the site has a PTAL rating of 3.
- 4.8 The surrounding townscape predominantly comprises three to five storey buildings which include the Raines Foundation School, Victorian terraces along Bonner Road, the Park View Estate dating from the 1950's and the Bethnal Green Methodist Church.
- 4.9 The majority of the site is located in and Archaeological Priority Area.



Figure 3: Aerial photograph of site

Proposals

- 4.10 Following the original submission of the application in December 2016, the proposals were subject to a comprehensive set of amendments in December 2017 and again in May 2018. The applicant provided a final amendment to the affordable housing provision in the scheme on 10th July 2018. These latest affordable housing amendments to the scheme did not involve any significant physical changes to the design of the scheme.
- 4.11 The proposals for determination seek permission that would see the demolition of the listed South Wing of the hospital building along with the rebuilt north wing, the central wing, the nurses' accommodation block and the remainder of the twentieth century buildings on the site.
- 4.12 A number of elements of the main hospital building would be retained, including the front façade and much of the internal fabric across lower ground to third floor level. The external fabric of the main building roof would be removed, along with the dormers and chimneys, and would be replaced with a new larger roof also incorporating dormers and chimneys. The central tower would be retained whilst the previously existing verandas wrapping around the south western corner of the building would be restored to their original open form. The proposals to the main building would see the creation of 50 residential units.
- 4.13 A further 241 residential units are proposed within three new residential buildings located towards the east of the site. These three buildings would vary in height from 4 to a maximum of 8 storeys and would be accessed from St James' Avenue.

- 4.14 The proposed residential mix by unit size is summarised in Table 1 below. By habitable room the scheme would provide 35% of the housing as affordable housing, with affordable units split 73 to 27 between affordable units and intermediate units.

Table 1: Summary of housing by unit bed spaces and residential tenure

| Dwelling Type | Private | Affordable (intermediate) | Affordable Rent) |
|----------------------|----------------|----------------------------------|-------------------------|
| Studio | 36 | 0 | 0 |
| 1 Bed | 74 | 13 | 11 |
| 2 Bed | 82 | 15 | 27 |
| 3 Bed | 13 | 0 | 15 |
| 4 Bed | 0 | 0 | 5 |
| Total | 205 | 28 | 58 |

- 4.15 Along with general landscaping works to the site, the proposal would see the removal of 27 trees from the site, including 11 subject to a site wide Tree Preservation Order. Replanting works to the site would consist of 21 semi-mature trees and 20 plus ornamental trees. The proposal would also see the relocation of the Black Mulberry Tree from its current location towards the north of the site to a position centrally within the front lawn.
- 4.16 The proposal would also see the provision of 428 sqm of flexible D1 (non-residential institution) space on the ground floor of the new residential building at the southern end of the site.

5.0 RELEVANT PLANNING HISTORY

On Site

- 5.1 **PA/16/03610** Tree works order granted 7th April 2016 to carry out pruning, preparation and relocation of Mulberry Tree (T82). Decision was quashed in the high court on 7th July 2017 owing to procedural issues on the part of LBTH.

Whilst there have been a number of other historic tree works applications on site, none are considered relevant to the current scheme.

Off Site

Raines Foundation School

- 5.2 **PA/10/01229** Planning permission and conservation area consent granted on 25th August 2010 for the demolition of rear and flank extensions including those to Approach and Bonner Roads to enable redevelopment of the site plus removal of 4 trees from within the school compound.

Sotherby Lodge, 41 Sewardstone Road

- 5.3 **PA/08/00153 (amended by PA/11/01592)** Planning permission and conservation area consent granted on 18th September 2008 for the demolition of the existing 3 storey building. Erection of a part 5, part 6 storey building to

provide 40 flats (15 x one bedroom, 16 x two bedroom and 9 x three bedroom).

6.0 LEGAL & POLICY FRAMEWORK

6.1 The Council in determining these applications has the following main statutory duties to perform:

- To determine the applications in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004);
- To have regard to local finance considerations so far as material to the application, and to any other material considerations (Section 70 (2) Town & Country Planning Act 1990);
- In considering whether to grant planning permission and listed building consent for development which affects the setting of a listed building, to have special regard to the desirability of preserving the setting of Listed Buildings (Section 66 (1) Planning (Listed Building and Conservation Areas) Act 1990);
- When considering the planning application to pay special attention to the desirability of preserving or enhancing the character or appearance of surrounding conservation areas (Section 72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).

6.2 For a complex application such as this one, the list below is not an exhaustive list of policies, it contains some of the most relevant policies to the application:

6.3 Core Strategy Development Plan Document (CS)

| | | |
|-----------|------|---|
| Policies: | SP01 | Refocusing 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 |
| | SP07 | Improving education and skills |
| | SP08 | Making connected places |
| | 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 |

6.4 Managing Development Document (MDD)

| | | |
|-----------|------|-------------------------------------|
| Policies: | DM0 | Delivering Sustainable Development |
| | 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 Transport of Freight
 DM22 Parking
 DM23 Streets and Public Realm
 DM24 Place Sensitive Design
 DM25 Amenity
 DM26 Building Heights
 DM27 Heritage and Historic Environment
 DM29 Zero-Carbon & Climate Change
 DM30 Contaminated Land

6.5 **LBTH Supplementary Planning Guidance/Documents**

- Planning Obligations Supplementary Planning Document (September, 2016)
- Development Viability SPD (October 2017)
- Community Infrastructure Levy (CIL) Regulation 123 List September 2016
- Victoria Park Conservation Area Character Appraisal and Management Guidelines (2009)

6.6 **The London Plan (with MALP amendments March 2016) Policies**

- 1.1 Delivering Strategic vision and objectives
- 2.1 London Global European and UK Context
- 2.5 Sub-regions
- 2.9 Inner London
- 2.13 Opportunity Areas and Intensification Areas
- 2.14 Areas for Regeneration
- 2.15 Town Centres
- 2.18 Green infrastructure
- 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
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 3.14 Existing Housing
- 3.16 Protection and Enhancement of Social Infrastructure
- 3.17 Health and Education Facilities
- 4.1 Developing London’s Economy
- 4.7 Retail and Town Centre Development
- 4.8 Supporting a successful and diverse retail sector
- 4.9 Small shops
- 4.11 Encouraging a connected economy
- 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
- 5.16 Waste Capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated Land
- 6.1 Strategic Approach to Integrating Transport and Development
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.5 Funding Crossrail
- 6.9 Cycling
- 6.10 Walking
- 6.11 Congestion and Traffic Flow
- 6.12 Road Network Capacity
- 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
- 7.9 Access to Nature and Biodiversity
- 7.10 Worlds Heritage Site
- 7.11 London View Management Framework (LVMF)
- 7.13 Safety, Security and Resilience to Emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.18 Open space
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning obligations
- 8.3 Community Infrastructure Levy

6.7 **London Plan Supplementary Planning Guidance/Documents**

- Housing Supplementary Planning Guidance (March 2016)
- Social Infrastructure (May 2015)
- All London Green Grid (March 2012)
- Shaping Neighbourhoods: Play and Informal Recreation SPG September 2012
- Sustainable Design & Construction SPG (April 2014)
- Accessible London: Achieving an Inclusive Environment SPG (October 2014)
- Control of Dust and Emissions During Construction and Demolition (2014) Best Practice Guide
- Shaping Neighbourhoods: Character and Context SPG (2014)
- Sustainable Design and Construction SPG (2014)

- Mayor of London's Climate Change Adaptation Strategy
- Homes for Londoners: Affordable Housing and Viability SPG Mayor of London's Affordable Housing and Viability SPG (2017)
- Planning for Equality and Diversity in London (October 2007)

6.8 **Government Planning Policy Guidance/Statements**

- The National Planning Policy Framework 2018 (NPPF)
- National Planning Practice Guidance
- National Housing Standards (October 2015)

6.9 **Other relevant documents**

- Tower Hamlets Local Biodiversity Action Plan 2014-2019
- Managing Significance in Decision-Taking in the Historic Environment Historic England Good Practice Planning Advice Note 2 (2015)
- The Setting of Heritage Asset, Historic Environment Good Practice Advice in Planning Note 3 (2015)
- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment, English Heritage (2008)
- Conservation Area Designation, Appraisal and Management – Historic England Advice Note 1 (2016)
- Making Changes to Heritage Assets, Historic England Advice Note 2 (2015)
- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011)
- The Town and Country Planning (Environmental Impact Assessment (Amendment) (England) Regulations 2011 SI 2011 No. 1824
- Ancient Woodland and Veteran Trees Standing Advice (Forestry Commission and Natural England (November 2017)

Emerging Planning Policies

6.10 **The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits**

Statutory public consultation on the 'Regulation 19' version of the above emerging plan commenced on Monday 2nd October 2017 and closed on Monday 13th November 2017. Weighting of draft policies is guided by paragraph 216 of the National Planning Policy Framework and paragraph 19 of the Planning Practice Guidance (Local Plans). These provide that from the day of publication a new Local Plan may be given weight (unless material considerations indicate otherwise) according to the stage of preparation of the emerging local plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the NPPF. Accordingly as Local Plans pass progress through formal stages before adoption they accrue weight for the purposes of determining planning applications. As the Regulation 19 version has not completed its process of examination by the Inspector, its weight remains limited. Nonetheless, it can be used to help guide planning applications and weight can be ascribed to policies in accordance with the advice set out in paragraph 216 of the NPPF.

The New London Plan

- 6.11 Statutory public consultation on the draft London Plan commenced on the 1st of December 2017 and closes on 2nd March 2018. The draft London Plan has been

submitted to the Secretary of State for examination. The current 2016 consolidation London Plan is still the adopted Development Plan. However, the draft London Plan is a material consideration in planning decisions. It gains more weight as it moves through the process to adoption, however, the weight given to it is a matter for the decision maker.

7.0 CONSULTATION RESPONSES

7.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

7.2 The following were consulted and made comments regarding the application, summarised below:

External

Historic England (HE)

Response to Full Planning Application: January 2018

7.3 *“Summary*

We welcome proposals that would enable the restoration of the listed building and its long term sustainable use. The proposals have been significantly amended over the past year, and we welcome these changes. However, there are still elements in the submitted application that will cause harm to the listed building, and LB Tower Hamlets will need to weigh this harm against public benefits when coming to a decision.

Advice

7.4 *Whilst we welcome the retention of the existing roof profile in the current proposals, our position remains very close to that set out in our previous advice letter. We welcome the broad approach to retain or restore the most significant elements of the Grade II listed building, but note that some harm will be caused, in particular through the loss of the south wing. We accept, however, that the proposals could result in a range of public benefits that could outweigh this harm.*

7.5 *Recommendation*

We urge you to mitigate as far as possible the harm caused to the historic environment, and consider carefully whether public benefits would be delivered that decisively outweigh any harm as part of your decision making process.”

Further Comment Received from HE, July 2018

7.6 *“The proposals cause some harm to heritage (loss of the slightly later wing, for example), but this is less than substantial harm and could be outweighed by public benefits. One of the major public benefits would be the restoration of the historic building and providing it with a long term sustainable use. It is important, therefore, to secure these benefits as part of a conditioned delivery plan.”*

7.7 **HE Response to Listed Building Consent Application:**

“The Borough are hereby authorised to determine the application for listed building consent as you think fit. In so doing so Historic England would stress that it is not expressing any views on the merits of proposal which are subject of the application

Greater London Authority (Stage 1 response received 22 January 2018)

Principle of Land Use

- 7.8 In light of the relocation and re-provision of healthcare services that previously existed on the application site prior to its closure to other nearby NHS facilities, and that the Council's Clinical Commissioning Group is content that existing and future healthcare need for this area will be met by new facilities in the vicinity, and subject to the Council confirming that no other form of local social infrastructure is needed as part of the sites redevelopment, the release of the majority of this site from its former healthcare use to enable the delivery of 300 new homes, including affordable housing, which will contribute towards meeting London's strategic housing need, and an element of new social infrastructure uses, is accepted and satisfactorily addresses the requirements of London Plan Policy 3.16 and policies S1 and S2 of the draft London Plan.

Heritage and Urban Design

- 7.9 The retention and restoration of the original hospital frontage of 1855 (including its later octagonal sanitation tower of 1892 and open cast iron balconies on the south east corner of 1900), its triangular front gardens and the mature trees, and railings around the perimeter of the site is strongly supported.
- 7.10 The revised proposals to replicate and repair the original single storey roof construction of the Main Hospital Building, as opposed to the construction of a double height roof, is also supported given the significant damage sustained to the original roof during WWII and unsympathetic alterations since then, and will deliver additional heritage benefits. The demolition of the unlisted twentieth century buildings which include the former nurses homes, and the north wing, raises no strategic issues.
- 7.11 GLA officers accept that the retention of the South Wing would have an impact upon the overall layout of the proposed development through the reduction in developable area, and would impact on the potential quantum of housing, and affordable housing, and increase in open space that could be otherwise delivered.
- 7.12 The revised scheme proposes to retain a bay elevation of the South Wing and reconstruct the end elevation in a style that replicates the existing Main Hospital Building and adds a matching projection on the site of the North Wing to create a symmetrical composition at the rear. This is considered a significant improvement on the original proposals and will create an appropriate memory of the South Wing (and indeed the North Wing), both of which would enhance the retained Main Hospital Building. While the loss of the substantial part of the South Wing is regrettable, given the partial retention described above, the harm caused is considered less than substantial.
- 7.13 The height and massing of the new build elements, which is predominantly five to six storeys in height, is consistent with the scale of the original hospital buildings and surrounding development, and will provide an appropriate level of enclosure to the surrounding street network. The increase in height to eight storeys at the northern corner of the site is supported in townscape terms and is not considered to harm the setting of the listed gate piers and the park. The scale of the new build elements which front St James's Avenue are similar in scale to the existing buildings both on and within the vicinity of the site, and while the proposed increase in scale of this frontage would alter the context of the listed Church and Vicarage buildings in some close range views, this change is not considered to cause harm to their setting or affect the viewers ability to appreciate the listed asset

7.14 GLA officers, having paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, consider that the proposed layout and massing of the new build elements will make a positive contribution to the wider Victoria Park Conservation Area.

Housing

7.15 The proposed affordable housing offer of 28% by habitable room is wholly unacceptable, particularly in light of the former public ownership of the site. The financial viability assessment will be subject to robust interrogation by GLA officers to ensure that the maximum contribution is delivered in accordance with policies H5 and H6 of the draft London Plan and policies 3.11 and 3.12 of the London Plan. Further information regarding tenures is required by GLA officers.

7.16 A significant number of units will not be dual aspect due to the depth of the returning wall but will nevertheless benefit from an improved outlook. The applicant should however, look to maximise the proportion of dual aspect units further. The high proportion of single aspect units in the converted hospital building is accepted due to the constraints of the historic building fabric that would be harmed should this be substantially altered.

(LBTH Officer Comment: The Stage 1 GLA report predates the final affordable housing offer, hence the 28% figure cited)

GLA Update – 6th September 2018 – Affordable Housing Provision

7.17 GLA officers welcome the applicant's commitment to increasing the affordable housing offer from 28% to 35% by habitable room as set out in the letter from Savills dated 10 July 2018. This revised offer responds positively to the threshold approach established by the Affordable Housing & Viability SPG, and the principles set out in the London Plan and the draft London Plan and is therefore supported in principle, subject to clarification on the proposed rental levels for the low cost rent units and the affordability criteria for the shared ownership units demonstrating this accommodation will be genuinely affordable.

17.18 Notwithstanding the above support, the Mayor has made clear his long-term strategic aim for 50% of new homes to be affordable and will use his funding powers to increase delivery. As set out in GLA report GLA/4105/01, all referable schemes are expected to make the most efficient use of available resources to achieve this objective and as discussed at the meeting, the applicant should explore the use of available GLA grant to increase the proportion of affordable homes.

Energy

7.19 the proposals meet the minimum onsite carbon reduction targets set within London Plan Policy 5.2 and Policy SI2 of the draft London Plan. GLA officers require further information to verify the savings claimed including further detail on overheating risk, efficiency modelling, the site heat network, combined heat and power and renewable technologies. Once all opportunities for securing further feasible on-site savings have been exhausted, a carbon offset contribution should be secured to mitigate any residual shortfall

Arboriculture

7.20 In accordance with Policy G7 of the draft London Plan, the applicant must demonstrate that the substitute trees will adequately replace the existing value of

the trees to be removed. The relocation strategy for the Mulberry Tree should be appropriately assessed by the Council's Arboricultural officers.

Transportation

- 7.21 The commitment to provide bus driver facilities is strongly supported. A cycle hire docking station and additional cycle parking should be provided to accord with Policy T5 of the draft London Plan and construction logistics and delivery and servicing plans should be secured by condition.

Transport for London (TfL)

Car Parking

- 7.22 On accessible car parking they are applying new London Plan standards of 3% provision. A Car Parking Design and Management Plan should be condition to show how initial and future provision of disabled persons parking spaces will be made, managed and enforced.

Cycle Parking

- 7.23 The scheme meets the adopted London Plan standards TfL. TfL advise the applicant to apply new London Plan standards, given the scheme is car free apart from accessible car parking.

Cycle Hire

- 7.24 TfL initially requested a cycle hire docking. TfL subsequently accepted site constraints preclude provision of a docking station

Bus Driver Provision

- 7.25 The applicant's Transport Assessment confirms provision of Bus Driver Facility on site, which TfL welcome. TfL outline a suggested way forward:-

1. A condition to provide the Bus Drivers' Facility (final form or interim arrangements) prior to commencing development.
2. Definition of what should be included in the Bus Drivers' Facility [but to include toilet facilities for drivers].
3. A plan showing general location of the facility, including walking routes from the bus stand.
4. A more detail drawing showing how the applicant proposes to meet the TfL specification.
5. Agreement with TfL about the future maintenance of the Bus Drivers' Facility and access arrangements.

London Borough of Hackney

- 7.26 No objections to the proposals.

Natural England

Statutory nature conservation sites – no objection

- 7.27 Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

- 7.28 The Council should apply Natural England's standing advice on protected species.

Biodiversity enhancements

- 7.29 This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities

for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

Victorian Society

Response dated 7 February 2017:

- 7.30 Proposals appear to be a slightly amended version of proposals drawn up on the assumption that the site did not merit listing. Design and access statement lists benefits which are not benefits e.g. retention of existing historic fabric. Alterations such as recreation of central spire and period dormers are harmful, historically inaccurate alterations.
- 7.31 Demolition of the south wing would be a regrettable loss. With the significant loss of historic fabric combined with the overdevelopment of the site, the level of harm to the heritage asset is cumulatively very high. This harm is substantial for the following reasons:
- 7.32 *'The new builds would rival the grandeur and prominence of the listed building, compromising the setting it was designed to be experienced in. If a redevelopment on this inappropriate scale is to be deemed acceptable, it must be on the grounds that most significant part of the heritage asset is treated properly'*
- 7.33 *'Arguing that the roof's significance has diminished to such an extent that its entire replacement is now acceptable, because it has been renewed in the past, is misguided. What is more important is the roof form and roof structure (according to Historic England's own guidance, often one of the most important features of a historic building) and both of these survive at the Chest Hospital. It is clear from the application material that a large number of the original roof trusses survive (blackened from soot following wartime bomb damage) and others may have been replaced, following the same format.'*
- 7.34 *This application is sufficiently flawed to warrant significant amendments being sought from the applicant, if not its refusal on the grounds of undue harm to the listed building's special historic and architectural interest.*

Response dated 7 February 2017:

- 7.35 Changes to design of the proposed roof are welcome. Proposals to roof are still of concern, including the treatment of the chimneys, the new dormer windows, and the treatment of the tower.
- 7.36 Advice has been sought from conservation engineers The Morton Partnership over whether or not the evidence in the structural report offers sufficient justification for the demolition and rebuilding of the chimneys on structural. Their conclusion is that there is no structural justification for demolishing the chimneys.
- 7.37 Application documents maintain that there is a good structural case for demolition and rebuilding of the tower, this argument is unconvincing. *"We understand that the structural integrity of the tower must be secured, but the presumption must be towards the conservation of historic fabric unless there are compelling structural reasons for demolition. The Structural Report does not offer such reasons. The tower is a significant surviving part of the original design of the hospital, both in form and in function. It was an important part of the hospital's innovative heating and ventilation system, and, although truncated, is still recognisable as a key aspect of the hospital's architectural language, recall as it does the belvederes that*

surmount some large 17th-century houses. It hence has both evidential and aesthetic value. The original fabric has largely survived wartime damage, and it is the opinion of The Morton Partnership that this fabric could feasibly be repaired. On all these grounds strongly object to the proposals for demolition.'

Response received 28 June 2018

- 7.38 Retention and refurbishment of the central tower welcomed. However proposals in respect of the chimneys have become vague and there appear to be contradictory statements across the submission documents.
- 7.39 The arguments put forward in the Heritage Statement for the replacement and repositioning of the chimneys are not considered credible.
- 7.40 The proposed new dormers fail to respect proportions of the historical dormers or the existing elevations. Size and position of two large proposed dormers below the central tower also necessitate the re-siting of chimneys, and are therefore unacceptable.
- 7.41 *In spite of the revisions the current proposals still entail high levels of harm to both the listed building and its setting, and your authority must weigh this harm against the public benefits of the proposals. In making your decision we urge you to consider carefully whether such public benefits are sufficient to outweigh the harm that the proposals will cause.*
- 7.42 For the above reasons The Victorian Society maintains its objection and encourages the authority to seek further amendments.

Greater London Archaeology Advisory Service

Response received 16 January 2017

- 7.43 Part of the site of the C16 palace of the Bishop of London lies within the northern area of the application site. It is also possible that the earlier medieval Manor House of Stepney, that was built and held by the earlier Bishops of London, may also survive within the application site.
- 7.44 Recommended that Field Evaluation & Further Historical Research should be undertaken. The nature and scope of assessment and evaluation should be agreed with GLAAS and carried out by a developer appointed archaeological practice before any decision on the planning application is taken.

Response received 2 January 2018

- 7.45 GLIAS's (Greater London Industrial Archaeological Society) recommendation for a historic buildings investigation condition with a high level of research and analysis of the results is appropriate on any forthcoming consent. The work should be undertaken by historic buildings specialists with experience in industrial archaeology and who can demonstrate awareness of the ventilation system's significance as has been outlined by GLIAS.
- 7.46 Having had the opportunity to examine the newly-submitted archaeological report, advise that a second condition for archaeological fieldwork is appropriate should the LPA grant this application. Pre-determination trenching produced limited results but was limited by on-site constraints. Although evidence for quarrying was

identified in some areas, identification of intact brickearth indicates that there remains potential for survival of archaeology relating to the history and development of the mediaeval and later Bonner Hall complex elsewhere within the site. Two separate conditions are therefore recommended

Response received 21 June 2018

- 7.47 Previous comments from 2 January 2018 remain applicable

Greater London Industrial Archaeological Society

Response received 23rd January 2017

- 7.48 The remains of the Hospital's original Heating and Ventilation system are of much technical importance and need to be thoroughly investigated and recorded for posterity.
- 7.49 The proposals to replace the roof with a much taller and larger one and rebuild the tower on a grander scale would constitute 'a pretentious piece of fakery', no longer demonstrating the original scale of this early Victorian building.

Response received 28 December 2017

- 7.50 Retention of profile of roof and central tower supported. However, object to demolition of entire roof and ventilation tower structure and recreation in matching fabric
- 7.51 Submitted structural report finds the building structurally sound and in a reasonable condition for its age. The report does not justify the replacement of the roof. The existing roof has archaeological interest, historical interest and technical interest. The technical interest is as follows:
- 7.52 *'Jeakes' system was designed to achieve an unprecedented level of control of temperature, humidity and ventilation. As part of this, the ventilation extracted from the various rooms was conducted to roof level and thence to the ventilation tower by means of individual brick ducts, formed like flues and embedded in the north-south spine wall. The List Description notes that very little visible trace of the system remains: that is because it is mostly concealed within brickwork and the vents have since been obscured. But documentary evidence indicates the ducts etc must still remain as built, concealed within the main spine wall (and with further features under floors and in vaults at sub-basement level).'*
- 7.53 *'Irrespective of decisions upon the points above, whether refurbishment or demolition, the works will allow the uncovering of many currently concealed details of the heating and ventilation system, which currently are understood only through limited drawings and descriptions. In view of the of importance of the system, and also in view of the lack of physical investigation of the contemporary alternative systems at the Royal Brompton Hospital (now converted to flats), we ask you to lay down a planning condition, that the disused warming and ventilation system at its various levels shall be investigated and recorded by buildings archaeologists, with appropriate specialist assistance, and that this work and its subsequent publication shall be to Historic England's Level 4.'*

Response received 28 June 2016

7.54 *We see that some further investigations have been made of the surviving roof structure and, while there has been various later work, a great deal appears to remain, partly concealed behind finishes. That also requires formal recording. We would remark that, while the applicant has concluded it would be difficult for him to adapt the roof structure for modern flats, that need not be the case if a different approach were taken, with fewer flats but individually designed.*

Woodland Trust

Response received 19th September 2017

7.55 *'The Woodland trust is concerned about the proposed relocation of a veteran Black Mulberry specimen to facilitate this development. The Trust's Ancient Tree Expert deems this tree to display veteran characteristics, and thus should receive the full planning protection within the National Planning Policy Framework for a tree of its designation.'*

7.56 *'The tree's assumed age of over 500 years old and the fragility of this specimen, means that any relocation will have a detrimental impact on the remaining lifespan of the tree. The Trust is concerned that there is a distinct possibility that an attempt to move it would indeed result in irreparable damage, and probably death.'*

7.57 *'The tree's cultural and heritage links to Bishop Bonner means that the Trust is also concerned as to the continued maintenance of the tree's historic significance, should the tree be relocated. It is unlikely that the tree's potential new location will inspire the same cultural value as it does within its current location. The Trust would also like to have clarified whether the Black Mulberry's continued protection under its current Tree Preservation Order will occur after any proposed relocation. This specimen, with its biological and historical value, should continue to be protected from all un-sanctioned tree works.'*

7.58 *'The Trust considers the tree should be retained and the scheme modified to accommodate this. Such a change is not without precedent, as the University Of Nottingham modified their proposal for a new sports complex that originally required the removal of three veteran oak trees, each at least 150 years old. The application was subsequently resubmitted with revised plans moving the proposal nine metres to the south east, saving all three trees.'*

7.59 *'The Trust recommends a more precautionary approach is warranted for veteran trees, and hence that root protection area (RPA) distances should be greater than the standard buffers stated in BS 5837:2012 Trees in relation to design, demolition and construction - recommendations. To ensure survival of such a tree, the RPA should be a minimum of 15 times the diameter of the tree trunk or 5 metres beyond the canopy, whichever is the greater, as suggested by experts on this topic.'*

7.60 *'The Woodland Trust objects to the proposed development on the grounds of disturbance and relocation of a culturally and biologically important Black Mulberry. The Trust believes that the tree should be retained within its current location without disturbance from the development, and an appropriate Root Protection Area considered. The Trust recognises that the tree has been previously constrained by buildings within the vicinity, and thus the tree should be protected from further disturbances. The Trust also asks that a CAVAT or iTREE Eco assessment is carried out on the mulberry, to determine its value as a public asset.'*

Response received 19th December 2017

7.61 *It is relevant to note that Natural England's standing advice on Ancient Woodland and Veteran Trees was updated on the 27th November 2017. In order to protect aged or veteran trees from development, the Standing Advice now states: "leaving a buffer zone of at least 15 times larger than the diameter of a veteran tree or 5m from the edge of its canopy, if that's greater."*

7.62 *"[The LPA] and the developer should identify ways to avoid negative effects on ancient woodland or veteran trees, such as selecting an alternative site for development, or redesigning the scheme. Ancient woodland or veteran trees are irreplaceable, so you should not consider proposed compensation measures as part of your assessment of the benefits of the development proposal."*

Response received 26th June 2018

7.63 *'The Woodland Trust will be maintaining an objection to this application based on the potential loss and/or damage of the veteran Black Mulberry.'*

7.64 *The Trust would like to see the retention and appropriate management of the mulberry tree in-situ, which is clearly the most sensible approach for its long term survival. However, if you are minded to approve this application with the translocation proposals suggested, we urge you to ensure that the veteran black mulberry is fully safeguarded during this process, with a clear programme established for further observation and maintenance included within the planning conditions.'*

London Fire and Emergency Planning Authority

7.65 Pump appliance access and water supplies for the fire service appear adequate. The proposal should conform to the requirements of part B5 of Approved Document B.

Metropolitan Police Crime Prevention Design Advisor

7.66 No objections to the overall redevelopment of the site or the proposal for the site, however we would request that the project is conditioned to achieve at least a Silver Secured by Design Award, further involvement with the crime prevention design advisor may see the project receive the Gold Award.

National Grid

7.67 Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Thames Water

Waste

7.68 With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

7.69 Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

Water

- 7.70 On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application.

Tower Hamlets Conservation And Design Advisory Panel (seen at pre-application stage in February 2016)

- 7.71 The Panel noted that the London Chest Hospital and the wider site is a key focus within the Victoria Park Conservation Area and that the hospital itself is a landmark building. It was noted that the site has been in public use throughout its history and the Panel were keen to see the permeability through the site maintained.
- 7.72 At time of seeing the proposals, the panel considered that there was insufficient information to justify the loss of the south wing.
- 7.73 The Panel queried the rationale for the loss of the nurses accommodation. These buildings date from 1905 and contribute to the overall character of the site, forming part of the broader interest and development of the hospital over time.
- 7.74 Proposals for the landscaping will be key to the overall success of the scheme and to ensure that the existing character is not compromised. In particular the balance between the public and private character and the use of the main frontage space must be considered in formulating the overall strategy for the site.
- 7.75 The location of play space, the possible use of parterres, and the likely longevity of the trees, if they are to be moved, must also be carefully considered.

Internal Consultees

Biodiversity Officer

- 7.76 The application site includes numerous trees, including mature specimens, mostly along the west and southern edges of the site. Overgrown shrubbery beneath these trees will provide additional nesting habitat for common birds. The loss of trees and associated shrubbery will be a small loss of wildlife habitat. Vegetation clearance should take place outside the bird nesting season, or a survey for nesting birds undertaken immediately before clearance. This should be secured by a condition
- 7.77 Emergence surveys indicate that the existing buildings are not used by roosting bats. The emergence surveys were undertaken in 2015 and 2016 and should be updated, ideally, prior to determination of the application. A small number of foraging bats were recorded. There might be potential adverse impacts on these from increased lighting. Lighting should be designed to avoid any significant increase of illumination, particularly of the treelines along the western and southern edges of the site.
- 7.78 There would seem to be scope for biodiverse roofs on the proposed flat-roofed buildings. Biodiverse green roofs, designed in line with best practice guidance published by Buglife, would contribute to a target in the LBAP for new open mosaic habitats, and would help to ensure net gains for biodiversity.
- 7.79 Details of all biodiversity mitigation and enhancements should be subject of a condition.

Environmental Health (EH)

Contaminated Land:

- 7.80 No objection, subject to the imposition of a relevant planning condition should to identify extent of potential contaminated land and agree a remediation strategy.

Noise and Vibration:

- 7.81 No objection, subject to further details by planning condition:
- Noise from construction and operational plant
 - Noise insulation – to meet BS guideline values for indoor ambient noise level
 - Imposition of compliance condition in respect to vibration
 - Details of sound insulation from D1 to residential premises
 - Details of ambient sound mitigation measures to external amenity spaces

Air Quality Team:

- 7.82 The development will be car free, this is welcomed in regards to air quality and hence there are no significant impacts from the development on the local air quality.
- 7.83 The assessment shows that the NO₂ air quality objective may be exceeded on the southern façade of the nursery. It should be considered to locate the nursery to an area of lower pollution concentrations. If that is not possible then, as recommended in the assessment, ventilation must be installed with the location of the inlet carefully considered to avoid the highest pollution levels, as per paragraph 5.2.2.1.

Energy & Sustainability Officer

- 7.84 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver ab site wide reduction in CO₂ emission of 44.87%.
- 7.85 Subject to conditions securing the delivery of the approved energy strategy and the CO₂ emission reduction shortfall being met through a carbon offsetting contribution, the proposals would be considered in accordance with adopted policies for decentralised energy, integration of renewable energy technologies and emission reductions.
- 7.86 It is recommended that the proposals are secured through appropriate s106 clauses and conditions to deliver:
- Delivery of Energy Strategy and CO₂ savings to at least 44.87%
 - Submission of the as built calculations and post completion varication report to demonstrate the CO₂ savings have been delivered via the technologies proposed in the approved energy and sustainability statement
 - Submission of the Final BREEAM certificate to demonstrate scheme delivered to a BREEAM excellent standard
 - Section 106 agreement for carbon offsetting contribution in accordance with Planning Obligations SPD

Employment & Enterprise

- 7.87 The developer should exercise reasonable endeavours to ensure that 20% of the construction and end phase workforce will be local residents of Tower Hamlets and 20% of goods/services procured during the construction phase should be through businesses in Tower Hamlets. Skills and training and apprenticeship contributions are sought in the scheme's construction phase and end user phase.

Transportation, Highways and Parking Services

- 7.89 The scheme is proposed to be car free with the exception of 9 accessible bays. The car free element is accepted and the applicant is expected to enter into a 'Permit Free' agreement which will restrict all future residents from applying for parking permits on the public highway. This is to form a planning condition to any planning permission which may be granted and secured via a Section 106 agreement.
- 7.90 Local residents have raised issues regarding the development and its potential to increase parking stress on the surrounding streets. The proposed alterations on the street would lead to a loss of on-street residents bays. A financial contribution is sought so as to survey, investigate and if found necessary implement changes to the parking regime in the area so as to potentially increase the scope of the Controlled Parking Zone and the number of residents parking bays.
- 7.91 The possibility of introducing a one way system around the triangle of roads surrounding the site should have been explored further as it may have assisted with parking bays.
- 7.92 The accessible bays must be available to registered blue badge holders from all tenures without exception. Electric charging points to the current London Plan standards must be introduced. The proposed cycle parking meets London Plan standards though the provision of Sheffield stands should be higher
- 7.93 The majority of servicing is planned to take place within the site, with some refuse collections taking place from the street. On street the refuse vehicle should be able to pull up kerbside and not have to wait in the road. This will require additional areas of double yellow line and loading restrictions to prevent parking at these locations outside of the Controlled Parking Zone hours. Dropped kerbs to assist refuse collection should also be installed.
- 7.94 The applicant has carried out a PERS audit of the local pedestrian environment and state in their transport assessment that funding will be available to improve the conditions for pedestrian where this is required. The Highways Infrastructure group will carry out these works funded by the applicant. This should form part of a S106 contribution.
- 7.95 Travel Plans, both for the residential and D1 uses, along with servicing management plans and construction management plans are required by section 106 and conditions respectively.

Waste Management

- 7.97 No objection, subject to waste collection and refuse details being secured by planning condition.

8.0 LOCAL REPRESENTATION

- 8.1 374 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised on site by way of site notices on streets around the perimeter of the site and advertised in the local press. Following submission of amendments to the scheme neighbours and other consultees were notified of the

amendments in December 2017 and June 2018 in writing as well as by means of further press notices and site notices.

- 8.2 412 individual written representations were received from the public upon the two applications. 386 of these were letters of objection pertaining to the planning application, 3 were letters of support to the planning application and 23 were letters of objection relating to the listed building consent application. Three petitions against the proposal have also been received all objecting upon grounds of harm to heritage assets with 294, 127 and 34 signatures respectively.
- 8.3 There are also 5 online petitions which have been brought to the attention of officer. At the time of writing the report, a petition in relation to the proposed plans for the Mulberry Tree had 9,636 signatures. The remaining three on-line petitions are against the development more generally and, at the time of writing the report, have 854, 760, 382 and 226 signatures respectively.
- 8.3 The 3 representations in favour of the scheme are summarised as follows:-
- 1) Scheme includes much needed improvements to the public realm
 - 2) Scheme addresses previous heritage concerns
 - 3) Independent retailers should be encouraged within the new retail units.
- 8.4 The representations against the scheme raise concerns that can be summarised as follows:
- 1) The building should be put to a community use
 - 2) The applicant failed to engage meaningfully with the local community and the scheme should be rethought
 - 3) Proposals would cause significant loss of daylight/sunlight to neighbouring properties
 - 4) Proposed buildings are significantly taller than those surrounding and would be harmful to views of the area and be harmful to the character and appearance of the conservation area. The height would provide an unwelcome precedent for other taller buildings in the conservation area
 - 5) The scheme would have particularly detrimental effects on St James's Avenue with all the massing and servicing focused there.
 - 6) The proposals would cause harm to the setting of the St James-the-less Church and Vicarage and the scheme would diminish these listed buildings group value in relation to the Hospital buildings.
 - 7) The 8 storey tower would be overly dominant in views and would overshadow the entrance to the park.
 - 8) The applicant's undertaking to retain the ventilation tower is unsatisfactory as it subject to a further structural survey. The structural surveys state that the main hospital roof is in sound condition, it should therefore be retained. The claimed level of WWII bomb and fire damage to the hospital building during WWII is exaggerated.
 - 9) The location of the new dormer windows and chimneys is poorly conceived and would harm the appearance and significance of the roof.
 - 10) The significant changes to the roof, and impacts on the structural integrity of the building below, for the purposes of 10 flats within the roofspace appear unwarranted. The submitted fabric assessment is incomplete, misleading and lacking thorough investigation. Much of the existing roof fabric could be reused whilst still providing residential accommodation in the roof space. There are contradictions in the application materials about proposed retention of fabric at third floor level. The roof and tower are key elements of the listed building with more than sufficient significance to be retained. Loss

- of the roof would cause substantial harm to the significance of the listed building.
- 11) The ventilation system is of significance both historically and architecturally and should not be lost.
 - 12) The location of the new chimneys is poorly conceived and would harm the appearance and significance of the roof
 - 13) Claims that harm to the listed building has been minimised in line with best practice are not evidenced.
 - 14) The design of the new blocks poor and would not safeguard the setting of the listed building or preserve or enhance the character or appearance of the conservation area including severing important view of the main building from the listed Bonner Hall Gate and registered Victoria Park.
 - 15) It has not been demonstrated that the harm to designated heritage assets including the unnecessary demolition of the existing roof is necessary to achieve substantial public benefits that outweigh the substantial harm. The loss of the south wing would harm the significance of the listed building.
 - 16) The supporting documents are inaccurate, particularly the proposed views of the site.
 - 17) The public benefits of the proposals would not outweigh the harm to heritage assets.
 - 18) The size and proximity of the proposed buildings to the hospital building would harm the setting of the building, the design should be revised to create smaller residential blocks.
 - 19) The density of development is much higher than that in the surrounding area.
 - 20) The scheme would lead to gentrification of the area.
 - 21) The scheme should provide more open space and buildings should not be higher than the hospital building.
 - 22) The scheme would place greater pressure on existing residents parking and add to vehicular traffic issues on the local road network. Restrictions on obtaining parking permits are not effective.
 - 23) Hours of controlled parking zone on surrounding streets should be revised.
 - 24) Scheme places pressure on social infrastructure in the area.
 - 25) The proposed buildings are poorly designed.
 - 26) The affordable housing offer falls well short of the 35% target.
 - 27) Concerns about noise and dust from construction.
 - 28) Trees on site with Tree Preservation Orders should be protected, their loss would harm the character of the area. The Mulberry Tree is an important community asset, a cultural icon and should be safeguarded and is protected as a veteran tree under the provisions of the NPPF.
 - 29) The Mulberry Tree would not survive its proposed relocation. The scheme should be redesigned to retain the Mulberry Tree in its current location and continue to serve as a memorial to the six who died from the bombing of the site. Additional parkland setting should be provided for the Mulberry Tree.

9.0 ASSESSMENT OF APPLICATION

EIA development

- 9.1. The planning application represents EIA development under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (from this point referred to as the '2011 EIA Regulations'). The

application was submitted in November 2016 accompanied by an Environmental Statement (ES) produced by Savills.

- 9.2 It is noted that since the application was submitted, new EIA Regulations have been published on 16th May 2017 - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (from this point referred to as the '2017 EIA Regulations'). Regulation 76 of the 2017 EIA Regulations sets out the transitional provisions for the regulations. Regulation 76(1) specifically states 2011 EIA Regulations continue to apply where an ES has been submitted prior to the 2017 EIA Regulations coming into force. This application therefore continues to be processed under 2011 EIA Regulations.
- 9.4 The ES assesses the environmental effects of the development under the following topics:
- Built Heritage;
 - Townscape and Visual Impact Assessment; and
 - Cumulative Effects.
- 9.5 In addition, the Applicant submitted 'further information' under Regulation 22 of the 2011 EIA Regulations in the form of an updated ES, which was processed as required under the regulations.
- 9.6 Regulation 3 prohibits the Council from granting planning permission without consideration of the environmental information. The environmental information comprises the ES, including any further information submitted following request(s) under Regulation 22 and any other information, any representations made by consultation bodies or by any other person about the environmental effects of the development.
- 9.7 The Council's EIA consultants were commissioned to undertake an independent review of the ES, to confirm whether it satisfied the requirements of the EIA Regulations. The ES has also been reviewed by the Council's EIA Officer. The EIA consultants and EIA Officer have confirmed that, in their professional opinion, the ES is compliant with the requirements of the EIA Regulations.
- 9.8 The built heritage chapter of the ES stated there would be neutral to moderate beneficial residual effects during operation of the Proposed Development on a number of heritage receptors, including but not limited to the London Chest Hospital and Victoria Park Conservation Area. It is the professional judgement of LBTH officers, and the Council's EIA consultants that these positive effects have been overstated. However, this does not affect the compliance of the ES in accordance with the 2011 EIA Regulations.
- 9.9 The Council, as the relevant planning authority, has taken the 'environmental information' into consideration when determining the planning application. Mitigation measures will be secured through planning conditions and/or planning obligations where necessary.

Main Individual Planning Issues of Scheme

- 9.10 The planning issues, raised by the two applications that the Strategic Development Committee must consider are set out below (with in brackets the chapter number of this report that deals with the consideration).

- Principle of Land Uses (10)
- Urban Design (11)
- Heritage (12)
- Housing and Density (13)
- Neighbours Amenity (14)
- Trees (15)
- Highways & Transportation (16)
- Public Benefits - Applying the Planning Balance (17)

Other Considerations including

- Noise and Vibration (18)
- Air Quality (19)
- Land Contamination (20)
- Flood Risk & Water Resources (21)
- Energy and Sustainability (22)
- Ecology and Biodiversity (23)
- Waste and Recycling (24)
- Planning Obligations, Socio Economic effects and impact upon local infrastructure/facilities (25)
- Other Local Financial Considerations (26)
- Human Rights (27)
- Equalities (28)

10.0 Principle of Development

Land use

- 10.1 As detailed above, the site was previously operated by the Barth Health Trust NHS prior to the closure of the Hospital in April 2015. The healthcare services previously provided at the site were relocated to both the Royal London Hospital and the Barts Health Centre at St Bartholomew's Hospital.
- 10.2 Given the previous use of the site, policy SP03 of Core Strategy and policy DM8 of the Managing Development Document are of relevance. Policy SP03 seeks to provide high quality, accessible health services to meet the needs of the existing and future population, while policy DM8 seeks to protect health facilities where they meet an identified need and the buildings are suitable and, additionally, will only consider the loss of health facilities where it can be demonstrated that there is no longer a need for the facility within the local community and the building is no longer suitable or the facility is being adequately being provided elsewhere within the borough.
- 10.3 Both the Tower Hamlets Primary Care Trust and the Tower Hamlets Clinical Commissioning Group have advised that further health uses are not required at the site. The latter confirming that the healthcare need for this part of the borough will be provided by new primary care facilities at the nearby Suttons Wharf development to the south east of the site. The Suttons Wharf development would also have the capacity to accommodate growth in the area and as such that there is no anticipated need for the subject site to provide further healthcare facilities.
- 10.4 The proposed loss of the healthcare facility on site is considered to accord with the provisions of policy DM8 of the Managing Development Document.

- 10.5 London Plan Policy 3.16 is also of relevance to the proposals and seeks to protect and enhance social infrastructure provision, including health facilities and resists proposals which would result in the loss of social infrastructure in areas of defined need for that type of facility. Alternative social infrastructure could include schools, healthcare facilities, colleges and universities, places of worship, sports and leisure facilities, fire stations or other community facilities. There is no identified need for secondary or primary schools in this part of the borough that are not already addressed by existing or proposed site allocations within the adopted and emerging Local Plan. Furthermore, the Bethnal Green Fire Station is 0.5 miles from the site and the presence of Victoria Park just to the north of the site is considered to adequately cater for sports and leisure facilities.
- 10.6 Notwithstanding the proposed loss of the healthcare use, the application proposes 428sqm of flexible D1 use. This proposed social infrastructure is currently envisaged to be a nursery/crèche although an operator has yet to be confirmed. Were a future healthcare need arise in the vicinity of the site, the proposed flexible D1 use would allow the site to be used for this purpose.

Residential use

- 10.7 London Plan Policies 3.3 (Increasing housing supply) and 3.4 (Optimising housing potential) seek to maximise the provision of additional housing across London. The Borough's annual housing target, as set out in the London Plan 2016, is 3,931 units whilst Policy SP02 of the Core Strategy states that that the Borough will seek to provide 43,275 new homes between 2010 to 2025.
- 10.8 The site falls within Globe Town area of the borough, as defined within the Core Strategy, an area where additional housing, particularly family housing is encouraged.
- 10.9 The provision of 291 residential units would assist the borough in meeting its housing targets and would contribute towards meeting both the Borough's and London's strategic housing need.

11.0 Urban Design

Policy Context for Urban Design

NPPF

- 11.01 The NPPF promotes high quality and inclusive design for all development, optimising the potential of sites whilst responding to local character. Matters of architecture, layout, and materials are legitimate concerns for local planning authorities (NPPF - paragraph 127).
- 11.02 Chapter 12 of the NPPF explains that the Government attaches great importance to the design of the built environment. It advises that it is important to plan for high quality and inclusive design and encourages engagement at all stages of the process.
- 11.03 Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 11.04 The National Planning Practice Guidance (NPPG) supplements the NPPF and sets out a list of criteria of “*What a well designed place is?*” The guidance states:-

“Well designed places are successful and valued. They exhibit qualities that benefit users and the wider area. Well-designed new or changing places should:

- *be functional;*
- *support mixed uses and tenures;*
- *include successful public spaces;*
- *be adaptable and resilient;*
- *have a distinctive character;*
- *be attractive; and*
- *encourage ease of movement”*

The London Plan

- 11.05 The London Plan addresses the principles of good design and preserving or enhancing heritage assets. Policy 7.4 ‘Local Character’ requires development to have regard to the pattern and grain of existing streets and spaces, make a positive contribution to the character of a place and be informed by the surrounding historic environment. Policy 7.5 ‘Public realm’ emphasises the provision of high quality public realm. Policy 7.6 ‘Architecture’ seeks the highest architectural quality, enhanced public realm, materials that complement the local character, quality adaptable space and for development to optimise the potential of the site. Policy 7.8 requires new development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Local Plan

- 11.06 The Borough Core Strategy Policy SP10 and Policy DM23 and DM24 of the MDD seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds.

Site Layout

- 11.07 The design of the scheme at its most succinct consists of three entirely new buildings set to the side and rear of the main listed hospital building. The middle of these three buildings (all three building would have extended elevations facing onto St James’s Avenue) would connect onto a rebuilt and remodelled rear elevation of the main listed hospital building.
- 11.08 The entire exterior roof of the main hospital building would be rebuilt with the exception of the central tower that that the applicants intends to retain.
- 11.09 The scheme would involve the demolition of all other buildings on the site, including the nurses’ accommodation block running parallel to the St James’s Avenue to the rear of the Hospital Building, and all other piecemeal additions to the site. The nurses’ accommodation block is comprised of elements rebuilt after 1945 and other externally architecturally finer sections that date back to the original completion of the accommodation in 1905.

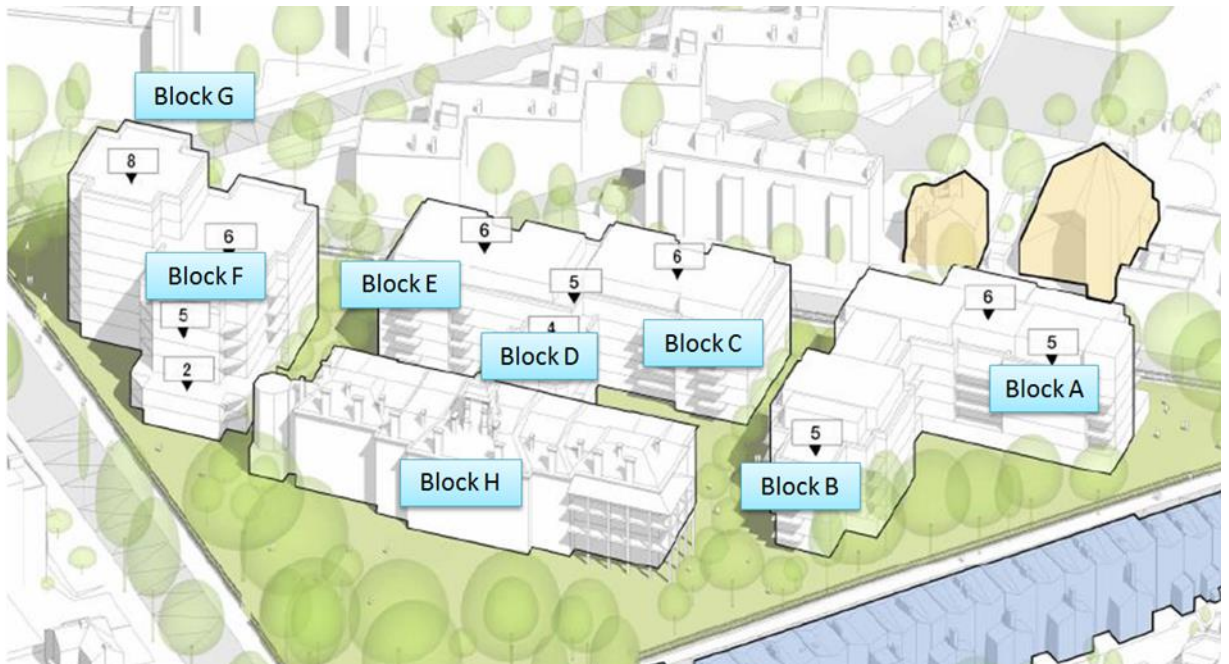


Figure 4: The massing of the scheme showing building heights. The proposed 3 new buildings are internally subdivided into 7 sub-blocks (A-G) reflecting the stair and lift cores to the 3 new buildings.

Hospital Building

- 11.11 The scheme would involve the removal and demolition of the post war rebuilt north wing and, more notably, the removal and demolition of the south wing extension constructed shortly after the main hospital between 1863 and 1865. In their place a full height, full width rear extension would be attached to the rear of the main to allow for new residential accommodation set to the rear of the existing building's main corridor.
- 11.12 This rear extension would introduce new elevations to the side and rear of each truncated/removed wing. These would be designed to form what the applicant describes as 'memories' of both the north wing, that was lost as a result of bombing, and the existing south wing and deploys an architectural language that takes its design references from the original hospital building.
- 11.13 The remainder of the rear elevation i.e. that situated in between each of the wing 'memories' along the rear of the building, would feature a more contemporary façade treatment that would allow for inset external balconies and employ contrasting window designs and framing materials from those proposed for the wings and front elevation.
- 11.14 The extension to the rear would also involve the removal and replacement of the existing roof, including the chimneys and dormers, with a significantly larger roof with a deeper overall profile. It is the intention that the existing central tower be retained and repaired, subject to further investigation of the structural condition of the central tower. Officers have been provided with no evidence to indicate that retention of the tower is not feasible.
- 11.15 To the front of the site, the verandas, originally open to the air, would be restored and utilised as outdoor amenity areas for the adjoining residential units, with the existing non-original windows replaced with traditional timber framed units. Whilst

the roofscape would be significantly altered as set out above, the pitch of the existing front roof slopes would be replicated in the new roof.

- 11.16 Whilst the proposals for main west facing hospital building are broadly acceptable in urban design terms, the many and various heritage implications of these proposed alterations are addressed in detail in Section 12 of this report.

New buildings

Layout and massing

- 11.17 Three new residential buildings would be constructed to the north east, east and south east of the retained hospital building. Each of the new buildings would utilise the axis of the hospital building to inform their footprints, with blocks running parallel and/or perpendicular to the main range of the hospital building.
- 11.18 The most southern of these buildings, incorporating Blocks A and B, would comprise of an L-shaped form with one wing running perpendicular to, and just to the south of, the main wing of the hospital building, and a second element fronting St James’s Avenue at a slightly obtuse angle to the street.
- 11.19 The majority of the L-shaped form would rise to five storeys with a set-back sixth storey element set above. However, at the southernmost end of the building the full six storeys would be expressed. Conversely, on the western wing of the building, at the point closest to the retained hospital building, the overall height would be limited to five storeys. The building would have an irregular shaped façade, set in from the perimeter of the site. The L-shaped form would allow for a triangular pocket of open space bound between the new block and the Bonner Road site perimeter. This open space would provide the 0-5 child play space for the scheme as a whole and would lie in front the ground floor D1 accommodation.

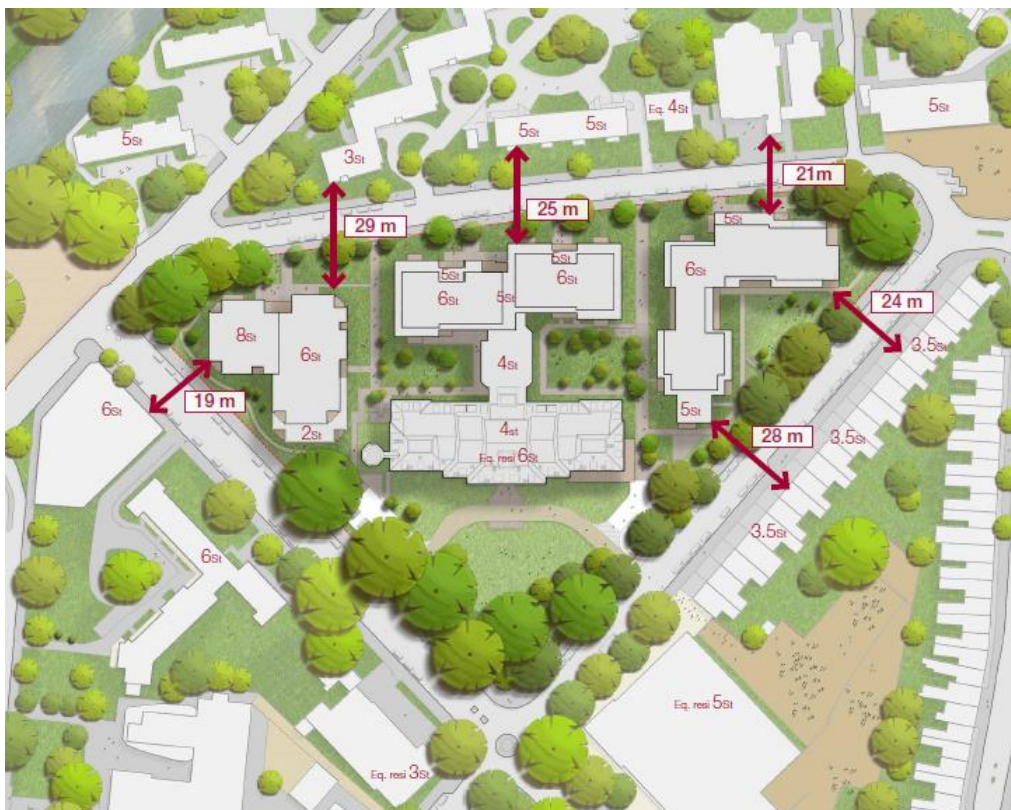


Figure 5: Proposed Building Heights (no. of storeys) and proximity to neighbouring sites

- 11.20 The proposed new Central Building, featuring Blocks C, D and E, would be sited to the rear of the main hospital building and would extend to a similar length as this historic building, as measured on north-south axis. The building would also feature a connector building, positioned centrally to the rear of the hospital building and adjoining the proposed new rear extension to this building. As with the southern building, the central building would have a long frontage along St James's Avenue.
- 11.21 Similarly to the Southern Building the majority of the Central Building would be five storeys in height with a set-back sixth storey. The connector section of this building would terminate at four storeys and would be topped with a roof terrace. The voids between the hospital building, the Central Building the connector block would form two separate courtyard spaces which would be used as play space for children above 5 years of age.
- 11.22 The proposed Northern Building would also be of an L-shaped footprint, although more truncated in form than the Southern Building, and would cover a smaller footprint than the Southern Building owing to the tighter site constraints at the northern corner of the site. The western most part of the building, that which comes closest to the main hospital building, would initially rise to two storeys, before stepping away from the hospital building and rising up to six storeys. The northernmost projection of this Northern Building - Block G - located at the apex of St James's Avenue and Approach Road, would rise to eight storeys constituting the highest built element on the site (with the exception of the central tower feature).

Architecture

- 11.23 Each of the buildings would have a masonry form, finished in brickwork with cast stone detailing. The treatment and detailing would however vary across each of the buildings. The Southern Building would take red brick as its principal material and would feature a strong vertical bay emphasis highlighted by the use of recessed brickwork. Metal railings would enclose both set-back and projecting balconies. The irregular steps to the façade of the buildings, which were introduced to the design during the course of the application, and seek to increase the sense of space along the St James Avenue and add some visual interest and variation to the facades.



Figure 6: Elevational treatments of the Southern Building

- 11.24 The metal clad roof storey would sit back from the masonry parapet on all sides of the building save for the southernmost tip of the building where the masonry approach is fully expressed. This six storey masonry façade was introduced as a design amendment to the scheme to provide a more legible conclusion to the building at the junction of Bonner Road and St James’s Avenue.
- 11.25 The Central Building would be finished with a polychromatic grey taking the brick tone found on St James the Less Church opposite as reference. Whilst still masonry led in approach, the greater use of glazing, particularly at the corners of the building, seeks to add lightness to the form and provide a greater sense of openness to east-west views across the site. Again, the staggered form to the facades, along with the set-back roof storey, attempts to reduce the scale of the structure, particularly along its St James Avenue frontage.



Figure 7: Elevational treatments of the central building

- 11.26 Like the Southern Building, red brickwork, with a series of courses and decorative patchworks, would also be employed on the northern building. The building would feature inset balconies and inverted corners in a bid to make the block visually read as more slender and elegant in form. As discussed above, the set back away from the hospital building above first floor level openness to the main building/ sanitation tower, and increase views across the site of the sanitation tower and hospital building. As with the Southern Building, whilst slightly lighter in tone, the red brickwork has the potential to compete with, and blur the distinction between, the main building and the new build elements. Consequently, the submission of samples of all external materials would be required by condition.



Figure 8: Elevational treatments of the Southern and Central Buildings with the hospital and sanitation tower to the rear

Townscape

- 11.27 As set out with the Victoria Park Conservation Area Character Appraisal, the scale and density of development varies across the area, however, it does note that, *‘The prevailing building height is 3-4 storeys for Victorian Terraced Housing.’*
- 11.28 Additionally, the Character Appraisal notes that, *‘Roads in the area are broad and tree-lined, or fringed with the landscaped front gardens, all reflecting and contributing to the park setting’.*
- 11.29 A balance between the natural and built environment remains a key character of the area with the Character Appraisal specifically noting that, *‘Landmark institutional buildings generally sit within their own landscaped grounds, in keeping with the open character and setting of Victoria Park. The London Chest Hospital, opened in 1855, is the most significant of these buildings, in terms of its presence in the urban environment.’*
- 11.30 The proposed massing and height of the new build elements would therefore result in varying degrees of divergence with the built heritage of the site and surrounds.
- 11.31 All three of the new build elements would terminate higher than the hospital building (when the central tower element is excluded) and whilst attempts to reference hospital heights in parapet levels have been made, along with the truncation of massing elements in the closest proximity, the 6 to 8 storey height of the proposed new build elements would to some degree diminish the prominence of the hospital building within its urban environment. This is evidenced in the

Verified View 7 within the Townscape and Visual Impact Assessment (TVIA) along with the proposed site sections.



Figure 9: TVIA Verified View 7 (Proposed view Winter)

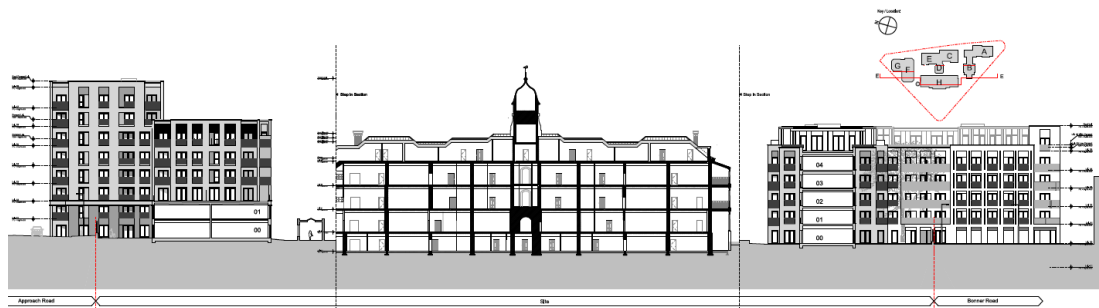


Figure 10: Proposed Site Section EE

- 11.32 The increase in scale across the site would be particularly apparent along St James's Avenue where at present the closest building to this boundary is the three storey nurses accommodation which is set back from the site boundary and sits below the canopy line. All three of the proposed new buildings would have significant frontages along this street varying in height from 6 storeys to 8 storeys and, whilst the proposed buildings would help to activate this street frontage, they would significantly alter the character of the streetscene.
- 11.33 Adjacent to the site, on the opposite side of St James's Avenue sits the Parkview Estate which, as the Conservation Area Character Appraisal outlines, sits in its own park-like grounds and is sensitive to the Conservation Area. Building heights on this eastern side of St James' Avenue vary from 3 to 5 storeys in height, although difference in floor heights and relief complicate the direct comparison between these heights and those proposed on the application site.
- 11.34 During the course of the application, the applicant has sought to address concerns about the dominance of the building frontage along St James's Avenue through amendments to the design of the new build elements. This has included; increasing the separation distance between each of the new blocks, previously of

the order of 5-6 metres and now at a minimum of 12 metres; increasing the gaps to the perimeter of the site and introducing staggered frontage to the southern and central blocks, most notably at the northern end of Southern Building (containing Block A).

- 11.35 These changes to the scheme have been successful in reducing the perception of scale along this frontage, and would provide greater opportunities for valuable views through the site and glimpses of the main hospital building. However, the proposals still mark a significant change to the existing streetscene along St James' Avenue and represent a degree of departure from the general character of the Conservation Area. This change in character is illustrated by existing and proposed Verified View 3 in the TVIA.



Figure 11: Verified view 3 – Existing view north along St James' Avenue (winter)



Figure 12: Verified view 3 – Proposed view north along St James' Avenue (winter)

- 11.36 The scheme would introduce a Northern Building that at its highest would rise to 8 storeys (containing Block G ; this height is of townscape note. This building would sit towards the apex of Approach Road and St James's Avenue and would provide a visual marker to the site, particularly when approaching the site from Victoria Park over Bonner Bridge. Adjacent to the proposed 8 storey element would be the recently completed 6 storey Sotherby Lodge. In contrast to Sotherby Lodge, which extrudes from the edge of the footway, the 8 storey Block G would be set back from the site perimeter which assists in reducing the intensity of its visual impact.
- 11.37 In townscape terms, this area of the site is considered potentially most appropriate for additional height. However, the relatively squat form of Block G does mean that this 8 storey element would be somewhat imposing on some views within the conservation area. The change to the streetscene arising in the winter months is illustrated in Verified View 1 below.



Figure 13: Verified View 1 – Existing view south west along Approach Road (winter)



Figure 14: Verified View 1 – Proposed view south west along Approach Road (winter)

Landscaping

- 11.38 As noted above, the parkland setting of the Chest Hospital is a defining characteristic of the site and wider conservation area. To a degree this landscaped setting has been eroded since the original construction of the hospital through the addition of ancillary buildings constructed to support the functioning of the original hospital building, although the degree of compromise on the verdant character of the site is limited in scope by the low height of these ad hoc buildings which allows the tree canopy on site to remain visually prominent. Along with the prevalence of mature trees across the site, other significant remnants of the parkland setting include the large triangular front lawn and the lack of dominant buildings set close to the edges of the site.
- 11.39 The proposals would see the retention of the front lawn and its opening up for public use between the hours of daylight, 365 days a year. The proposals would also see the retention and repair where necessary of the listed iron railings. The siting of the new residential blocks would necessitate the removal of a number of trees (discussed in detail in Section 15). However, owing to the set-back of the proposed blocks from site boundary, the landscaping proposals would still allow for a green boundary achieved through retention of existing trees, insertion of new replacement trees and new ornamental, other planting and hedgerow, along all edges of the site.



Figure 15: Indicative landscaping proposals

- 11.40 Pedestrian walkways would intersperse the site and would be treated with a variety of stone pavers and textured concrete slabs and setts. Additionally, a variety of timber benches and informal seating areas would be provided across the site. As noted above, the form of the buildings would allow for various open spaces which would constitute communal courtyards and play space respectively.

- 11.41 All ground floor units within the new blocks would benefit from their own defensible external space bound by hedgerows and treated with concrete paving. Overall the proposals would result in an uplift in green open space across the site. Subject to further details of: (a) materials/treatments, (b) an adequate and appropriately detailed replanting strategy (discussed in detail in Section 15) and (c) details of a careful implementation & maintenance programme, the proposal could result in high-grade landscaped environment for the residential units.

Access

- 11.42 Vehicular access to the site would be via the Bonner Road entrance with 9 accessible parking bays located either side of the front yard. The Bonner Road entrance gates, along with those opposite on Approach Road would remain open for members of the public during hours of daylight.
- 11.43 Pedestrian access for residents would be principally via gates along St James's Avenue with step free access to all residential buildings. Whilst the front lawn would be accessible to members of the public during daylight hours, entrance gates and railings would be erected either side of the hospital building. These gates would prevent public access to the eastern residential courtyard spaces of the scheme, operating in tandem with gates along the resident only site entries along St James's Avenue. This gated approach is designed to ensure a reasonable degree of security for residents, including to the dedicated children play spaces located in this section of the site. It is noted that during the site's operation as a hospital much of the site was inaccessible to members of the public and as such the proposals would not adversely affect upon pedestrian permeability to the surrounding streets. The applicant's access strategy is supported in the review of the scheme undertaken by the Metropolitan Police Secure by Design Officer.

Concluding comments on Urban Design

- 11.44 Whilst it is not possible on a site of this nature to divorce urban design approaches to massing and architectural treatment from its resultant implications upon heritage assets, both on-site and beyond, officers do acknowledge the design of the scheme has benefited from significant revisions since submission, following receipt of two sets of amended plans involving physical alterations in the design of the both the interior residential layouts and the exterior of the buildings.
- 11.45 These amendments have included: the removal of the proposed additional storey in the roof of the main hospital building; the introduction of "memories" of the two original wings to the rear elevation; restoration of the existing roof profile to the front of the main range; increased separation distances between the three proposed new buildings to provide greater opportunity for views through the site from the street; less visual coalescence of the retained historic build elements from the entirely new buildings; as well as greater modelling and staggering of the three buildings facing onto St James's Avenue that diminishes the degree to which the scheme appears unduly imposing upon this street.
- 11.46 The submitted revisions have also brought a greater degree of architectural finesse to the new building, in terms of the individual detailing to each of the facades to the proposed new buildings, as well as more satisfactory architectural resolution to the top of the buildings, through amendments to the top roof storey to the buildings.
- 11.47 In addition to the revisions to the exterior of the scheme, since original submission, the scheme has also undergone transformational change in the quality of the

residential amenity for future residential occupants of the development (see Section 13 of the report) including: the removal of an excess preponderance of single aspect units; exclusion from the scheme of any single aspect north facing units; a reduction in the number of residential units per residential core (to meet compliance with Mayor of London's Housing SPG defined standard on this matter); a marked reduction in the number of units that will experience significant failures of daylight to the main habitable room spaces, the removal altogether from the proposed scheme of a sunken garden residential storey which presented a whole series of unsatisfactory amenity issues and introduced unnecessary issues with regard to the scheme adhering to good practice in respect of the principles of inclusive design.

- 11.48 The scheme is commendable in that the quality of the external treatment of the facades is indistinguishable between the affordable housing accommodation and the market units, meaning the scheme is tenure blind. The scheme also benefits from playspace being at grade and accessible to residents of all the blocks.
- 11.49 It is also worth highlighting the proposed south building that provides the affordable housing homes has fewer natural daylight failures against the BRE target guidelines than the market units in the two other proposed new buildings.
- 11.50 Whilst the final design of the scheme consulted upon continues to pose challenges in respect of heritage and responding appropriately to the built character of the neighbourhood (as set out in the following Section 12 of this Report), officers are of the opinion that the scheme is, on-balance, consistent with planning policy objectives and acceptable with respect of the urban design considerations.

12.0 Heritage

- 12.1 The Council has a statutory duty to consider a proposals impact on listed buildings, including their settings and conservation areas. This is contained in Sections 66(1) and 72(1) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which is reflected in central, regional and local policy and guidance.
- 12.2 Chapter 16 of the NPPF relates to the implications of development for the historic environment and provides assessment principles. It also identifies the way in which any impacts should be considered, and how they should be balanced against the public benefits of a scheme.
- 12.4 Paragraph 192 of the NPPF states that in determining planning applications local planning authorities need to take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of the heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 12.5 Paragraphs 193-196 of the NPPF require local authorities when assessing the effects of development on a heritage asset, to give weight to an asset's

conservation in proportion to its significance. Heritage assets include, but are not limited to, designated heritage assets such as listed buildings, World Heritage Sites, Scheduled Monuments and conservation areas.

- 12.6 Paragraph 193 states “*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*”
- 12.7 Paragraph 194 states that “*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*”
- 12.8 Paragraph 195 states “*where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss*”.
- 12.9 Paragraph 196 states “*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*”. If a balancing exercise is necessary, considerable weight and importance should be applied to the statutory duty under sections 61 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) where it arises.
- 12.10 Paragraph 200 states “*local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance.*”
- 12.10 Policies 7.3, 7.4, 7.8 and 7.9 of the London Plan and policies SP10 and SP12 of the Core Strategy and policies DM24, DM26 and DM27 of the Borough’s Managing Development Document seek to protect the character, appearance and setting of heritage assets.
- 12.11 London Plan policies 7.11 and 7.12 and policies SP10 and DM26 of the Borough Local Plan seek to ensure large scale buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.
- 12.12 The application is accompanied by Environmental Statement with technical chapters dealing with heritage including a visual impact study containing verified views that assess the likely effects of the proposed development on the townscape and local heritage assets.

Hospital Building

- 12.13 Constructed between 1851-1855, the hospital was founded in response to public concern at the inadequacy of provision for treating consumption or tuberculosis, a common disease in mid Victorian London. It was hoped that the new hospital would be "*as far as possible a model of its kind*" and following an architectural competition, F.W. Ordish was selected as architect for the new hospital.
- 12.14 Built in a late seventeenth century style, the design of the hospital reflects the strong tradition of hospital architecture of this period, by such architects as Robert Hooke and Sir Christopher Wren, albeit on a more domestic scale. The result is a building which also has the air of Sir Roger Pratt's influential domestic architecture of the same period, and presents itself almost as a country house, an architectural vision which is emphasised by the parkland setting. Rather than being strictly Queen Anne historicist, as it might first appear, some of the architectural details show it to be more of a post 1860s eclectic style, thus contributing to the overall interest and significance of the building.



Figure 16: Image of the Hospital building from the early 20th century

- 12.15 Constructed in red brick with Portland stone dressings, the hospital is three storeys in height above a lower ground floor. Of 17 bays in width, it is symmetrically arranged around a central section of 5 projecting bays, with a further 2 bays to each side of this stepping back from the central section but projecting forward of the remainder of the elevation. It has a modillion cornice at eaves level and quoins that define the projecting sections. The building has a shallow hipped roof of slate, with substantial, originally decorated chimneys, it is topped by a central tower/cupola which as well as providing architectural interest served to provide natural ventilation to the building, allowing the heating and control of temperature considered necessary to the successful functioning of a hospital at this time.

- 12.16 Within a few years of the hospitals completion, two wings were added, one to either end. Today only the south wing survives, the northern one having been lost to bomb damage. Some of the apparent symmetry of the whole is lost as a result of this damage, and with the addition of the verandas to the southern end in 1900. The verandas are an important reflection of the evolving treatment of tuberculosis, which by the turn of the century determined that fresh air was necessary for patient recovery.
- 12.17 The vision of the hospital as a country house is created not only by the dignified architectural treatment of the building itself, but also by the parkland setting in which it is set, that reinforces its overall prestige and status and complements neighbouring Victoria Park. The hospital in accordance with the contemporary medical understanding of the time, was deliberately built in a suburban location, where there would be plenty of fresh air, set within spacious grounds and adjoining Victoria Park recently created and opened in 1845.
- 12.18 The London Chest Hospital was Grade II listed in April 2016. The listing expressly refers to the main original range of the former London Chest Hospital, the South Wing of 1863-5 and Sanitary Tower of 1890-2, together with the Victorian gas lamp, dwarf wall, railings and entrance gates. The 12 page listing description expressly identifies and is intended to protect as significant the main building, including the south wing and the sanitation tower, together with the railings which enclose the site and a gas lamp at the southern corner. The description is clear that the other buildings on the site are later in date and do not form part of the listing including the 1905 Nurses accommodation set adjacent to St James's Avenue.
- 12.19 The extent of the listing is clarified in the listing itself, which state:

“To the north of the south wing, the extensions dating from the 1920s/1930s, with a later addition reaching into the angle with the main range, are not of special interest. The corresponding north wing is a replacement of 1983 and is not of special interest. There is an octagonal sanitary wing of 1890-2 at the north end of the building, with a bridging link. The contemporary mortuary is attached immediately to the east. On the eastern, rear side of the building, is a large, multi-phase C20 addition, extending from the centre of the building. Between this central extension and the south range, against the eastern face of the main range, is a later-C20 lift tower. Between the central extension and the north range is a C21 stair tower. Attached to the south-east end of the south wing is the octagonal tower of the 1972 outpatients' building, with a large single-storey block extending southwards. None of these C20 and C21 additions is of special interest and they are excluded from the listing.”

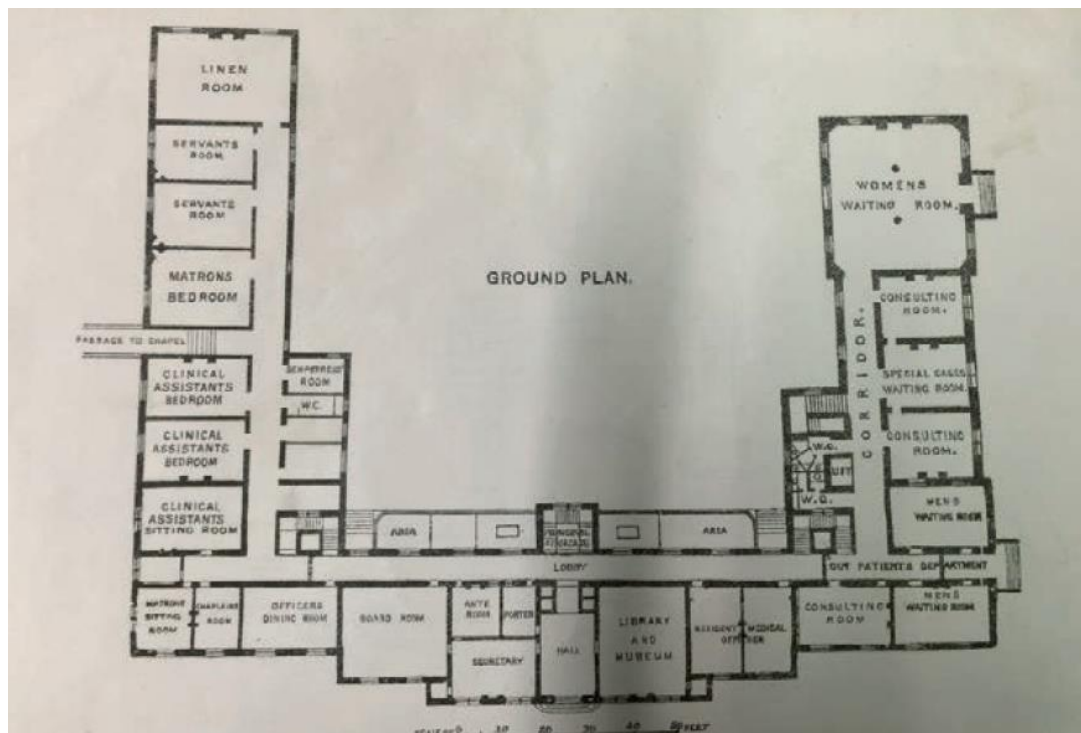


Figure 17: Floor plan of the Main Hospital Building, with north and south wings

Significance of the London Chest Hospital

- 12.20 Significance is defined within the NPPF glossary as “The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”.
- 12.21 The listing description summarises the significance of the building including the south wing and the sanitary tower, noting that the buildings are principally of:-
- Architectural interest both overall, in the Queen Anne domestic style of the building designed by FW Ordish, making reference to the hospital tradition and including accomplished sculpture, attributed to the workshop of George Myers and in terms of the internal features of the building which include staircases, joinery, plasterwork, sculptural detail and fireplaces
 - Historical interest - being one of the earliest hospitals dedicated to diseases of the chest and founded by city philanthropists. Also significantly incorporating an unusual and innovative ventilation system.
 - Planning interest in particular, the side corridors to the rear of wards which acts as both an access to the wards and a day room/exercise gallery, and the inclusion of small ward toilets
 - Interest for their internal features, including the fine main entrance, noteworthy for the carving in stone and wood as well as vaulting ingeniously executed, the fine staircases, joinery, plasterwork, and sculptural detail
 - Technological interest (the annunciator system, used to communicate within the hospital of which clear evidence remains and an unusual form of heating and ventilation which the building incorporates by Jeakes)

- Interest derived the contemporary ironwork (veranda, railings and gas lamp).

12.22 Historic England’s published Conservation Principles provide additional guidance in how to assess significance and suggests that places significance can be considered using 4 headings evidential, aesthetic, historic, and communal. The hospital’s significance can also be seen to sit comfortably within these categories.

The proposals to the Hospital Building

12.23 The main alterations to the main range of the hospital itself are for its conversion to residential and involve the removal of all extensions to the rear of the main building, including the demolition of the original south wing, to be replaced with a full height, full width extension, introducing new elevations to the side and rear which are intended to be a “memory” of both the north wing, lost as a result of bombing and the south wing, which is to be removed as part of the current proposals.

12.24 In addition to the conversion works on the main floors and the extension to the rear, the works will also involve the demolition of the historic roof to be replaced with a new roof. The scheme would remove and rebuild the existing chimneys and dormers. However, not all those rebuilt would be relocated in their existing location within the roof slope. The proposed scheme would significantly increase the size of the roof, primarily through its depth (along an east west building section) in order to enable it to embrace the proposed new extension to the rear, set behind the existing main north-south running hospital corridor. It is the applicant’s stated intention that the existing central tower be retained and repaired, although this would be subject to further investigative works of the tower and its supporting structure.

12.25 Whilst the proposals for the refurbishment of the fabric of the retained existing building elements is supported and the sensitive restoration of the front elevation and key spaces internally is to be welcomed, the proposals do also involve some significant harmful impacts.

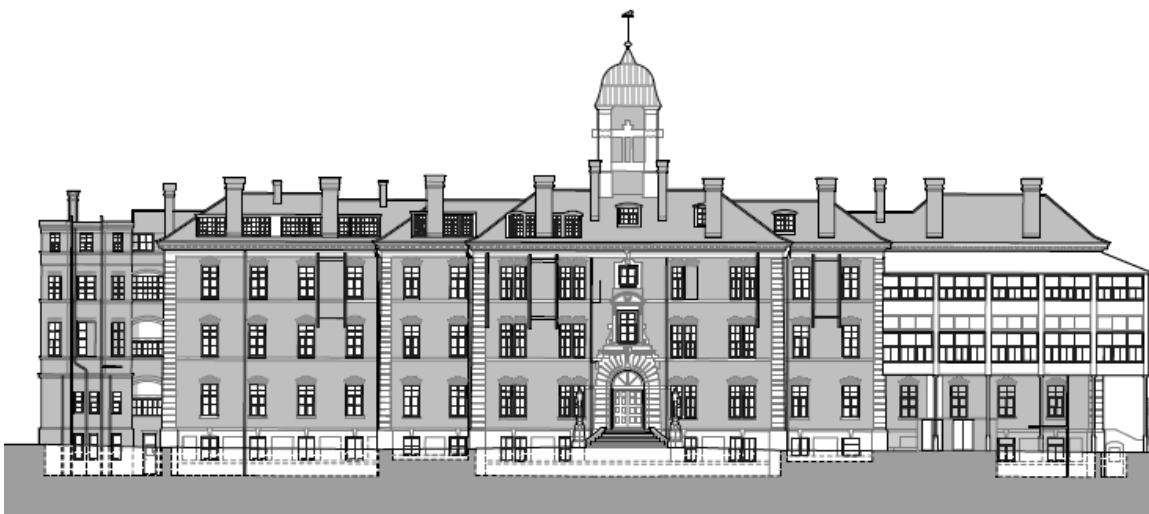


Figure 18: Existing Main Hospital Front Elevation

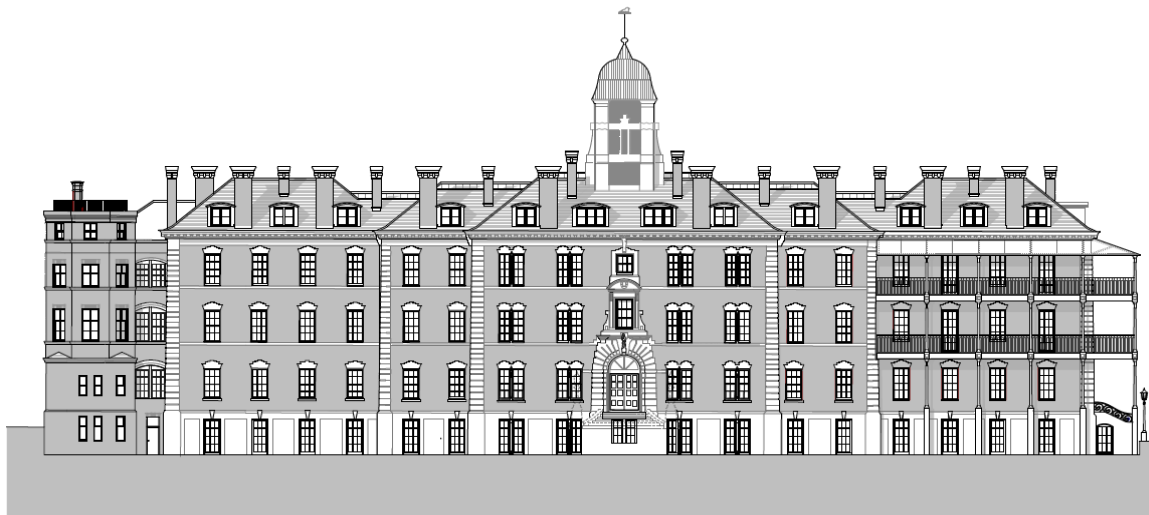


Figure 19: Proposed Main Hospital Front Elevation

The extension to the rear of the main building

- 12.26 The proposals are for a full-width full-height rear extension, which with the removal of the original roof will wrap over the main building. The existing historic back elevation has already been substantially compromised but elements of the original elevation remain between the wings to the rear. These proposals would remove this back elevation entirely, and would result in new build development to the full height of the hospital (including the roof).
- 12.27 The new rear projecting extension to the main hospital range would be a dominant building feature to the main range of the listed hospital and would also involve the loss of the existing roof structure and its internal features. The replacement roof would be an entirely modern structure and substantially wider than the existing historic roof.
- 12.28 Setting aside matters of detailed design of the proposed new extension (the appropriateness of the ‘memories’ of the former building; how new structure will integrate with the existing; and how the junction between the existing stairs and the new lift core is to be handled), it is important to look at the approach in terms of the basic principles of the proposals.
- Loss of the existing roof
 - Loss of the south wing
 - Internal alterations to allow conversion to residential

Loss of the existing roof

- 12.29 The proposals involve the removal of the current roof and its replacement with a new steel structure which reflects the profile of the existing front slope but modifies the number and extent of flat roof elements in the centre. This facilitates the new roof to cover both the main roof and the new extension to the rear of the main building.

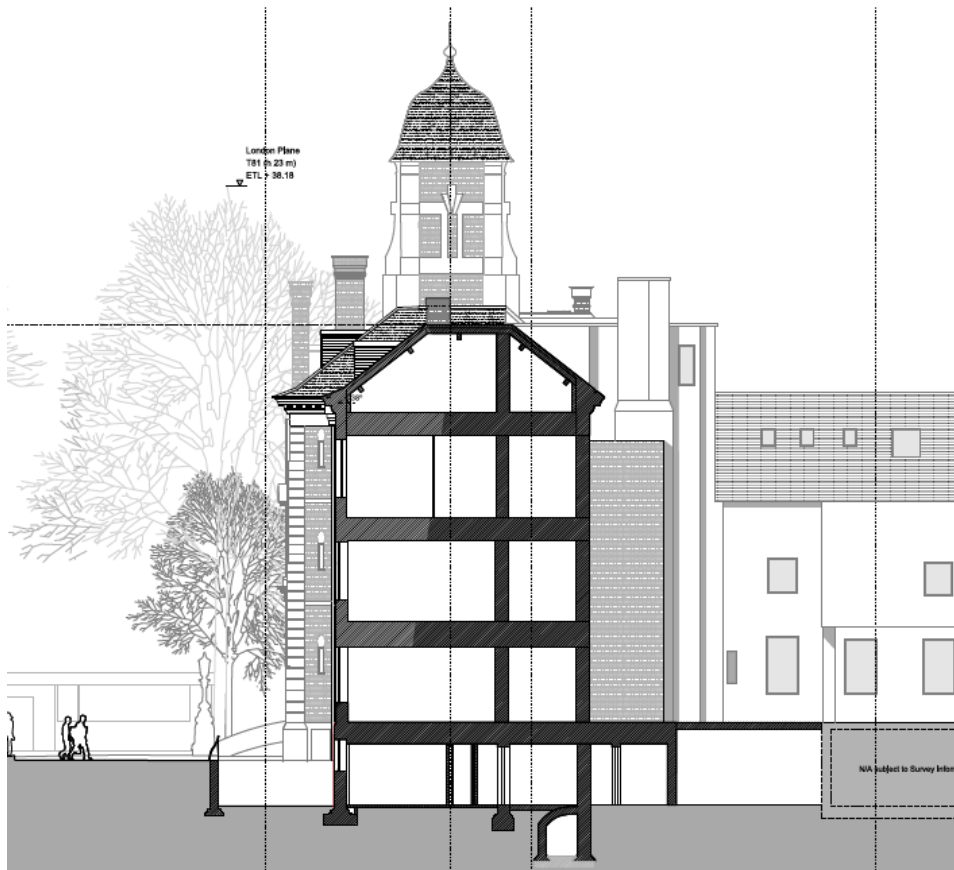


Figure 20: Existing section of main building

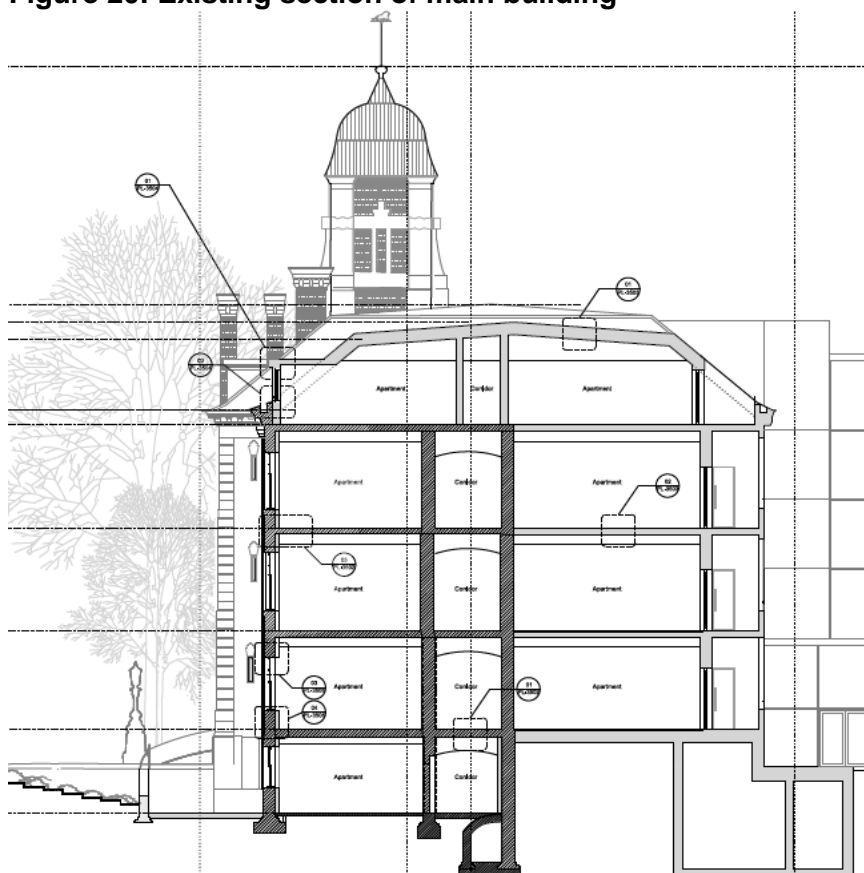


Figure 21: Proposed section of main building showing rear extension and new roof profile

- 12.30 The replacement would result in the loss of the existing timber trusses, all chimneys and existing dormers, and involves changes to the structure, materials and overall profile of the roof. Although the roof will be similar in appearance to the existing from some views, it will have lost much of its historic significance in terms of historic fabric and form. In addition the rebuilding involves the repositioning of the chimneys and the introduction of new dormers. In an attempt to readdress the harm caused by the loss of both fabric and original form, the intention is that the chimneys will be rebuilt with venetian tops to reflect the design of the originals.
- 12.31 The roof forms a significant element of the envelope of any building. In this instance the roof is a relatively shallow pitched low structure incorporating some modest dormers, a central tower and high chimneys. Whilst subject to some change (repairs to make good fire damage, the tower rebuilt before the war, additional dormers introduced to light nurses accommodation and the chimneys modified with the loss of some decorative elements) the structure and design intention of the original roof remain largely unaltered. The proposals would alter the envelope of the roof, and would result in the replacement of historic fabric and structural details and changes to the intended design, not only in the introduction of additional dormers but the repositioning of chimneys and existing dormers.
- 12.32 Appropriate justification for the loss of the roof might be that the roof has deteriorated to such an extent that it is not repairable, and that it is not sound. However, the Reuby and Stagg structural report submitted with the application suggests that in actual fact the roof is largely sound as demonstrated by the quotations below.
- “The roof from an overall perspective is in a sound condition with little evidence of roof spread when looking at the main ridge line”, and that “in general the chimneys are in a good condition”.*
- “The existing roof is in a serviceable condition despite large proportions of the roof having smoke damage and likely to have been replaced in sections following world war 2 damage. It may well be the case that once the roof is opened up completely, that localised areas may require a timber repair or replacement.”*
- 12.33 Were the roof found to be in an unsound condition, the expectation would usually be that as such a significant element of the fabric and design of the original building, it would be repaired/rebuilt as necessary to match the existing, thereby retaining existing fabric where possible.
- 12.34 In the additional report prepared by Montagu Evans (Appendix 4 of the Heritage Statement) submitted in support of the application, paragraph 13.0 notes the conclusion that, on the basis of findings provided by Sinclair Johnstone and Partners, the only alternative to rebuilding the roof is to leave it entirely as it is, as without alteration, it is not capable of providing accommodation justifying the works. Whether this constitutes justification for the loss of the roof is questionable.
- 12.35 The report from Sinclair Johnstone and Partners has informed revisions to the proposals (submitted in May 2018) which allow for the retention of the 3rd floor and the central tower. These revisions are to be welcomed, albeit it is arguable that the retention approach does not go far enough. It is likely that some of the hospital’s innovative heating and ventilation system still survives within the remaining truncated tower, and care would need to be taken to ensure that this and the tower are protected during any works to demolish the existing roof if permission were granted. No details of the repairs have been presented and these would need to be

conditioned if removal of the roof in principle is found to be acceptable. It should be noted that in the heritage statement (para 6.17) retention of the 3rd floor structure is caveated in terms of retention where original and remaining in a reasonable condition. Without further clarification, which can be secured by condition, this caveat could still potentially lead to the loss of the tower's supporting structure and have implications for the retention of the tower itself.

Loss of the south wing

- 12.36 The proposals result in the loss of south wing to enable the development of an entirely new and separate southern block.
- 12.37 The south wing is specifically included in the listing. Whilst slightly later than the main hospital it was the intention, at least from 1855, that two ward wings would be added when funds became available, creating a U-plan in the manner of the Brompton Hospital. The wing was added by William Beck in 1863-65.
- 12.38 The south wing emulates the style of the main building, has a plan form reminiscent of it and displays carving of a similar quality. Further to this it physically adjoins the main building forming an intrinsic element of the overall composition, and of the significance of the hospital as a whole. It also forms a key part of the main hospital's setting and contributes positively to the special character and appearance of the broader conservation area. The bulk of the end (east) elevation is readily visible from St James's Avenue.



Figure 22: South wing of the hospital building with infilled verandas and new extension

- 12.39 The loss of the wing is considered in paragraphs 6.12-15 of the submitted heritage statement. This section of the report argues that the south wing is of less interest than the main 1850s hospital building owing to alteration.

- 12.40 Although slightly later, the interest of the south wing is clearly set out in the listing description. It is also accepted that it has undergone alteration, however, the impact of this alteration on the significance of the buildings is less clear-cut.
- 12.41 Justification for demolition of the south wing seems to rest on the fact that the remaining parts of the main hospital are to be retained and restored, and that the proposed design includes what is stated to be an accurate reflection of the appearance of the rear elevation of the original south wing.

Internal Alterations

- 12.42 Whilst the conversion to residential is accepted in principle as an appropriate use of the building, further information needs to be provided by way of conditions so as to ensure the restoration and conversion works are undertaken in an appropriate manner.
- 12.43 How the conservation of the interior is to be managed is not fully resolved by the current drawings. Removal of fabric drawings are annotated to indicate the wholesale removal of lath and plaster. Similarly fire protection and details of thermal and acoustic insulation require resolution, although notes on the drawings suggest that measures would be incorporated within the floor spaces.
- 12.45 Reference is also made to the replication of existing ceiling mouldings were it is not possible to retain them, the relocation of fireplaces and the relocation of annunciator dials and piscinae. Ideally these historic features would be retained in situ, and supplemented where appropriate. Further clarification of the internal proposals would be sought by way of condition were the application approved.
- 12.46 Alteration to the floor plans to accommodate residential, whilst generally appearing to respect historic walls, does in some instances result in the loss of what appears to be original walls and corner chimney breasts.

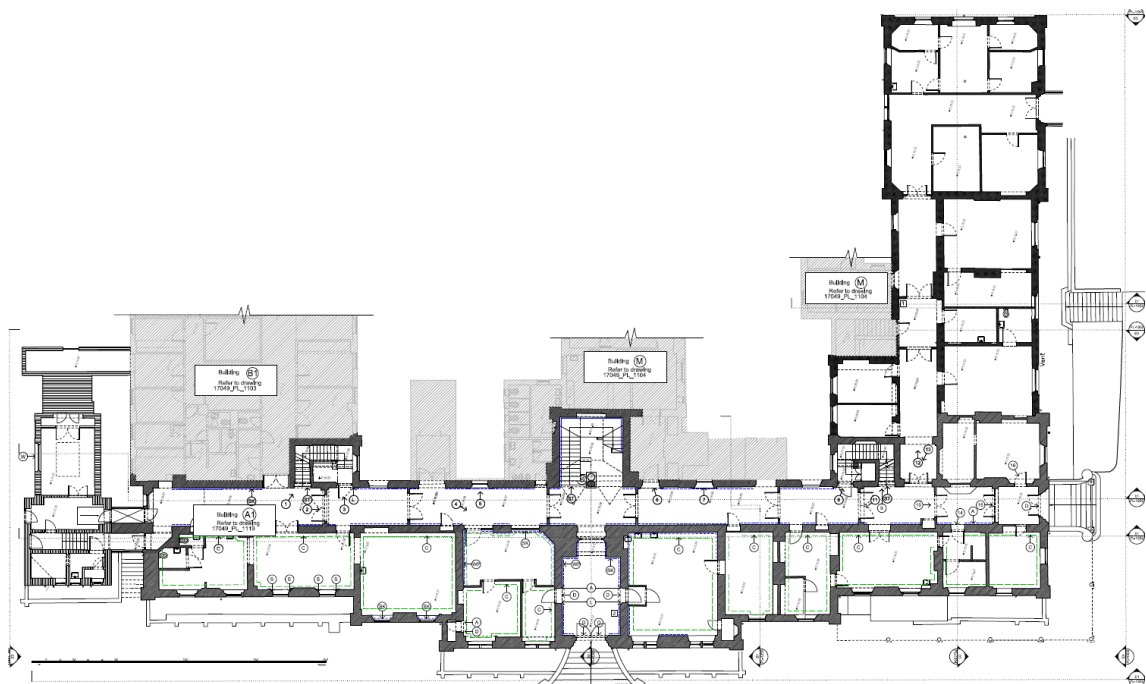


Figure 23: Existing ground floor of hospital building

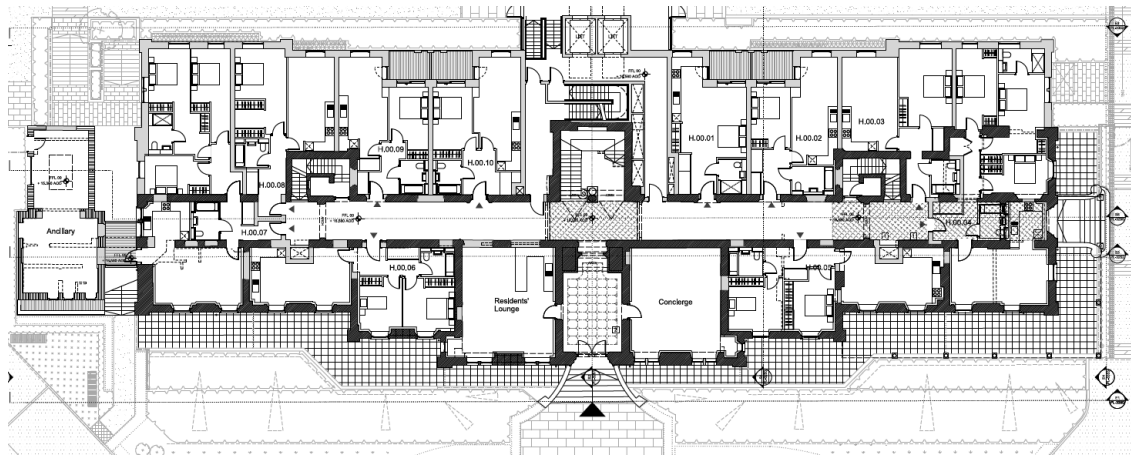


Figure 24: Proposed ground floor of hospital building

- 12.47 There is also some erosion of the corridors at either end with rooms being placed in the corridor space. The wide exercise corridor is a key feature of the hospital's floorplan and this erosion would harm its character and be detrimental to the significance of the retained listed heritage asset. On the ground floor it is unfortunate that the entrance at the southern end which retains its decorative doors is blocked and a room created in the corridor space.
- 12.48 The plans also indicate the removal of almost all the doors within the hospital. To what extent these doors and door furniture are part of the original fabric of the hospital needs to be better understood and documented and if the doors are historic then they would need to be the subject of a schedule and strategy for reuse that would be secured and controlled by condition.

Significance of the setting to the listed building

- 12.51 The significance of the hospital itself, and its special architectural and historic interest, is enriched by its parkland setting. Designed in a country house style, the parkland setting enhances the architectural illusion of the hospital as a grand country house set in its own landscaped garden. This setting contributes much to the overall significance of the listed building.
- 12.52 The gardens also reflect the importance placed upon fresh air and a country location as essential to health, and the treatment of tuberculosis, the main focus of the hospital. The suburban location of the hospital was an important consideration in its siting. In this way, the setting contributes to the significance of the listed hospital, reflecting the beliefs of the medical profession and the wider public at the time of construction.
- 12.53 Whilst it is recognised that the parkland setting has to a certain extent been compromised by the adhoc buildings which have developed to support the hospital function over the years, the relatively low scale of these buildings means that they sit beneath the tree canopy and are camouflaged by the mature greenery which surrounds the borders of the site. The main hospital is the most prominent building on the site, with the mature planting dominating views into the site, easing the transition between the open space of Victoria Park and development to the south and contributing positively to the character of the conservation area. For adjoining occupiers the feeling is of a low scale and intensity of development, set within an open space composed of mature trees and shrubbery.

- 12.54 The listing description also notes that the listed hospital building and those elements of the hospital encompassed within the listing have group value, with Victoria Park (a grade II listed park and Garden) and other listed structures close by including St James-the-Less Church and the Raines Foundation School. Thus their value is enhanced when considered in conjunction with one another. As a grouping, they each form a part of the setting for the others, and the interrelationships and views between them are significant.

Site's contribution to the character of the Victoria Park Conservation Area

- 12.55 The character of the conservation area is governed by the park itself, the Victorian buildings which border it and by the broader parkland feeling created by the generous public realm and landscaping. This is set out in the character appraisal which notes that, "*Mature planting and landscaping in both the public and private gardens create the high-quality open character of much of the area*"
- 12.56 The Chest Hospital is a major building within the conservation area and occupies a key site opposite to the entrance to the park across Bonner Bridge, an ancient monument. It is a landmark building within the conservation area set within its own landscaped grounds. Pennethorne, when designing Victoria Park, had originally anticipated that this site would provide an extension to the park and would be landscaped, and it was not until some years later that it was given over to the Chest Hospital.
- 12.57 The mature trees and shrubs around the boundaries of the site contribute to the parkland feel of the broader conservation area. Despite the numerous small scale buildings existing on the site, the overwhelming feeling is one of open character with lots of visible sky intersected by branches and foliage, views into the site being dominated by the mature planting.

Loss of the contextual buildings

- 12.58 The current proposals involve the removal of all the buildings on the site with the exception of the main building, and the adjoining sanitation tower, and include the demolition of the nurses' accommodation.
- 12.59 Whilst the listing of the hospital specifically excludes other buildings on the site as of no interest in terms of the listing, this does not necessarily mean that all of them can be dismissed as not making a positive contribution to the setting of the hospital and the broader conservation area. In the main they are relatively small buildings intended to fulfil the functional requirements of the hospital as and when those requirements have arisen.
- 12.60 However, the nurses' accommodation facing St James's Avenue dates originally from 1905, and although much was rebuilt with less distinguishable detailing following bomb damage, the block none the less contributes positively to the setting of the hospital and the broader conservation area beyond, being of an appropriate scale and associated with the broader historic use of the site. Their form is an important contextual element for the listed hospital, forming part of its setting. Their low scale also maintains the prominence of the landscaping, which is important to the setting of the Chest Hospital and an important part of the conservation area's special character and appearance

Impact of the proposed new build elements on the hospital building

- 12.62 The hospital had an important public role and landmark status, and this is reflected in its scale and prominence on the site and within the conservation area. Set within its own landscaped parkland setting, and exceeding the ambient height of much of the conservation area, it is a large scale freestanding building which contrasts with the finer grain of the terraces typical of the conservation area.
- 12.63 In terms of the existing scale and massing of buildings on the hospital site, it is clear that the hospital is the most prominent building, dominating the other buildings in terms of both scale and height. Most of the buildings across the site sit well below the shoulder/eaves level of the existing hospital. The buildings are ad hoc in terms of placing but they are lower and less substantial thereby ensuring the pre-eminence of the hospital.
- 12.64 The proposed buildings would be taller and of larger footprint than those existing, and would compete with the hospital in terms of both scale and prominence, being seen in direct comparison with the former hospital in key views such as that across the front lawn from the corner of Bonner Road and Approach Road (TVIA View 7).



Figure 25: TVIA Verified View 7 (Proposed view Winter)

- 12.65 View 7 illustrates the way in which the new development would potentially detract from the landmark character of the hospital building. The new buildings would reduce the prominence of the listed hospital, diluting its contribution to the character of the conservation area as a consequence.
- 12.66 The change in the scale over the site is clearly illustrated in the difference between existing and proposed sections. For example the existing and proposed site sections shown below illustrate the scale of buildings between the tower of the hospital and the spire of the church.

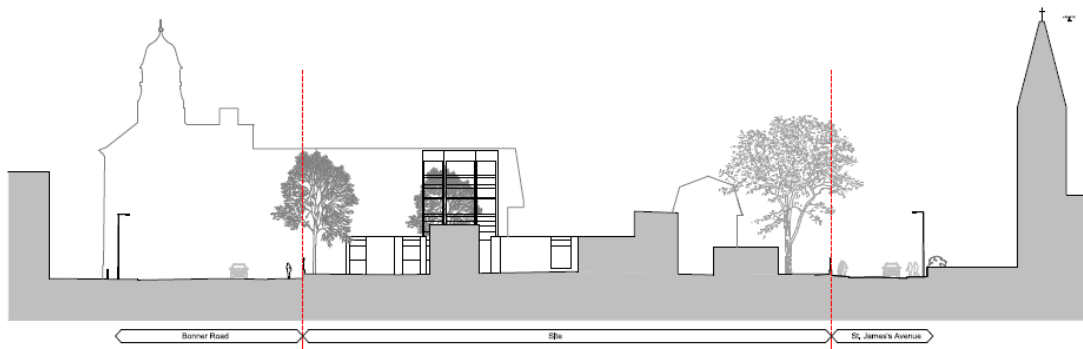


Figure 26: Existing site cross section – Bonner Road to St James’s Avenue



Figure 27: Proposed site cross section – Bonner Road to St James’s Avenue

Impact on St James the Less Church

- 12.68 The way in which the development competes with the existing heritage and hierarchy of buildings within the conservation area is also to be seen in Figure 24. This shows the way that the proposals for south block compete with the steeple of St James-the-Less Church, proposed Block A rising to a similar height as and detracting from the fine spire of the church.



Figure 28: TVIA View 4 – proposed view looking north along St James's Avenue (winter)

12.69 At the time of construction the church would have been an important landmark and the spire would have been relatively higher than the surrounding housing, drawing attention to this important community building. The spire of the church to this day retains a landmark feature, notwithstanding the erection of 5/6 storey modern housing blocks since its construction. In the context of the proposed massing, the slim spire would have to compete for prominence with the new residential southern block. St James-the-less Church and the London Chest Hospital are also significant for their group value, their relationship to one another, and this is diminished by the intrusion of the proposed new southern block which sits between the two buildings.

Impact on the historic setting of the hospital

12.70 The scale and proximity of the new blocks to the main hospital would reduce the apparent openness around the hospital and the architectural vision of the hospital as a substantial country house within a parkland setting would be compromised.

12.71 The proposed north and south blocks would flank the main elevation of the hospital and would be read in conjunction with the front elevation. The view from the junction of Bonner Road and Approach Road, is the principle view of the main facade, and clearly shows the way in which the hospital and new blocks would be seen together (see Figure 25). When seen from the angle of the two roads, the Hospital is sandwiched between two new buildings of similar and greater height.

12.72 The relationship of north block to the sanitation tower is also of concern, the block sits on a two storey plinth, designed to echo that on the sanitation tower, though exceeding it in height. The south block would rise to 6 storeys and sit in close proximity to the hospital. While reference is made to the eaves level of the hospital, and there is small stepping away of the sixth storey, the roof scape appears unresolved in contrast to that of the hospital.

- 12.73 The extent and scale of the proposals compete for attention with the hospital itself impacting upon the ability to appreciate the architectural vision for the building, its landmark quality and the parkland setting, all key elements of its significance.

Contribution of landscape setting to the urban character of the Conservation Area

- 12.74 Key to the significance of the hospital and to the character of the conservation area is the landscaped environmental setting. Principally defined by Victoria Park itself, a park laid out in a traditional fashion with sweeping lawns and informal tree planting, this landscaped character is reflected within the setting of the Chest Hospital and in the conservation area as a whole. Substantial mature planting surrounds the hospital, and the impact of this is consolidated within the conservation area by a spacious public realm and tree lined avenues. This landscaped quality and planting contribute to the special character and appearance of the conservation area.
- 12.75 The hospital's landscaped setting, key to its significance and an understanding of its role and history would be impacted by the introduction of large residential blocks which would rise above the tree canopy and by the consequent reduction in mature greenery. Positively the proposals will preserve the historic green open space to the front of the hospital and indeed much of the planting across the site, alongside creating two large courtyards, the vision of the open space as parkland will to some degree be compromised by the proximity and enclosure, bulk and height of the new blocks. These proposals will result in a substantial change to the character of this block, to the perception of the balance between building and planting, and will diminish the impact and impression of other planting within Approach Road.
- 12.76 The scale and proximity of the new buildings to the boundary result in significant changes to the setting of the hospital and the conservation area. Verified Views 1 (figure 13 and 14) and 3 (figure 29 and 30) in particular show the change in the way the site would be perceived. At present the mature greenery is the most dominant element of the street scene with branches and foliage silhouetted against the sky. Once developed the new residential blocks would dominate these views, providing a much more urban quality to the views and in the case of St James's Avenue liable to impact on the open feel of the street.



Figure 29: TVIA verified view 3 – existing scenario winter.



Figures 30: Verified view 3 – proposed scenario winter.

Categorisation of harm

- 12.79 The decision about whether proposals constitute substantial or less than substantial harm to heritage assets as set out within Chapter 16 of the NPPF is always a matter of fact and degree.
- 12.80 Whilst there are a number of important and beneficial heritage consequences of the proposals, not least the refurbishment and reuse of the main hospital securing its future for the long term and restoring important architectural elements, the balance of negatives; the loss of the existing roof and its fabric - an intrinsic part of the

overall architectural vision, the loss of the south wing - such an important element of the overall heritage asset, and the impact of new development on the setting of the listed building altering the perception of the hospital as a landmark building within a parkland setting, and impacting upon the broader landscaped character of the conservation area., must mean that these proposals cumulatively tip the balance towards the top end of the spectrum of less than substantial harm category to the listed hospital.

- 12.82 In terms of the degree of harm the proposals would cause to the Victoria Park Conservation area, this would be considerable. Substantial mature planting surrounds the hospital and is key to the site's significance, but it is also a quintessential part of the special character and appearance of the conservation area as a whole which takes its cue from Victoria Park.
- 12.83 The chest hospital is a landmark institutional building within the conservation area and together with its landscape setting, the character of which is key to its overall significance, occupies a whole urban block. The mature planting which surrounds the site not only contributes to the aesthetic vision of the hospital as a country house but also reflects the character of Victoria Park which is a key focus of the designation, and consolidates and enhances the special character and appearance of the existing terraces within Approach Road, which is a key access to Victoria Park and which is a street which incorporates planting within the gardens and public realm, which references the park beyond.
- 12.84 Whilst the impact of this scheme upon the special character and appearance of the conservation area would be harmful, it would not result in the total loss of the conservation areas significance. It also needs to be acknowledged the direct visual impacts of the proposal remain confined to a relatively small area of the Victoria Park Conservation Area and the massing and height of the proposed buildings are not such that they are a visible and dominant from a significantly wider geographic area of the conservation area
- 12.85 Officers conclude the proposals do cause harm to designated heritage assets, albeit less than substantial. As such the scheme must be assessed against paragraph 196 of the NPPF with the necessary public benefit test applied.
- 12.85 With regard to consideration and apply a public benefit to the scheme including weighing the heritage benefits of the scheme against the harm to heritage assets as part of a broader undertaking of assessing the overall planning benefits of the proposed scheme officers refer members to Section 17 of this report that deals with this key consideration which hat is necessary for the decision-maker to undertake in circumstances where there is identified harm to designated assets.

Archaeology

- 12.93 With respect to the heritage implications of the scheme pertaining to archaeology the proposed scheme would involve development on the site of the medieval and later Bonner Hall complex. It is thought that some elements of this complex might remain on the site. Following advice received from Historic England's Greater London Archaeology Advisory Service (GLAAS) some preliminary trenching was undertaken prior to determination of the scheme. This trenching unearthed nothing of note. However site constraints were a factor in respect of explaining these unremarkable discovered outcomes.

- 12.94 In addition to the above, within the main hospital building, there is the possibility that the remains of Jeakes' innovative therapeutic engineering elements system exist. As such it is important that were development to commence in respect of this proposal care is taken to ensure that this is known historic feature is properly investigated.
- 12.95 GLAAS have raised no objection to the granting of planning consent subject to applying two suggested conditions to ensure that further appropriate archaeological investigations are undertaken.

13.0 Housing including Density

Policy Context

- 13.1 Increased housing supply is a fundamental policy objective at national, regional and local levels, including the provision of affordable housing.
- 13.2 NPPF Paragraph 8 advises that in pursuing sustainable development, an overarching objective of the planning system should be "*a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.*"
- 13.3 NPPF Section 5 advises local planning authorities on '*Delivering a sufficient supply of homes.*' Paragraph 73 requires local plans to meet the full objectively assessed need for market and affordable housing and to identify and update annually a supply of specific deliverable sites sufficient to provide five years housing supply with an additional buffer of 5%.
- 13.4 London Plan Policy 3.3 '*Increasing housing supply*' refers to the pressing need for more homes in London and makes clear that boroughs should seek to achieve and exceed their relevant minimum targets. The London Plan annual housing monitoring target for Tower Hamlets is 3,931 new homes between years 2015 to 2025.
- 13.6 London Plan Policy 3.8 '*Housing choice*' requires borough's local plans to address the provision of affordable housing as a strategic priority. Policy 3.9 '*Mixed and balanced communities*' requires communities mixed and balanced by tenure and household income to be promoted including in larger scale developments.
- 13.7 London Plan Policy 3.11 '*Affordable housing targets*' requires boroughs to maximise affordable housing provision and to set an overall target for the amount of affordable housing needed in their areas. Matters to be taken into consideration include the priority for family accommodation, the need to promote mixed and balanced communities and the viability of future developments.
- 13.8 London Plan Policy 3.12 '*Negotiating affordable housing*' requires that the maximum reasonable amount of affordable housing be sought. This policy consideration should have regard to affordable housing targets, the need to encourage rather than restrain residential development, the size and type of affordable units needed to meet local needs, and site specific circumstances including development viability, any public subsidy and phased development including provisions for re-appraising viability prior to implementation. Affordable housing should normally be provided on site.

- 13.9 Tower Hamlets Core Strategy Policy SP02 (1) supports the delivery of new homes in line with the Mayor's London Plan housing targets. Policy SP02 (3) sets an overall strategic target for affordable homes of 50% until 2025. This is to be achieved by requiring 35%-50% affordable homes on sites providing 10 new residential units or more (subject to viability). Paragraph 4.4 explains:

“Given the extent of housing need, Tower Hamlets has set an affordable housing target of up to 50%. This will be delivered through negotiations as a part of private residential schemes, as well as through a range of public initiatives and effective use of grant funding. In some instances exceptional circumstances may arise where the affordable housing requirements need to be varied. In these circumstances detailed and robust financial statements must be provided which demonstrate conclusively why planning policies cannot be met. Even then, there should be no presumption that such circumstances will be accepted, if other benefits do not outweigh the failure of a site to contribute towards affordable housing provision”.

- 13.10 Core Strategy Policy SP02 (3) set an overall strategic target for affordable homes of 50% until 2025. This will be achieved by requiring 35%-50% affordable homes on sites providing 10 new residential units or more (subject to viability). The preamble in 4.4 states that *“given the extent of housing need, Tower Hamlets has set an affordable housing target of up to 50%. This will be delivered through negotiations as a part of private residential schemes, as well as through a range of public initiatives and effective use of grant funding. In some instances exceptional circumstances may arise where the affordable housing requirements need to be varied. In these circumstances detailed and robust financial statements must be provided which demonstrate conclusively why planning policies cannot be met. Even then, there should be no presumption that such circumstances will be accepted, if other benefits do not outweigh the failure of a site to contribute towards affordable housing provision”.*
- 13.11 Managing Development Document Policy DM3 (3) states development should maximise the delivery of affordable housing on-site.
- 13.12 The London Plan seeks a ratio of 60:40 rented to intermediate tenures within a affordable housing offer whilst the Borough's Local Plan policies seeks a 70:30 split to ensure housing contributes to the creation of socially balanced and inclusive communities.

Density

- 13.13 London Plan Policy 3.4 seeks to ensure that new housing developments optimise the use of land by relating the density levels of housing to public transport accessibility levels, to the site location and the neighbourhood building typology.
- 13.14 The Council's Core Strategy Policy SP02 also relates density levels of housing to public transport accessibility levels and additionally relates density levels of housing to the hierarchy and proximity of nearby town centres, so that higher densities are promoted in and around town centres that are higher up in the hierarchy.
- 13.15 The London Plan Housing SPG (2016) states that the density matrix contained within the London Plan (2016) should be applied flexibly rather than mechanistically. If a scheme leads to unduly detrimental adverse impacts to future residential occupiers or to the amenity of neighbouring occupiers, or fails to contribute positively to maintaining distinctive local character then it is reasonable

for the decision-maker to conclude the overall scale and density of development is too great for a site, whether it falls inside the relevant density matrix range for the locality or not.

- 13.16 Features of this site impose some very site specific challenges upon new development, amongst them safeguarding a high number of trees (including root protection zones) set towards the site boundaries and also the constrains upon new development arrived from not inserting new built development in front of the listed hospital's main elevation. These site specific material considerations diminish the value and applicability of the London Plan density to this site, and help inform the outcome of what is the optimum quantum of residential development for this site.
- 13.17 The London Plan's density matrix provides for a site in this type of locality a density for new residential development within the range of between 200-700 habitable rooms per hectare, based upon its (a) inner urban London locality; (b) PTAL rating of 5 or 6 that is located outside and more than 800m away from a district town centre. The site is also not located within any London Plan designated opportunity areas.
- 13.18 The proposed development provides a residential density of 473 habitable rooms per hectare. This figure is consistent with London Plan's density matrix for a new development set within an inner London locality with a PTAL rating of 4-6 located outside a town centre and the building typology the surrounding neighbourhood possesses. As discussed within the main body of this report, the proposal does not exhibit a wide set of symptoms associated with over-development, and accordingly, the site density, which in fact sits comfortably within the London Plan density matrix, is considered appropriate.

Affordable Housing

- 13.19 As noted above, a new affordable housing offer was made by the applicant on 10th July 2018. The offer as submitted May 2018 constituted an offer of 30% by habitable room. The new offer submitted on 10th July 2018 constitutes 35% by habitable room. The table below shows the split between affordable and market housing units:

Table 2: Affordable Housing offer – Market housing split

| | Number of units | % of Units | % of habitable rooms |
|--------------|------------------------|-------------------|-----------------------------|
| Market | 205 | 70.5% | 65% |
| Affordable | 86 | 29.5% | 35% |
| TOTAL | 291 | 100% | 100% |

- 13.20 The affordable housing provision is split 73:27 in favour of affordable rented housing measured by habitable rooms. This is out of sync with the Council's 70:30 (rented:intermediate) target but as the split is towards affordable rented accommodation, this ratio is acceptable.
- 13.21 The affordable rented housing accommodation would be provided on a 50:50 split between London Affordable Rents and Tower Hamlets Living Rent across all the rented 1, 2 3 and 4 bedroom units. The affordable rented and intermediate accommodation would be contained in the southern building in Blocks A and B. The London Affordable Rents would be set at £150.03, £158.84, £167.67 and £176.49 for 1, 2, 3 and 4 bedroom units respectively excluding service charges and

the LBTH Living Rents would be £191.90, £211.09, £230.28 and £249.48 for 1, 2, 3 and 4 bedroom units respectively inclusive of service charges.

- 13.22 A viability appraisal has been submitted with the scheme and this has been independently reviewed by the Council's Independent Assessor along with the GLA's Homes for Londoners Team.
- 13.23 The GLA team assessed the viability appraisal in January 2018 and raised concerns about the applicant's overstated Benchmark Land Value (BLV) and considered at that time that the offer of 28% affordable housing was 'wholly unacceptable'.
- 13.24 Officers at the GLA have now had the opportunity to review the current 35% affordable housing offer and in September 2018 have written to the Council stating they welcome the applicant's 35%, responds positively to the threshold approach to affordable housing set out in the Mayor's SPG, although would like the applicant to explore GLA grant funding to increase still further the proportion of affordable housing.
- 13.25 The Council's assessors have failed to reach an agreed position with the applicant with respect to the Benchmark Land Value (BLV). With respect to the BLV, the applicant asserts this to be of the order of £24.5 million based on the market value of comparable sites. Council Officers and the Council's Independent Assessor consider the approach put forward by the applicant is not appropriately justified. On the basis of adopting this value, the applicant asserts that the scheme is not viable at 30% affordable housing. Nevertheless, with their amended offer of 10th July 2018 the applicant states they are prepared to make a "one-time" offer of 35%. They have also stated were they not to receive consent, this one time offer would be reappraised.
- 13.26 The Council's independently appointed assessor, in collaboration with Council officers adopted an Alternative Use Value methodology in deriving the Benchmark Land Value. This is supported by the Council's Development Viability SPD and the Mayor of London's Viability SPG. This approach has been undertaken because there is a nominal value for the site in its "existing" (most recent) use as a hospital, so the approach is based on an alternative scheme that would likely achieve permission. The BLV considered appropriate by the Council and its Independent Assessor reflects a value of £15,000,000.
- 13.27 In adopting this figure for Benchmark Land Value, the Council's assessors have found that the scheme could viably provide 35% of affordable housing. The Council's viability assessors conclude that the 35% affordable housing offer is considered to be the maximum reasonable amount that could be provided within the scheme.

Housing Mix

- 13.28 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. 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 rented homes to be for families. Policy DM3 (part 7) of the MDD requires a balance of housing types including family homes. Specific guidance is provided on particular

housing types and is based on the Councils most up to date Strategic Housing Market Assessment (2009).

Table 3: Bedroom Mix by Tenure

| Tenure | Type | Number of Units | Policy Requirement (%) | Proposed Mix (%) |
|--------------------------|--------|-----------------|------------------------|------------------|
| Private | Studio | 36 | 0% | 18% |
| | 1 bed | 74 | 50% | 36% |
| | 2 bed | 82 | 30% | 40% |
| | 3 bed | 13 | 20% | 6% |
| | 4+ bed | 0 | | 0 |
| | | | 205 | 100% |
| Affordable Rented | 1 bed | 11 | 30% | 19% |
| | 2 bed | 27 | 25% | 47% |
| | 3 bed | 15 | 30% | 26% |
| | 4+ bed | 5 | 15% | 9% |
| | | | 58 | 100% |
| Intermediate | Studio | 0 | 0% | 0 |
| | 1 bed | 13 | 25% | 47% |
| | 2 bed | 15 | 50% | 53% |
| | 3 bed | 0 | 25% | 0% |
| | 4+ bed | 0 | | 0 |
| | | | 28 | 100% |

13.29 The Local Plan does not target provision of studio units in any tenure. The scheme underprovides in 1 bedroom market units against the Borough target. However if studio units are factored in, the mix is in excess of the 50% target (54%). The scheme markedly overprovides in 2 bed market units (40% against 30% target) and conversely significantly underprovides in larger family sized markets units, consisting of 6% of the total markets as opposed to the 20% target. It is notable that no 4 bedroom plus units are provided. The under provision in larger family sized units is considered on balance acceptable when informed by the advice within London Mayor’s Housing SPG in respect of market housing. This SPG argues that it is inappropriate to apply these targets crudely as *“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”*.

13.30 With respect to affordable rented units there are 19% of one bed units against the Borough target 30%, 47% of two bed units against the targeted 25%, 26% of three bed units against target of 30%, and 9% of four bed units against our policy of 15%. The proposed scheme would therefore overprovide 2 bedroom affordable rented units whilst being under target values for 3 and 4 bedroom family units. The 35% family provision falls below the 45% policy target with the 9% provision of 4 bedroom units below the 15% target. Whilst the proposals do not accord with the policy targets, the variation from these targets is considered to be within acceptable levels.

- 13.31 Intermediate units provide 47% of one bed units against the policy of 25%, with the remaining 53% being two bedroomed units against a target of 50%. There are no three bed units. The lack of three bed units is considered acceptable given potential affordability implications within this tenure for larger sized units.

Housing quality and standards

- 13.32 London Plan Policy 3.5 '*Quality and design of housing developments*' requires new housing to be of the highest quality internally and externally. The London Plan explains that the Mayor regards the relative size of all new homes in London to be a key element of this strategic policy issue. Local Plans are required to incorporate minimum space standards that generally conform to Table 3.3 – '*Minimum space standards for new development*.' Designs should provide adequately sized rooms and convenient and efficient room layouts. Guidance on these issues is provided by the Mayor's '*Housing*' SPG 2016.
- 13.33 In March 2015, the Government published '*Technical housing standards – nationally described space standard*.' This document deals with internal space within new dwellings across all tenures. It sets out requirements for the gross Internal (floor) area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Minor Alterations to the London Plan 2016 and the Mayor's '*Housing*' SPG 2016 reflect the national guidance.
- 13.34 All of the proposed units within the new build residential blocks and the main hospital building would meet or exceed the National Housing Standards minimum internal space standards. The scheme provides residential floor plans that are broadly consistent with Mayor of London's Housing SPG baseline standards. The new build elements would contain no more than 8 units served per core, per floor and whilst the cores within the main hospital building would serve more than eight units, this is considered acceptable given the heritage constraints associated within introducing new cores to this building. None of the corridors would benefit from natural light and ventilation as required by the Mayor's Housing SPG which is not considered ideal within a new build scheme.
- 13.35 Over 50% of units would be dual aspect and there would be no single aspect north facing units, which is acceptable.

Privacy/Overlooking

- 13.36 Between the proposed residential units, and to existing neighbouring properties, issues of overlooking are generally avoided with the siting of the residential buildings achieving in excess of the 18m minimum guidance separation distance between directly facing habitable rooms, as set out in DM25 of the Local Plan.
- 13.37 However, within the development there are a large number of habitable windows serving flank end homes that would face each other and have a separation distance of between 12m and 16m. In total 73 of the proposed residential units would be impacted by this relationship, which is particularly apparent between Blocks A and C and Blocks E and F respectively.
- 13.38 Five of the impacted units would be single aspect. However, it is noted that these five units would be located within Block F and would be for private sale meaning that the occupier would be able to assess any privacy issues at time of purchase.

- 13.39 Within the dual aspect units themselves, there are a number of single aspect rooms that would be directly affected. The vast majority of these would be bedrooms although there are also 8 kitchen/living areas within Block B that would have a separation distance of 15.2m to (dual aspect) kitchen/living areas within Block C.
- 13.40 In summary, the scheme does not provide any material overlooking issues to existing neighbouring development and on-balance officers consider the potential overlooking issues between the residential units within the proposed scheme are acceptable.

Inclusive design

- 13.41 From street level there will be step free access to all of the residential units across the site save for 5 intermediate tenure units on the first floor of Block B owing to the separation of affordable rented and intermediate cores.
- 13.42 The majority of the blocks would be served by two lifts save for Blocks E and D which would be both be served by a single lift and would contain private sale units.
- 13.43 London Plan Policy 3.8 'Housing Choice,' the Mayor's Accessible London SPG, and MDD Policy DM4 'Housing standards and amenity space' require 10% of new housing to be wheelchair accessible or easily adaptable for residents who are wheelchair users. London Plan Policy 3.8 'Housing choice' and Core Strategy Policy SP02 (6) requires all new housing to be built to Lifetime Home Standards.
- 13.44 On 14th March 2016, Minor Alterations to the London Plan (MALP) were published to bring the London Plan in line with the Government's national housing design standards.
- 13.45 Accordingly the requirement for all new dwellings to meet Lifetime Homes Standards and 10% to be wheelchair accessible or easily adaptable is now be interpreted as requiring 90% of new housing units to meet the Building Regulations optional requirement Part M4 (2) 'accessible and adaptable dwellings'; 10% of new housing within the market sales to meet the optional requirement M4(3)(2)(a) (adaptable); and 10% to meet the optional requirement M4(3)(2)(b) (accessible) within the rented affordable housing. The applicant states, and the floor plans indicate, that the development is capable of meeting the aforementioned new national accessibility standard including the Building Regulation optional required and adopted as policy requirements in MALP.
- 13.46 Were consent granted a minimum 10% of units would be fully wheelchair accessible or readily adaptable across all tenures in line with the aforementioned Building Regulation option requirements.

Internal Daylight and Sunlight

- 13.47 DM25 of the MDD seeks to ensure adequate daylight and sunlight levels for the future occupants of new developments. The Building Research Establishment (BRE) Handbook 'Site Layout Planning for Daylight and Sunlight 2011: A Guide to Good Practice' (hereinafter called the 'BRE Handbook') provides guidance on the daylight and sunlight matters. It is important to note, however, that this document is a guide whose stated aim "is to help rather than constrain the designer". The document provides advice, but also clearly states that it "is not mandatory and this document should not be seen as an instrument of planning policy."

13.48 The application is accompanied by a daylight and sunlight assessment report that tested the daylight and sunlight provision to the proposed new dwellings.

Daylight

13.49 The daylighting conditions within new homes are normally assessed in terms of the Average Daylight Factor (ADF). The BRE guidelines and British Standard 8206 recommend the following minimum ADF values for new residential dwellings:

- >2% for kitchens;
- >1.5% for living rooms; and
- >1% for bedrooms

13.50 A second daylight measurement is the proportion of the room which receives direct sky light through the window i.e. it measures daylight distribution within a room. The BRE Handbook states that if an area of a room that receives direct daylight) is reduced to less than 0.8 times its former no sky limit (NSL) value the effects will be noticeable to its occupants.

13.51 The submitted assessment tested 748 habitable rooms within the proposed development for daylight and sunlight, regardless of orientation. The report states that 82% of the habitable rooms within the proposed development will meet the minimum recommended ADF targets with the trees in place.

13.52 The report states that 95% of habitable rooms will either satisfy the ADF guidelines (above) or have a daylit area (enclosed by the NSL) greater than 50% of the room, which the applicant’s assessor considers to be a “very good level of compliance” for a proposed scheme of this size.

13.53 In response to this, the Council’s assessor has confirmed that the ADF and NSL tests are not conducted on an “either/or” basis and nor is 50% the BRE target for NSL, so it is incorrect to refer to “compliance”. Nevertheless, the Council’s assessor concludes that 82% overall adherence to the ADF guideline is not unreasonable for this density of development.

13.54 The number of transgressions to the ADF criteria per block for the main living areas (Living/Dining Rooms, Living/Kitchen/Dining Rooms and Studios) are highlighted in the table below.

Table 4: ADF transgressions to main living areas

| Criteria | No. of ADF transgressions to main living spaces (LDs/LKDs/Studios) | | | | |
|---|--|---------------|----------------|---------------|-------|
| | Northern block | Central block | Southern block | Main building | Total |
| ≤0.99% ADF | 7 | 9 | 4 | 4 | 24 |
| 1% to 1.49% ADF | 3 | 14 | 8 | 9 | 34 |
| 1.5% to 1.99% ADF (LKDs and studios only) | 8 | 12 | 5 | 17 | 42 |
| Totals | 18 | 35 | 17 | 30 | 100 |

13.55 A total of 100 main living spaces would be below the ADF guidelines, of which 42 could be considered acceptable (1.5% to 1.99% ADF). Of the remaining 58, 34 will be slightly below the guideline (at 1% to 1.49% ADF) and a further 24 would be well below the guideline (at ≤0.99% ADF).

- 13.56 A number of the living spaces that would not meet the ADF recommendations occur behind recessed balconies, which would at least provide private amenity space to the flat, or are in the historic part of the building, where heritage considerations dictate the size of window apertures. Others occur within the inverted corners of the new blocks and would therefore be a factor of the design and layout of the proposed development.
- 13.57 The Council's assessor has also raised concerns about some of the parameters used to derive the ADF figures, particularly in regard to the values used for diffuse glass transmission. Were a new scheme to come forward on the site, this should be clarified.
- 13.58 In relation to sunlight, the level of adherence to the BRE guidelines is lower than for daylight, with 54% adherence overall and 67% for living rooms. This is considered to be not out of the ordinary by the Council's assessor for new, higher density building and has been particularly emphasised in this case as all rooms have been tested, irrespective of orientation.
- 13.59 In assessing internal daylight and sunlight results, the urban location and site constraints are important considerations. The Mayor of London's Housing SPG emphasises the need to apply the guidelines with an appropriate degree of flexibility and sensitivity to higher-density housing development, given the need to optimise housing capacity.
- 13.60 In light of the above, the internal daylight and sunlight levels to the proposed development are considered broadly acceptable in this instance.
Sunlight to amenity spaces within the development
- 13.61 The results of the two-hours sun-on-ground test on 21 March (spring equinox) show that compared with the BRE guideline of 50%, the two main courtyard spaces would achieve two hours of sunlight to 45.6% and 56.8% of their respective areas and the western amenity space will achieve it to 100% of its area. A supplementary test on 21 June shows much higher percentages for the courtyard spaces. The Council's assessor considers the sunlight availability to the amenity spaces to be acceptable.

Amenity space

- 13.62 For all major developments, there are four forms of amenity space required: private amenity space, communal amenity space, child play space and public open space. The 'Children and Young People's Play and Information Recreation SPG' (February 2012) provides guidance on acceptable levels, accessibility and quality of children's play space and advises that where appropriate child play space can have a dual purpose and serve as another form of amenity space. This is particularly apt for very young children's play space as it is unlikely that they would be unaccompanied. However policy is clear that any dual purpose amenity space strategy must not be formulated to double count amenity space and thereby dilute the amenity space standards.

Private Amenity Space

- 13.63 Private amenity space requirements are set figures determined by the predicted number of occupants of a dwelling. Policy DM4 of the MDD sets out that a minimum of 5sq.m is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If private amenity space is in the form of balconies, they should have a minimum depth of 1500mm.

- 13.64 The proposal provides private outdoor amenity space to the majority of units in the form of private balconies and external terraces. The majority of units within the Main Hospital building do not benefit from private amenity space, nevertheless, this is considered a legitimate response to the constraints of the listed building and, additionally, future residents of the main hospital building would have access to 146sqm on the flat roof of Block D.
- 13.65 There are also a total of 12 private studio units in new build Blocks C, D and E which also would not benefit from external amenity space. This deficit in providing private external amenity space to 12 individual units officers consider does not warrant a reason to refuse the scheme given: (a) the number of units affected is small as a proportion of the total number of units in the scheme; (b) due material weight and consideration needs to be given by the decision-maker to the overall very generous provision landscaped communal open space falling within the curtilage of the site and the high quality of spaces that creates. Most notably the large lawn area set in front of the main hospital building .

Communal Amenity Space

- 13.66 Communal amenity space is calculated by the number of homes within a proposed development. 50sq.m is required for the first 10 units with an additional 1sqm required for each additional unit. Therefore, the required minimum amount of communal amenity space for the development would be 331sq.m.
- 13.67 The communal amenity space would be provided in various areas throughout the site the gaps between the new blocks and the landscaped garden areas at the northern corners of the site. Private communal amenity space provided for residents of the development *only* would exceed the policy requisite 331sq.m by approximately 300sq.m, without factoring the main area of lawn situated in front of the retained main hospital building that would also serve as open space for the general public.
- 13.68 In addition to the circa 660sq.m of site wide shared communal open space , there is an additional 147sqm on the roof of Block D. As this is solely for the residents of the Main Hospital Building, this has not been calculated into the above recorded 331sq.m of communal external amenity space.

Child play space

- 13.69 The Mayor of London's 'Children and Young People's Play and Informal Recreation' SPG provides guidance on acceptable levels, accessibility and quality of children's play space and advises that where appropriate child play space can have a dual purpose and serve as another form of amenity space. This is particularly apt for very young children's play space as it is unlikely that they would be unaccompanied.
- 13.70 Play space for children is required for all major developments. The quantum of which is determined by the child yield of the development, with 10sqm of play space per child. The London Mayor's guidance on the subject requires, inter alia, that it will be provided across the development for the convenience of residents and for younger children in particular where there is natural surveillance for parents.
- 13.71 The scheme is predicted to yield approximately 79 children using the GLA calculator. This yield by age group is estimated as follows:

- 40 children under aged 0-4,
- 30 children between ages of 5-11 and
- 21 children between ages 12-18

- 13.72 This child yield equates to a requirement for 400sq.m of play space for children under age of 5, 300 sq.m for ages 5-11 and 210 sq.m for older children.
- 13.73 The proposed layout plans indicate the scheme could provide the required quantum of child play space for children of all ages within the site. The 0-5 child play space is stated by the applicant to be exactly 400sqm and would be provided through the triangular area of space bound by Blocks A and B of the southern building and the Bonner Road site boundary. This would therefore be immediately adjacent to the affordable housing units and thereby those units with the highest predicted yield. However, given the gated access points across the site, it is understood that occupants of the other residential blocks using this space would have to pass through at least one (but more often two) gates to get to reach this play space. This would therefore be controlled by fobbed access.
- 13.74 The 10th July 2018 amendments to the scheme, which increased the affordable housing offer to 35% and thereby resulted in an increase in child yield and requirements for child play space, have meant that this triangular area of space, previously set within landscaped boundaries with ornamental trees, has expanded to occupy the full extent of the space. The reduction in separation distance to residential units along with the loss of visual screening, would therefore potentially reduce the attractiveness of this area to users.
- 13.75 The play space for older children would be located within the courtyard spaces surrounded by Blocks H, D, C and E. The layout of this open space is such that it is capable of serving the playspace the needs of children of all ages over 5. Fobbed access would be required for occupiers of the blocks not immediately adjacent to the courtyard spaces. Were permission granted, further detailed plans of each element of play space would be sought by condition. The main front lawn to the site although not factored into the applicant's play space provision for the scheme is evidently an additional informal space that could be used by residents of the development as additional plays pace for children and a space that lend itself for older children who may wish to play informal ball sports there. Victoria Park is also located in very close proximity to provide further opportunities for plays space for older children.
- 13.76 The large front lawn area is well capable of serving as general communal amenity space for both future residents of the development and the residents of the surrounding area and as such set this scheme does not have take upon the character of a gated development, notwithstanding there are series of secure communal and play spaces accessible only to the residents of the development.

Secure by Design

- 13.77 Policy 7.3 of the London Plan seeks to ensure that developments are designed so as to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. Policy DM23(3) of the Council's adopted Managing Development Document requires development to improve safety and security without compromising good design and inclusive environments. Policy SP10 of the Borough's adopted Core Strategy require development to create distinct and durable places.

13.78 The Designing out Crime Officer has reviewed the original submission and is content that subject to further information supplied through the form of a condition, the scheme can successfully achieve secure by design residential accreditation.

14.0 Neighbours Amenity

14.1 Policy DM25 states safeguarding neighbours amenity should be by way of protecting privacy, avoiding an unduly detrimental increase in sense of enclosure, loss of outlook, deterioration of sunlighting and daylighting conditions or overshadowing to surrounding open space. DM25 sets out as guidance that an 18m separation distance between directly facing habitable rooms will avoid unacceptable inter-visibility between homes.

14.2 Policy DM25 also requires new development to not create unacceptable levels of noise, vibration, light pollution or reductions in air quality during construction or operational phase of the development.

14.3 With regard to an assessment of sense of enclosure or the impact upon outlook of a development, this is not a readily definable measure and the impact is a matter of judgement.

14.4 If there are significant failures in daylight and sunlight or infringements of privacy it can be an indicator that the proposal would also be overbearing and create an unacceptable sense of enclosure.

Daylight/sunlight assessment criteria

14.5 DM25 and SP10 of the Local Plan seek to ensure that existing and potential neighbouring dwellings are safeguarded from an unacceptable material deterioration of sunlight and daylight conditions.

14.6 For calculating daylight to neighbouring properties, affected by a proposed development, the BRE guidelines (*Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)*) outlines a two-part test. The first part assesses the effect on the total amount of light reaching the window - the vertical sky component (VSC) – and the second part assesses the effect on the daylight distribution inside the room (No-Sky Line/Contour), where internal room layouts are known or can reasonably be assumed.

14.7 The VSC is a quantified measurement of the amount of skylight falling on a vertical wall or window. The BRE handbook suggests a window should retain 27% VSC or at least 80% of the pre-development VSC value, otherwise the effects will be noticeable to the occupants.

14.8 The daylight distribution test measures the proportion of the room which receives direct sky light through the window i.e. it measures daylight distribution within a room. The BRE Handbook states that if an area of a room that receives direct daylight is reduced to less than 0.8 times its former no-sky line (NSL) value the effects will be noticeable to its occupants.

14.9 For sunlight, applicants should calculate the percentage of annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south and are likely to have their sunlight reduced by the development massing. The BRE guide recommends a window should retain 25% APSH, with at least 5% APSH in the winter months (September

to March), or at least 80% of the pre-development VSC value, otherwise the effects will be noticeable to the occupants.

- 14.10 For shadow assessment, the requirement is that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving at least 2 hours of sunlight on 21st March) or at least 80% of the pre-development value, otherwise the effects will be noticeable to its users.
- 14.11 It can be helpful to categorise impacts that exceed the BRE guide's numerical guidelines. The following categories have been used to describe the magnitude of loss of daylight and sunlight:
- 0-20% reduction – Negligible
 - 21-30% reduction – Minor loss
 - 31-40% reduction – Moderate loss
 - Above 40% reduction – Major loss
- 14.12 Where neighbouring windows sit beneath projecting balconies or are recessed into the building or are adjacent to projecting wings, the BRE guide advises that they typically receive less light, because the projections cut out light, and that this may unavoidably result in large relative impacts from development opposite. The guide advises that one way to demonstrate this is to carry out an additional test for both the existing and proposed situations, without the projecting balcony or wing in place. If, with the projection in place, the daylight/sunlight value in the proposed condition is less than 80% of the existing value, but without the projection the ratio is well over 80%, this would show that the presence of the projection, rather than the size of the new obstruction, is the main factor in the relative loss of light.
- 14.13 The applicant has submitted a daylight/sunlight/overshadowing report which tested the impacts of the proposals on the following properties:
- 1 to 60 Reynolds House
 - 41 Sewardstone Road
 - 1 to 17 Cleland House and 1 to 17 Goodrich House
 - 1 to 42 Rosebery House
 - 1 to 20 Sankey House
 - The Vicarage
 - 1 to 12 Pomeroy House
 - 76 to 116 Bonner Road

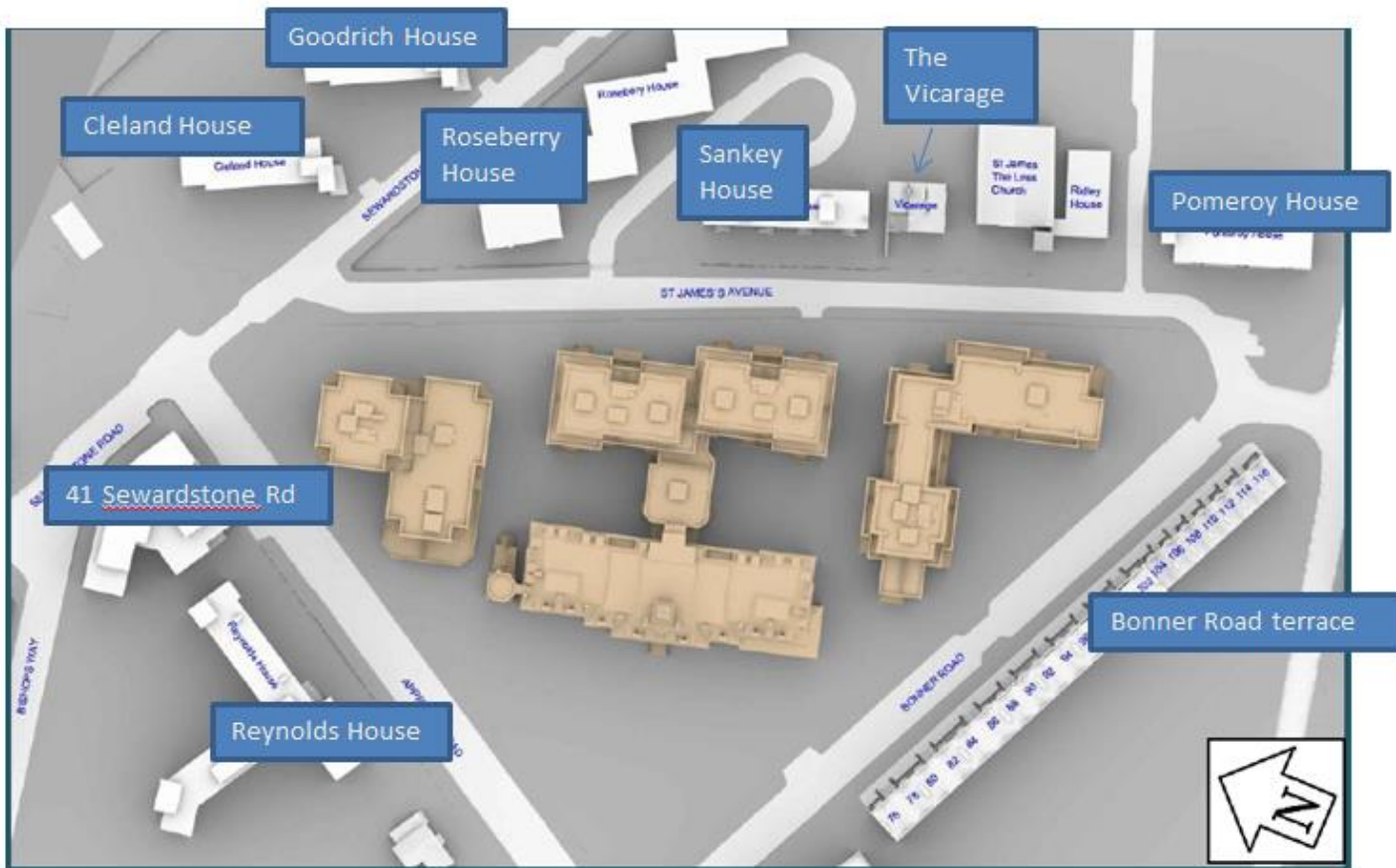


Figure 31: Site plan showing properties in proximity to the site.

14.14 The Council appointed a consultant to independently interpret the results provided by the applicant who agreed with the properties tested in the submitted report.

Daylight Analysis

Reynolds House

14.15 74 habitable rooms served by 74 windows were assessed in the submitted report. The effects on daylight and sunlight to all 74 habitable rooms and 74 windows would fully adhere to the BRE numerical guidelines. Consequently, the Council's assessors conclude that the proposed development would not cause an unacceptable material deterioration to daylight levels at Reynolds House.

41 Sewardstone Road (Sotherby Lodge)

14.16 43 habitable rooms served by 65 windows were assessed at this property. 51 of 65 windows tested would satisfy the VSC guideline and 41 of 43 rooms tested would satisfy the NSL guideline.

14.17 Of the 14 VSC window transgressions, their relative losses will be minor for 10, moderate for 3 and major for 1. Where the windows do not sit beneath projecting balconies they will generally retain reasonably good VSC values (typically at least 24% VSC). Where they do sit beneath projecting balconies, half of these serve a Living/Kitchen/Dining Room (LKD) with a better-lit second window that does not sit beneath a balcony and will retain a reasonable VSC value; the other half would

experience greater relative losses than the BRE guidelines recommend (minor to moderate losses between 24% and 32% loss) and would retain VSC values lower than the guidelines recommend (between 15% and 18% VSC). However, when they are re-tested with balconies omitted, in accordance with the additional BRE test, two would satisfy the guidelines and the third (at 1st floor level) would only be very slightly over the guideline with 21% loss and a good retained value of 26% VSC.

- 14.18 The Council's assessors therefore concludes that the proposed development would not cause an unacceptable material reduction in daylight levels, because the retained values are reasonable and in the few instances where they are below what would be preferable, the projecting balconies are a material factor in the relative light loss.

Cleland House

- 14.19 34 habitable rooms served by 34 windows were assessed in the submitted report. 27 of 34 windows tested would satisfy the VSC guideline and all 34 rooms tested would satisfy the NSL guideline.
- 14.20 Of the 7 VSC transgressions, 2 of these would be only slightly above the BRE guidelines. The remaining 5 are ground floor windows sitting beneath the 1st floor deck access balcony and are also partially blinkered by vertical dividers between flats. With these balconies and dividers removed, in accordance with the additional BRE test, the effects on VSC would be fully BRE adherent. Furthermore, even with the balconies and vertical dividers, all rooms would satisfy the NSL guideline with negligible loss of light. The Council's assessors therefore conclude that the proposed development would not cause an unacceptable material deterioration in daylight to this building.

Goodrich House

- 14.21 34 habitable rooms served by 34 windows were assessed. 29 of 34 windows tested would satisfy the VSC guideline and all 34 rooms tested would satisfy the NSL guideline.
- 14.23 Similarly to Cleland House, the 5 windows that do not meet the BRE VSC guidelines (between 21% and 26% loss, i.e. minor loss), are set beneath deck access balconies and when tested without this limitation, using the additional BRE test, the effect satisfies the guidelines. Therefore, the balcony contributes a significant part in the effect on daylight. The Council's assessors therefore conclude that the proposed development would not cause an unacceptable material deterioration in daylight to this building.

Roseberry House

- 14.24 69 habitable rooms served by 85 main windows have been assessed. 73 of 85 main windows would satisfy the VSC guidelines and 68 of 69 rooms tested would satisfy the NSL guideline.
- 14.25 Of the 12 VSC main window transgressions, their relative losses would be minor for 5, moderate for 4 and major for 3. Of these 12, 4 would retain a good VSC value for an urban area (23.8% VSC and above) and the other 8 are all inset into the elevation, with blinkering walls either side and balconies above. The additional BRE test with the window repositioned to the plane of the main window wall would

result in 7 of the 8 satisfying the BRE guidelines, and the 8th being very slightly beyond the guideline (20.96% loss), but with a retained VSC value of 24.1% which would be reasonable for an urban area.

- 14.26 The sole NSL transgression is a recessed room at ground floor level, which would still retain good daylight distribution (74.6% of its area, i.e. minor loss) with some light penetrating right to the back of the room.
- 14.27 The Council's assessors therefore conclude that where there would be some daylight transgressions, the recessed nature of the windows concerned is a greater factor in the relative light loss and that overall the proposed development would not cause an unacceptable material deterioration in daylight to this building.

Sankey House

- 14.28 40 habitable rooms served by 55 main windows have been assessed at this property. 25 of 55 main windows would satisfy the VSC guidelines and 30 of 40 rooms tested would satisfy the NSL guideline
- 14.29 Of the 30 main window VSC transgressions, which serve 28 rooms, their relative losses will be minor for 18, moderate for 5 and major for 7. Of the 28 rooms affected, 16 are kitchens, positioned underneath balconies (four per floor, from ground to third floor levels) and would retain relatively low VSC values in the proposed condition. The other 12 are living rooms, partially underneath projecting balconies of which 9 will retain reasonable VSC values (in excess of 20% VSC) and the other three (all at ground floor level) would retain VSC values slightly below 20% at between 19.0% and 19.8% VSC.
- 14.30 Of the 10 NSL transgressions, their relative losses would be minor for 5, moderate for 3 and major for 2. 6 are at ground floor level (3 living rooms and 3 kitchens) with between 24% and 47% loss and 4 are at first floor level (two kitchens and two living rooms) with between 21% and 32% loss.
- 14.31 The additional test with the balconies removed, as suggested in the BRE guidelines, shows a better level of adherence to the guidelines and better retained values. In this scenario:
- 10 windows would not meet the VSC guidelines, with minor losses of between 21% and 24% loss, but would retain good VSC values of between 25% and 27% VSC.
 - 7 rooms would not satisfy the NSL criteria with the balconies removed, but would retain a reasonable view of sky of between 58% and 75% of the room area.
- 14.32 The Council's assessor therefore concludes that whilst there would still be some daylight transgressions if there were no balconies blinkering the view of sky, these would not, in their view, be regarded as out of the ordinary for development in urban areas such as this. Therefore, in the assessors' opinion the proposed development would not cause an unreasonable impact on daylight and sunlight amenity to these properties when assessed against BRE guidelines.

The Vicarage

- 14.33 12 rooms served by 14 windows have been assessed. 11 of 14 windows tested would satisfy the VSC guideline and 11 of 12 rooms tested would satisfy the NSL guideline.

- 14.34 The 3 VSC transgressions are considered by the Council's assessor to be minor relative losses. One is a glazed fanlight above an entrance door and the second is the adjacent window, which is believed to serve an entrance hall. The third serves a dual aspect room whose windows will retain 25% and 26% VSC respectively, close to the 27% VSC guideline. None of these three spaces will experience any impact on NSL.
- 14.35 The sole NSL transgression is a minor one (22% loss) and the room would remain well lit, with 29% VSC and 74% of the room within the NSL.
- 14.36 The Council's assessors therefore concludes that the proposals would not cause an unacceptable deterioration in the levels of daylight at this property

Pomeroy House

- 14.37 36 rooms served by 36 windows have been assessed at this property. 35 of 36 windows tested would satisfy the VSC guideline and all 36 rooms tested would satisfy the NSL guideline. The sole VSC transgression is a minor (21%) relative loss. The Council's assessor concludes that the impact on this property would be almost in full compliance with the BRE guidelines and as such there would not be a material loss in daylight to this property.

76 to 116 (evens) Bonner Road

- 14.38 124 habitable rooms served by 142 main windows have been assessed in this terrace of properties
- 14.39 140 of 142 main windows tested would satisfy the VSC guideline and 114 of 124 rooms tested would satisfy the NSL guideline. Of the 2 VSC window transgressions, their relative losses would both be minor and only very marginally breach the guideline (20.05% and 20.87% loss respectively). Of the 10 NSL room transgressions, their relative losses would be minor for 5, moderate for 2 and major for 3. Apart from 2 minor losses that are at first floor level, the remaining 8 all occur at lower ground floor level. Of these, 3 are minor (24.7%, 24.2% and 28.7% loss to Nos. 104, 90 and 102 respectively), 2 are moderate (34.8% and 37.8% loss to No. 92 and 94) and 3 are major (42.1%, 41.5% and 40.3% loss to Nos. 96, 98 and 100 respectively). The effects on the depth of daylight penetration into these lower ground floor rooms would be noticeable, more so where the relative losses would be moderate or major. However, their main windows would retain good VSC values (25% to 29% VSC) and the total area of glazing from the three tall sliding-sash windows in each bay is quite generous. Consequently, the Council's assessor concludes that none of these rooms should be left poorly lit as a consequence of the proposed development

Sunlight Analysis

- 14.40 In terms of sunlight the scheme would have negligible impact upon the following properties:- Reynolds House, 41 Sewardstone Road, Goodrich House, Pomeroy House and 76-116 Bonner Road.

Cleland House

- 14.41 31 of 34 rooms tested are fully adherent to annual and winter sunlight guidelines. The remaining 3 are minor to major losses but would satisfy the guidelines were it not for the projecting balcony and dividers. The Council's assessor therefore concludes that the proposals would not cause an unacceptable material deterioration in sunlight to this building

Roseberry House

- 14.42 66 of 69 rooms tested for sunlight are fully adherent to annual and winter sunlight guidelines. The remaining 3 are minor to major losses but the windows are all recessed into the façade beneath balconies and if the windows were on the same plane as the main window wall, they would satisfy the guidelines. The Council's assessor therefore concludes that the proposals would not cause an unacceptable material deterioration in sunlight to this building

Sankey House

- 14.43 32 of 40 rooms tested for sunlight are fully adherent to annual and winter sunlight guidelines. All 8 of the failures are kitchens, which the BRE guidelines advise are less important than living rooms and the losses range from minor to major. All 8 sit beneath projecting balconies and consequently only 2 of the 8 transgressions are for both annual and winter sunlight, whereas 6 are just for annual sunlight (because the balcony obstructs the view of sky at higher altitudes, where the sun is more likely to shine in the summer). All of them would satisfy the guidelines were it not for the projecting balcony above.

- 14.44 The Council's assessor therefore concludes that the retained sunlight levels would not be unreasonable for an urban area given the presence of the balconies.

The Vicarage

- 14.45 8 of 10 rooms tested for sunlight are fully adherent to annual and winter sunlight guidelines. One of the transgressions (annual and winter) is to a glazed fanlight in a first floor entrance door at the top of an external metal staircase and the other (winter only) is to the adjacent window. Whilst they are large relative losses of winter sunlight, the absolute losses are small and the window would retain very good annual sunlight (34% APSH), which is well above the guideline. The immediately adjacent projecting main front wing of the building is a material factor in the relative loss of sunlight.

- 14.46 The Council's assessors therefore conclude that the proposals would not cause an unacceptable material deterioration in the levels of sunlight to this building.

Concluding remarks on daylight/sunlight

- 14.47 The proposed development would result in a number of transgressions of the BRE's standard numerical guidelines as summarised in the table overpage.

Table 5 – Impacts on daylight/sunlight - percentage adherence to BRE default target values

| TEST | ADHERENCE TO DEFAULT BRE TARGETS | TRANSGRESSIONS OF BRE TARGETS | | |
|------|----------------------------------|-------------------------------|-------------------------------|--------------------------|
| | | SMALL IMPACT (20-30% loss) | MODERATE IMPACT (30-40% loss) | LARGE IMPACT (>40% loss) |
| VSC | 86.3% | 9.1% | 2.4% | 2.2% |
| NSL | 94.8% | 3.0% | 1.1% | 1.1% |
| APSH | 95.3% | 1.2% | 1.8% | 1.8% |
| WPSH | 95.6% | 0.6% | 0.6% | 3.2% |

- 14.48 However, in most instances, the view of sky to the relevant windows and rooms is self-limited by overhanging balconies and/or adjacent projecting walls, which blinker the view of sky. In accordance with the guidelines, an additional assessment has been undertaken that discounts the aforementioned balconies and projections, the results of which show that without such limitations the impacts of the revised proposed development would be very largely BRE adherent and any remaining transgressions would be relatively few in number and magnitude. This demonstrates that the self-limiting features of the neighbouring buildings are a material factor in the daylight and sunlight transgressions.
- 14.49 Based on the results of the assessment against the BRE standard numerical guidelines and the additional assessment with the project balconies and wings removed, it is considered that the proposed development would not result in an unacceptable impact on daylight or sunlight to the existing surrounding residential properties or on sunlight/shadow to any surrounding amenity spaces. Whilst some of the daylight/sunlight levels in the proposed condition would be lower than the BRE standard target values, the impacts are considered acceptable in an urban location such as the application site. Furthermore when due consideration that with the exception of the main hospital building (that is set well away from the site boundaries) the existing buildings on site are low storey (single storey ad hoc buildings) or in the case of the nurses accommodation (set parallel to St James Avenue) only 3 storeys that inevitably means any proposed additional height set closer to the street edge will result in viloss of reduction significant

Privacy, outlook and enclosure

- 14.50 As stated earlier in this report the scheme would not give rise to privacy issues to surrounding properties. The closest relationship with a neighbouring building would be to the north of the site, with a minimum gap of 19m between the corner of Block G and Southerby Lodge (41 Sewardstone Road). To the east of the site, there would be a 29m gap between the Block F and Roseberry House, a 25m separation between Block C and Sankey House and a 21m gap between Block A and the St James the Less Vicarage. To the south of the site the distance between Block A and the Bonner Road terrace would be a minimum of 24m with the gap between Block B and the same terrace being a minimum of 28m.
- 14.51 In respect of sense of enclosure and the development being overbearing to residential neighbours, the set back of the buildings from the edge of the site – as detailed in the urban design Section of the report – would reduce the overbearing nature of the proposed buildings on the residential properties facing the development. There is concern about the impact of the 8 storey Block on surrounding occupiers given the minimum separation distance of 19m, however,

taken overall the scheme is not considered unduly overbearing in residential amenity terms to neighbouring residential buildings.

Noise, vibration and air quality

- 14.52 The effects on the noise, vibration and air quality during the construction and operational phases of the development are assessed elsewhere in this report.

Conclusion

- 14.53 The proposal has been developed so it adequately takes account of neighbouring properties' amenity and accords with the aforementioned policy.

15.0 Trees

Site wide

- 15.1 Policy DM24 of the Tower Hamlets Managing Development Document requires that development take into account the natural environment and protect features of positive value within a site. Policy 7.21 of the London Plan states that *'existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree', and that 'wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.'*
- 15.2 The site is characterised by a strong green perimeter with mature canopy cover on all three sides of the site. Predominant species on the site include London Plane, Lime and Cherry Trees. The high amenity value of the trees on site resulted in the formation of a Tree Preservation Order (TPO) in 1973. This TPO covers 39 trees within the site. Additionally, given the site's location within the Victoria Park Conservation Area, trees with a trunk diameter of over 75mm (at 1.5m above ground level) located within the site and not subject to the TPO, are also subject to statutory protection.
- 15.3 The proposals would result in the removal of 27 trees, 2 groups and 3 stumps would be removed in order to facilitate the proposed development. Of these, 23 trees and 1 group would be removed in order to directly facilitate the construction of the new building blocks and the 4 trees and 1 group would be removed to facilitate landscaping works, including 11 trees subject to the TPO
- 15.4 11 Trees subject to the TPO would be removed. These are 2 x Sycamores (T2 & T78), 2 x London Planes (T4 & T26), 2 x Holly (T20 & T79), 1 x Lime (T33), 1 x Tulip Tree (T35), 1 x Tree of Heaven (T51), 1 x Holm Oak (T52) and 1 x Maple (T80).
- 15.5 The proposals to trees on the site are supported by an Arboricultural Development Report which includes a Tree Survey of the site. The findings of this report have been assessed by the Council's Tree Officer and it is concluded the loss of a London Plane (identified as T26 London Plane, located towards the southeast edge of the site) is acceptable as the tree is in declining health. The replanting scheme would involve nonet loss of London Plane tress on site. Previously the scheme involved the loss of a Lime tree identified as T22 but the footprint of the proposed building development has been amended to take account of this tree and this will enable the tree to be retained which would aid maintaining mature cover along this boundary, which officers welcome. Officers recognise the existing tree

canopy contributes significantly to the landscape setting of the hospital building and to the broader character of the conservation area, perhaps most notably in creating a well defined avenue of trees leading to Victoria Park from Approach Road. The proposed tree planting along the boundary of Approach Road and St James's Avenue would be made up of semi-mature 'instant impact' trees with a DBH of 20-25cm and an approximate height of 4.5-5.5m when planted.

- 15.6 With regard to the initial originally limited separation between the proposed build and mature tree canopies, amendments have been provided to the footprint of the new buildings to ensure that more provision has been given to the distances between the proposed build and mature tree canopies. Although some facilitation pruning will still need to be carried out the Tree Officer is of the conclusion the space provided for the maintained canopy of trees is acceptable.
- 15.7 To mitigate against the loss of the 27 existing trees on site, the scheme would plant 21 standard to semi-mature trees and over 20 smaller ornamental trees. This tree planting strategy would more than compensate numerically to the proposed loss of existing trees entailed by the scheme and has satisfied the tree officer would more than adequately mitigate against the loss of existing tree canopy cover along the site boundaries, including along the length of St James's Avenue where the loss of existing trees has raised particular concerns from a number of residential neighbours.

Mulberry Tree

- 15.8 The Black Mulberry Tree, which is subject of the 1973 Tree Preservation Order, sits within the site to the north of the main hospital building.
- 15.9 Competing theories exist as to the age and provenance of the tree in situ. Any definitive statements about its age or genetic origins would only be possible through invasive study.
- 15.10 Notwithstanding this uncertainty, the site has a long association with Mulberry Trees dating back to the occupation of the site by Bishop Bonner (mid to late 16th Century). As alluded to above, it is unclear whether the existing tree is the same as that present in the 16th Century, or whether it is in fact a descendent of this tree, or otherwise.
- 15.11 What is not in dispute is the tree's presence at the site during and prior to WWII. The tree is documented to have survived WWII bomb that destroyed that the Chapel that previously stood next to it as shown in the images below.

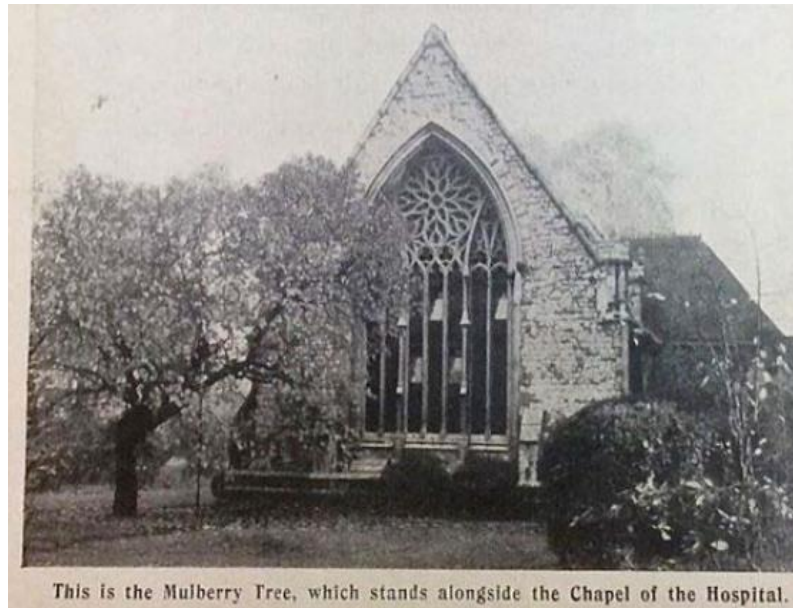


Figure 32: Taken from 1930s fundraising pamphlet for the hospital



Figure 33: Bomb damage to the Mulberry Tree with the bomb damaged Chapel and North Wing to the rear.

- 15.12 Given the historical association of a Mulberry Tree at the site, and the trees survival following significant bomb damage during the blitz, the tree has gained significant cultural and historical importance. On this basis it is considered that the tree warrants classification as a Veteran Tree as per joint Standing Advice published Natural England and the Forestry Commission in October 2014.
- 15.13 The tree officer considers the Mulberry Tree has significant local and national importance. This is evidenced by the overwhelming number of objections to this tree's transplantation from local residents, professionals and by the Woodland Trust who have placed this tree on their Ancient Tree Inventory; a register mapping and providing information on Ancient, Veteran and Notable trees across the UK.

- 15.14 This tree meets a number of the criteria for a veteran tree (Standing Advice 2014) and can be considered both an ‘aged’ and ‘veteran’ tree.”
- 15.15 The National Planning Policy Framework (NPPF) defines aged or veteran trees as those which, because of its age, size or condition is of exceptional value for wildlife, in the landscape, or culturally. The Tree Officer considers the following are applicable to the Mulberry Tree:
- *Importance as a repository of genetic information from many centuries past*
 - *Its role in providing local distinctiveness, structure and interest to landscapes*
 - *The historical and cultural link it provides to past generations and communities*
- 15.16 Paragraph 175 of NPPF, sub-section (c) deals with aged and veteran trees and states:
- *“Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”*
- 15.17 The proposals for the site include the relocation of the Mulberry Tree from its current location to the north of the site, to a position located centrally within the front lawn. The relocation strategy has been detailed in a Technical Note prepared by Aspect Arboriculture and involves the translocation of the tree and root system, without a requirement to prune any of the root system, via use of a bespoke scaffold structure. Works to determine the root area have already been partially undertaken with the use of a Ground Penetrating Radar. Were permission granted, further works to definitively determine the root area would be undertaken by means of a non-invasive air spade investigation; this would be secured by way of a condition.
- 15.18 The Technical note and proposals to relocate the tree have been assessed by the Council’s tree officer who has concluded the applicant has provided a robust methodology for transplanting the Mulberry Tree and it is considered the methodological approach proposed by the applicant could not be readily improved over that which is set out in the applicant’s submitted Technical note.
- 15.19 The applicant has provided several case studies of Ruskin’s Trees and Landscape Ltd (the appointed specialist contractor for undertaking the relocation) successfully transplanting other mulberry trees.
- 15.20 The Technical note also express a professional opinion that the Mulberry Tree in the existing setting which includes a current absence of good husbandry *“it would be reasonable to expect the tree to fail of its own accord within a decade”*; consistent with BS5837 (2012) Table 1 timeframes for trees *“that demonstrate, serious irredeemable defect, such that their early loss is expected due to collapse.....”* The Mulberry Tree presently depends on a prop to remain upright.
- 15.21 The applicant as a precautionary measure, should the Mulberry Tree not survive relocation, has already undertaken nine successful cuttings of this tree (one planted directly into compost, the other eight grafted to White Mulberry root stock). These cuttings would maintain the Mulberry Tree’s genetic continuity on site, by

future replanting of one or more of the cuttings back on site when they have grown bigger and return from their nursery environment.

15.22 The Borough tree officer does consider that transplanting the Mulberry Tree presents a risk of fatality, due to the structural condition of this tree and that distinguishes this tree from the case studies referenced by the tree contractor that are understood to be related to trees in better health – hold greater vigour. The tree officer concludes on the balance of probabilities there is a greater likelihood the Mulberry Tree would survive than not, yet there remains a fair chance the tree might not survive. This probability of loss needs to be measured against the NPPF's test for veteran trees to determine whether or not the Mulberry tree should be transplanted;

15.23 The tree officer also states:-

"It is also worth noting that due to the Mulberry trees cultural value I believe it to have a BS5837 category of A3 - Trees, groups or woodlands of significant conservation, historical, commemorative or other value."

15.24 Notwithstanding the above detailed implications of the proposed relocation, it is accepted by officers, including that of the tree officer, that the tree is currently located in a somewhat marginalised part of the site, surrounded as it is by piecemeal post-war development without the opportunity to gain sight of the tree from the street or the general public realm. The proposed location would be preferential in terms of giving the tree a fitting location on the site with an ability for public to readily see and appreciate it set within the main front lawn to the site, which will be secured by section 106 legal agreement, as public realm open space should the scheme gain consent.

15.25 Nevertheless, as outlined in the tree officer's assessment above, there is a possibility that the tree would not survive the relocation process. It is important to note that this conclusion is not reflective of any methodological deficiencies identified in the proposed strategy, but instead is reflective of the unavoidable risks associated with seeking to relocate this tree.

15.26 Paragraph 175 of the NPPF states that planning permission should be refused for development resulting in the loss of aged or veteran trees, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

15.27 Whilst the public benefits deliverable through the scheme are not wholly exceptional, the survival of the tree and its relocation to an area of improved public access would be a positive outcome of the planning application. Consequently, the high threshold of the test in paragraph 175 of the NPPF is not considered directly applicable in this instance. In addition, the public benefits arising from the scheme, in particular the significant addition of housing and affordable housing to the stock of housing within the borough, are considered, on balance, to outweigh the potential loss of the Veteran Mulberry Tree. Maintaining the Mulberry Tree in its existing location would severely curb the opportunity to gain residential development in this northern corner of the site with likely significant implications on the viability of any prospective alternative residential redevelopment scheme for the site.

16.0 Highways and Transportation

- 16.1 The NPPF and Chapter 6 of the London Plan seeks to promote sustainable modes of transport and accessibility and reduce the need to travel by car, with transport demand generated by new development to be within the relative capacity of the existing highway network.
- 16.2 Policy SP08 and SP09 and Policy DM20 of the adopted Local Plan together seek to deliver an accessible, efficient and sustainable transport network, ensuring new development does not have an adverse impact on safety and road network capacity, requiring the assessment of traffic generation impacts and also seeking to prioritise and encourage improvements to the pedestrian environment. Policy DM22(2) of the Managing Development Document (2013) and Policy SP09 of the Core Strategy seek to ensure that developments located in areas of good public transport accessibility are secured as 'permit free' and have no on-site car parking
- 16.3 London Plan (2016) also promotes 'car free' development in areas with good access to public transport, whilst still providing for disabled people.

Vehicular Access to Site

- 16.4 The site's vehicular access would be through the existing entrance on Bonner Road with vehicles using the existing semi-circular drive way to the front of the hospital building and exiting via the Approach Road gate. A concierge would be located adjacent to the Main Hospital Entrance so as to assist with any deliveries. This would mirror the previous vehicle access to the site.

Car Free and accessible parking

- 16.5 Both residential and non-residential elements of the scheme would be car free, as secured by legal agreement, save for the 9 accessible parking bays allocated for Blue Badge holders. These 9 bays would be located at either end of the vehicular driveway. Electric charging points to London Plan Standards - 20 per cent active, 20 per cent passive – are required to be secured through condition.

Servicing

- 16.6 The majority of servicing is planned to take place within the site via the proposed internal road link between Approach Road and Bonner Road. The concierge office located within the hospital building would manage all deliveries associated with the residential units. The non-residential D1 Use will be serviced on-street from St James's Avenue subject to local parking restrictions.
- 16.7 Refuse collections would take place on street with the majority taking place along St James's Avenue. Highway works associated with changes required to facilitate the servicing of the site, including two additional dropped kerbs for means of access to new sub-stations, would be funded by means of legal agreement. The introduction of servicing along St James's Avenue would result in a reduction of three residents' parking spaces. The Council's parking officer has confirmed that there would be scope to introduce additional resident's parking spaces at other points along Approach Road and Bonner Road, along with the possibility of changing pay and display bays to residents parking bays. The associated cost of the survey and consultation work required would be covered by the applicant through a financial contribution.

On Street Parking

- 16.8 Local residents have raised issues regarding the development and its potential to increase parking stress on the surrounding streets. The proposed 'Permit Free' clause within the Section 106 agreement would control, to a major extent, the ability for new residents to park on the street during the controlled parking zone hours. If a resident in the development owns a car which they use for work it is possible that could park on streets outside of those hours (as is the case for anyone not owning a permit who wishes to visit the area). There are also pay and display bays in the surrounding streets which may have been used for visitors to the hospital. These allow non-permit holders to park for a limited number of hours. In light of the concerns of residents a section 106 financial contribution is sought to investigate changes to the current controlled parking zone in terms of hours of operation or amendments to the type of bay so as to allow for more permit only use. Both of these options would restrict the ability of residents of the new development to increase parking stress on the surrounding streets. However, visitors to Victoria Park undoubtedly also park in this area and any changes to the current parking regime may have an unintended negative effect on this visitor parking for users of Victoria Park.

Pedestrian Environment

- 16.9 The applicant has undertaken a pedestrian audit of the areas surrounding the site and discussed the potential need for highways improvements in the surrounding area. The Council's highways team have suggested improvements are necessary to the junction of Old Ford Road at the south of the site and at the north of the site along Sewardstone Road adjacent to the entrance to Victoria Park. The Council would seek a contribution to cover the cost of these works, though this has not been agreed by the applicant.

Cycle Parking Provision

- 16.10 The proposed cycle provision would equate 474 secure and sheltered spaces for the residential units. These would be located below the courtyard spaces to the rear of the hospital and would be accessible via cycle channels within stair cores. Cycle parking provision would include 10 per cent 'Sheffield' stands, with remainder as double stacker parking.
- 16.11 Whilst the overall provision would meet adopted London Plan standards, provision of accessible Sheffield stands would ideally be higher. The D1 use would have its own dedicated cycle storage area at ground floor level
- 16.12 During the course of the application, TfL enquired as to the availability of land and funding for the provision of a Transport for London Cycle Hire Docking Station. TfL have however subsequently accepted that the constraints of the site would not be suitable for use for docking station.

Bus services

- 16.13 The Bonner Road includes bus stand historically relied upon toilet facilities within the former hospital and with the hospital now closed these facilities are no longer available. The provision of facilities has a significant impact on the ability of the bus operators to recruit and retain staff, especially female employees as well enabling a reliable bus service. There is however a commitment on the part of the

applicant to provide an on-site facility for bus drivers which would be secured through a Section 106 agreement.

Travel Plan

- 16.14 A draft Travel plan has been submitted and this is welcome. A full Travel Plan will be required through the Section 106 agreement. A separate Travel Plan for the D1 use will also be required..

Service Management Plan

- 16.15 A full Service management Plan will be required as a condition to any planning permission which may be granted. This must be submitted by the applicant and approved by the LPA / HA prior to any occupation.

Construction Management Plan

- 16.16 The applicant is required to submit a robust Demolition and Construction Management Plan. This would be secured by way of pre-commencement condition From the highways and transportation perspective this must look at the scheme in terms of traffic and provide details of how the works would affect the local area through the demolition and build phases of the development, including details of the mitigation to be taken to reduce the impact on local residents and other users of the public highway, particularly pedestrians and cyclists.

17.0 Striking the Planning Balance

- 17.1 The local planning authority has a statutory obligation under Sections 66 (1) and 72 (1) of the Planning (Listed Building and Conservation) Acts 1990 to the conservation of designated heritage assets. In accordance with the aforementioned Act, paragraph 193 of NPPF sets out that “great weight” should be given to protection of designated assets, “irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

- 17.2 As set out Section 12 of this report concerning the heritage assessment of the scheme, officers concluded the scheme would result in less than substantial harm to designated heritage assets. Upon that basis it falls upon the Council, as decision-maker to this submitted scheme to apply a public benefit planning balance test, as set out in paragraph 196 of NPPF.

- 17.3 Paragraph 196 of NPPF states “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”

The key public benefits of the proposed scheme would be:

- a. Heritage benefits derived from bringing back the retained listed hospital structures into use, thereby securing the future conservation of the designated asset;
- b. Heritage benefits gained from the return and restoration of original built features to the main hospital building including provision of new wooden

window casements, restoration of the Victorian cast iron veranda, a resizing and re-arrangement of the front dormer features - to better match the historic arrangement;

- c. Delivery of 291 new homes;
- d. Provision of 35% of the residential accommodation as affordable housing (by habitable room) with the affordable rented units provided in accordance with the Council's preferred product mix (namely 50% London Affordable Rent and Tower Hamlets Living Rent);
- e. Provision of a D1 space designed such that it would be readily capable of serving as a children's nursery to serve the local community, or the assigned space to function as another type of (D1 Use Class) non-residential institution for the community;
- f. Securing by legal agreement, in perpetuity, public access to the site open space specifically the front lawn area;
- g. Relocation of the Mulberry Tree to the front lawn would serve as a tangible public benefit given the tree is imbued with such cultural and historical significance to the site and the local area and yet is presently not visible from the street or the public realm more generally;
- h. Demolition of a set of post war buildings on site that detract from the setting of the listed building and the character of the conservation area to be replaced with new buildings that offer some architectural merit (as set out Section 11 of the report) that would visually benefit the locality.

17.5 In assessing the key public benefits officers recognise bringing the main hospital building and the site more generally back into an operational use, would be a major positive outcome. An informative with regard to this public benefit consideration is Historic England Advice Note 2 ("Making Changes to Heritage Assets" which sets out *"The best way to conserve a building is to keep it in use, or to find it an appropriate new use if it has passed out of use, either that for which it was designed or an appropriate new use which would see to its long-term conservation. Even recently restored buildings that are vacant will soon start to degenerate."*

17.6 The Borough has a five-year supply of deliverable housing land, and a track record of delivering significantly more new homes than any other London borough over the last ten years. Nevertheless the scheme's provision of new housing is recognised to be a public benefit that needs to be given very significant weight given London is considered (as set out in London Plan) to operate as a single housing market with an existing housing supply shortfall.

17.7 With respect to the provision of affordable housing, the public benefits are clear with the scheme set to deliver a quantum of affordable housing consistent with the 35% to 50% target set in the development plan. This level of delivery of affordable housing set within the context of a site with such a degree of heritage constraints/sensitivities is a significant outcome.

17.8 Within Chapter 12 of the NPPF concerned with "achieving well designed places", an obligation is placed upon decision-makers when determining planning decisions to ensure new developments *"optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development"* (Paragraph 127). This

requirement on decision makers is echoed again in Chapter 16 (the NPPF chapter dealing expressly with concerning conserving and enhancing the historic environment) in Paragraph 196 of the NPPF when it sets out that the public benefit associated with “*securing optimum viable use*” also applies to a scheme that will lead to less than substantial harm to a designated heritage asset.

- 17.9 In summary, officers conclude on-balance the scheme would deliver public benefits that outweigh the identified resultant harm arising from the scheme.
- 17.10 Officers in arriving at this conclusion on the planning balance do not seek to diminish the degree of harm the proposed development would incur to designated assets, including partial demolition of significant elements of the hospital cited in Historic England’s listed description.
- 7.11 The proposed scheme would provide an opportunity and a secure mechanism (through planning conditions) to actively manage and maintain the large number of trees on-site that for some time have been not managed. This aspect of the scheme of itself would provide a visual public benefit to the neighbourhood and go towards improving the visual appearance of the conservation area alongside serve as an ecological benefit.

OTHER CONSIDERATIONS

18.0 Noise and Vibration

- 18.1 The application supporting documentation includes an Environmental Noise Assessment and a Demolition Noise Assessment. The Environmental Noise Assessment provides results of background noise and vibration monitoring that was carried out at various locations surrounding the site.
- 18.2 The Demolition Noise Assessment reviews the noise and vibration impacts to surrounding properties of the scheme during the estimated 20 week demolition phase, including from plant and vehicle movements. With appropriate mitigation secured by condition the residual effects of noise and vibration due to demolition and construction are considered to be acceptable.

End Occupation Phase

- 18.3 The submitted assessment details the level of attenuation that will be required in order to ensure that the new homes within the scheme meet residential standard of British Standard BS8233:2014.
- 18.4 To conclude, subject to application of appropriate planning conditions, it is considered that the proposed development would adequately protect neighbouring residents and building occupants including future residents within the development from undue noise and vibration disturbance, in accordance with Policy SP10(4) of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013).

19. Air Quality

- 19.1 Policy SP03 of the Core Strategy suggests air quality improvements will be addressed by continuing to promote the use of public transport and reduce reliance

on private motor vehicles and introducing a 'clear zone' in the borough. Policy DM9 of the Managing Development Document (2013) also seeks to improve air quality within the Borough, and outlines that a number of measures would contribute to this, such as reducing vehicles traffic levels, controlling how construction is carried out, reducing carbon emissions and greening the public realm. The application site, as with the entire borough, lies within an Air Quality Management Area.

- 19.2 The application supporting documents include an Air Quality Assessment that reviews the scheme's air quality implications at end phase and during the construction and demolition stage.
- 19.3 Concerns have also been raised the Council's Air Quality Officer in respect of nitrogen oxide (NOx) emissions of the proposed boilers. All boilers must be ultra-low NOx. Were consent granted a planning condition would be sought to mitigate these impacts.
- 19.4 The submitted assessment concludes that there is a high risk of dust impacts during construction phase, owing to the close proximity of a high number of residential units near the site, and mitigation measures would need to be put in place to curb these potential air quality impacts.
- 19.5 The development will be car free, this is welcomed in regards to air quality and hence there would be no significant impacts from the development on the local air quality.
- 19.6 In respect of the proposed D1 unit, the assessment shows that that the NO2 air quality objective may be exceeded on its southern façade and therefore, as recommended in the assessment, ventilation must be installed with the location of the inlet carefully considered to avoid the highest pollution levels.

20.0 Land Contamination

- 20.1 In accordance with the requirements of the NPPF and policy DM30 of the MDD, the application has been accompanied by a land contamination assessment contained. It assesses the likely contamination of the site as well as approaches to construction piling.
- 20.2 The Council's Environmental Health Team have reviewed the submitted assessment, and advises that subject to condition requiring investigation to identify the extent of potential contaminated land and agree a remediation strategy should it be required there are no objections to the scheme on grounds of land contamination.

21.0 Flood Risk & Water Resources

- 21.1 The NPPF, Policy 5.12 of the London Plan, and Policies DM13 and SP04 of the Borough Local Plan relate to the need to consider flood risk at all stages in the planning process. Policy 5.13 of the London Plan seeks the appropriate mitigation of surface water run-off.
- 21.2 A flood risk assessment has been submitted in support of the application. The prepared assessment considers the proposed development represents no risk in terms of flooding.

21.3 Subject to relevant conditions the proposal would be acceptable with regard to flood risk, sustainable drainage, sewerage and water supply and use and as such accord with relevant policy and guidance as set out in NPPF, Policies 5.12, 5.13 of the London Plan, Policies SP04 and DM13 of the Borough adopted Local Plan.

22.0 Energy and Sustainability

22.1 The NPPF sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change.

22.2 The climate change policies as set out in Chapter 5 of the London Plan 2015 and the Policies SO24 and DM29 of the Local Plan collectively require new development to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

Proposed carbon emission reductions

22.3 The submitted Energy and Sustainability Statement (May 2018) details how the design has sought to reduce emissions through the energy hierarchy and deliver emission reduction through energy efficiency measures, use of an onsite and renewable energy technologies (PV array). The proposals are anticipated to achieve site wide CO2 emission reduction.

22.4 The Energy Statement identifies that the site will be served by a single energy centre located in the North block that will feed the entire site. The proposals will include CHP plant equipment and communal boilers to meet the peak loads for space heating and hotwater. The CHP sizing is identified as 60kWe with the details of the plant room layout and schematic to serve the site provided in appendices C and D of the energy statement. The PV array is identified in appendix E and show a total of 266 PV panels proposed with a peak output of 79.8kw.

Carbon offsetting

22.5 The Planning Obligations SPD includes the mechanism for any shortfall in CO2 to be met through a cash in lieu contribution for sustainability projects. The submitted energy strategy identifies the shortfall to meeting zero carbon for the residential elements of the scheme.

22.6 It is proposed that the shortfall in CO2 emission reductions will be offset through a cash in lieu payment of £340,506 would be secured through the Section 106 agreement.

Sustainability

22.7 Policy DM29 also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require non-residential development to achieve BREEAM Excellent.

22.8 The Submitted BREEAM pre-assessment identifies that the scheme has been designed to achieve an 'Excellent' rating with a score of 72. This is supported and the submission of the final BREEAM certificate to demonstrate delivery would be secured by planning condition.

Summary and securing the proposals

22.9 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver ab site wide reduction in CO2 emission of 44.87%. Subject to Conditions securing the delivery of the approved energy strategy and the CO2 emission reduction shortfall being met through a carbon offsetting contribution, the proposals would be considered in accordance with adopted policies for decentralised energy, integration of renewable energy technologies and emission reductions.

22.10 To conclude the scheme complies with Chapter 5 of the London Plan and Policy DM29 of the Local Plan subject to the imposition of appropriate planning conditions/planning obligations to deliver the on-site savings and the off-site emission reduction proposals.

23.0 Ecology and Biodiversity

23.1 The loss of the 27 trees, as outlined in Section 15 of the report, along with shrubbery and laurels along the perimeter of the site would result in a small loss of biodiversity. Nevertheless, the proposed landscaping plans have the potential to result in net biodiversity gains on the site.

23.2 The Council's Biodiversity Officer states that the proposed uplighting of the perimeter trees, particularly along the southern and western edges of the site should be reconsidered owing to the potential to disturb foraging bats which were recorded in the emergence surveys.

23.3 Subject to a number of conditions, including further bat surveys, the Council's Biodiversity Officer is content that the scheme is capable of serving to improve the ecology and biodiversity value of the site as sought by the relevant London and Local Plan policies.

24.0 Waste and Recycling

24.1 Core Strategy Strategic Objective SO14 is to manage waste efficiently, safely and sustainably minimising waste and maximising recycling. Policy SP05 'Dealing with waste' implements the waste management hierarchy - reduce, reuse and recycle. Policy DM14 of the Local Plan 'Managing Waste' requires development to demonstrate how it will provide appropriate storage facilities for residual waste and recycling.

24.2 The proposed central and northern residential buildings, those containing Blocks C, D, E, F and G, would have two separate bin storage areas at ground level. In the case of the main building the bin storage area would be at lower ground floor level and accessible to residents by lift. There would also be a dedicated bin storage area for the D1 use located at ground floor level.

24.3 In the case of the southern building, there are two internal bin stores at ground floor level and a third external bin store located to the south of Block B. The external bin store has been added following the July 10th amendments to the scheme, and is required so that the bin stores for all residents are within an acceptable walking distance.

- 24.4 The majority of the dedicated bin stores would be within close proximity of the site boundary allowing for ease of collection for waste operatives. The bin store in the main building and the internal and external stores for Block B within the southern building are set away from the street and as such management arrangements are to be put in place whereby refuse bins are moved to a temporary storage area on collection days so as to enable collection by waste operatives
- 24.5 Were consent granted a detailed waste management plan would be required to manage times of collection, minimise on street disruption and to ensure timely rotation of residential bins at time of collection to avoid collection delays.
- 25.0 Planning obligations, socio economic effects and impact upon local infrastructure/facilities**
- 25.1 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 how these impacts can be assessed along with appropriate mitigation measures.
- 25.2 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.
- 25.3 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.
- 25.4 Securing necessary planning contributions is further supported Core Strategy Policy SP13 'Planning obligations' which seek to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development. This is explained in the Council's Draft Planning Obligations SPD that sets out the borough's key priorities:
- Affordable Housing
 - Employment, Skills, Training and Enterprise
 - Education
- 25.5 If permitted and implemented, the proposal would also be subject to the Council's community infrastructure levy.
- 25.6 The proposed development would place additional demands on local infrastructure and facilities, including local schools, health facilities, idea stores and libraries, leisure and sport facilities, transport facilities, public open space and the public realm and streetscene. Should planning permission be granted, the LBTH CIL contribution is estimated at £1,259,245.
- 25.7 In addition the development would be liable to the London Mayor's CIL estimated at £485,100.
- 25.8 The applicant has also offered 35% affordable housing by habitable room with a tenure split of 73%/27% in favour of affordable rented accommodation and shared ownership housing, respectively. On total the scheme would provide 58 affordable

rented units, of which 11 would be one bedrooms, 27 two bedrooms, 15 three bedrooms and 5 four bedroom units. The intermediate units would of 13 one bedroom and 15 two bedroom units. The affordable rented units would be based upon a 50:50 split (by habitable room) between London Affordable Rents and LBTH Living Rents across all bedroom sizes. The intermediate units would of 13 one bedroom units and 15 two bedroom units.

25.9 A development viability review clause to identify and secure any uplift of affordable housing if the development has not been implemented within 48 months from the grant of permission (with the definition of ‘implementation’ to be agreed as part of the S.106 negotiations) would also be secured should permission be granted.

25.10 Should permission be granted, several non-financial contributions (as on page 4) would be secured via Section 106 agreement.

25.11 The financial contributions offered by the applicant are summarised in the following table:

| Planning Obligation | Financial Contribution |
|---|-------------------------------|
| Employment, skills, training and enterprise during the construction phase | £79,204 |
| Carbon offsetting | £340,506 |
| Parking contribution | £30,000 |
| Public realm contribution | £70,000 |
| Monitoring | £8,500 |
| Total | £527,710 |

25.12 These obligations are considered to meet the tests set out in guidance and the CIL regulations.

26.0 Other Local financial considerations

26.1 Section 70(2) of the Planning Act provides that in dealing with a planning application a local planning 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.

26.2 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.

In this context “*grants*” include the New Homes Bonus Scheme (NHB).

26.3 NHB was introduced by the Government in 2010 as an incentive to local authorities to encourage housing development. The initiative provides un-ring-fenced finance to support local infrastructure development. The NHB is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. The grant matches the additional council tax raised by the Council for each new house built

for each of the six years after that house is built. This is irrespective of whether planning permission is granted by the Council, the Mayor of London, the Planning Inspectorate or the Secretary of State.

26.4 If planning permission is refused for the current application NHB would not be received but would be payable were the Mayor of London to grant permission or an alternative development involving new housing was consented should the NHB scheme remain in operation.

27.0 Human Rights 1998

27.1 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:

27.2 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".

27.3 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.

27.4 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.

27.5 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.

27.6 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.

28.0 Equality Act 2010

28.1 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:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

28.2 It is considered the proposed development would not conflict with any of the above considerations.

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

28.4 The scheme would be socially inclusive through the provisions such as wheelchair accessible housing, 9 accessible car parking space and through public realm and landscaping that would be step free improving pedestrian mobility for all.

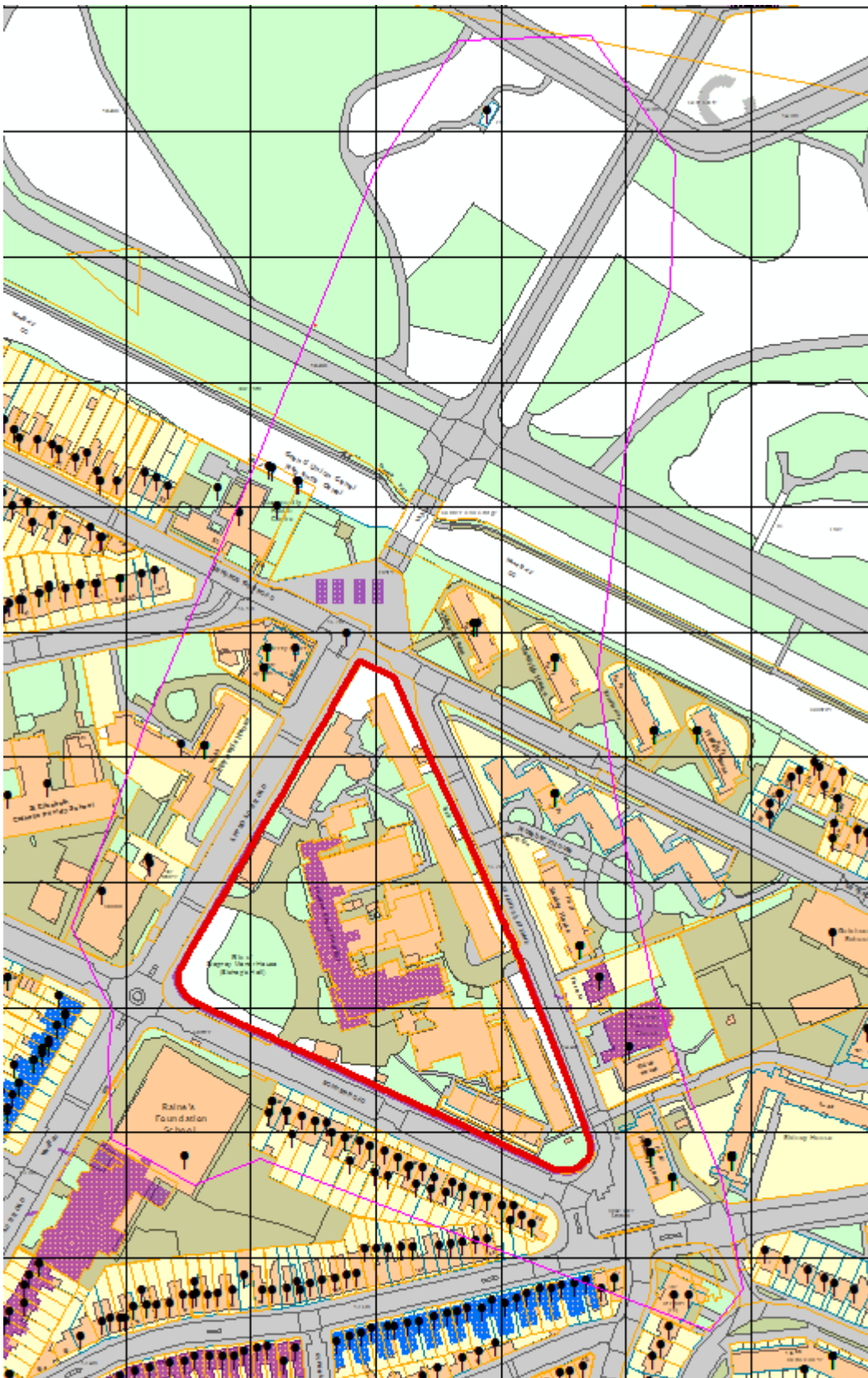
29.0 CONCLUSION

30.1 All relevant policies and considerations have been taken into account. It is recommended that the Committee resolves to APPROVE planning permission and listed building consent for the reasons set out in the MATERIAL PLANNING CONSIDERATIONS and the details set out in the RECOMMENDATIONS at Section 3 of this report.

30.0 SITE MAP

30.1 Please refer to the next page of this report (Appendix 1).

APPENDIX 1: SITE MAP



APPENDIX 2: DRAWINGS

Existing drawings:

17049_PL_1001 rev 00
17049_PL_1002 rev 00
17049_PL_1003 rev 00
17049_PL_1004 rev 00
17049_PL_1020 rev 01
17049_PL_1021 rev 00
17049_PL_1022 rev 00
17049_PL_1023 rev 00
17049_PL_1030 rev 00
17049_PL_1103 rev 00
17049_PL_1104 rev 00
17049_PL_1105 rev 00
17049_PL_1106 rev 00
17049_PL_1107 rev 00
17049_PL_1108 rev 00
17049_PL_1109 rev 00
17049_PL_1110 rev 00
17049_PL_1111 rev 00
17049_PL_1112 rev 00
17049_PL_1119 rev 00
17049_PL_1120 rev 00
17049_PL_1121 rev 00
17049_PL_1122 rev 00
17049_PL_1123 rev 00
17049_PL_1124 rev 00
17049_PL_1250 rev 01
17049_PL_1251 rev 00
17049_PL_1252 rev 00
17049_PL_1253 rev 00
17049_PL_1254 rev 00
17049_PL_1255 rev 00
17049_PL_1350 rev 00
17049_PL_1351 rev 00
17049_PL_1352 rev 00
17049_PL_1353 rev 00
17049_PL_1354 rev 00
17049_PL_1400 rev 00
17049_PL_1401 rev 00
17049_PL_1402 rev 00
17049_PL_1500 rev 00
17049_PL_1501 rev 00
17049_PL_1502 rev 00
17049_PL_1503 rev 00

Fabric Removal Drawings:

17049_PL_2002 rev 00
17049_PL_2020 rev 01
17049_PL_2021 rev 00

17049_PL_2022 rev 00
17049_PL_2023 rev 01
17049_PL_2030 rev 00
17049_PL_2119 rev 01
17049_PL_2120 rev 01
17049_PL_2121 rev 01
17049_PL_2122 rev 01
17049_PL_2123 rev 01
17049_PL_2124 rev 01
17049_PL_2250 rev 01
17049_PL_2251 rev 01
17049_PL_2252 rev 01
17049_PL_2253 rev 00
17049_PL_2254 rev 01
17049_PL_2255 rev 01
17049_PL_2350 rev 00
17049_PL_2351 rev 00
17049_PL_2352 rev 00
17049_PL_2353 rev 00
17049_PL_2354 rev 00

Proposed Drawings:

17049_PL_3001 rev 04
17049_PL_3002 rev 04
17049_PL_3003 rev 04
17049_PL_3004 rev 03
17049_PL_3020 rev 02
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17049_PL_3609 rev A
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17049_PL_3611 rev B
17049_PL_3612 rev A
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APPENDIX 3: SUPPORTING DOCUMENTS

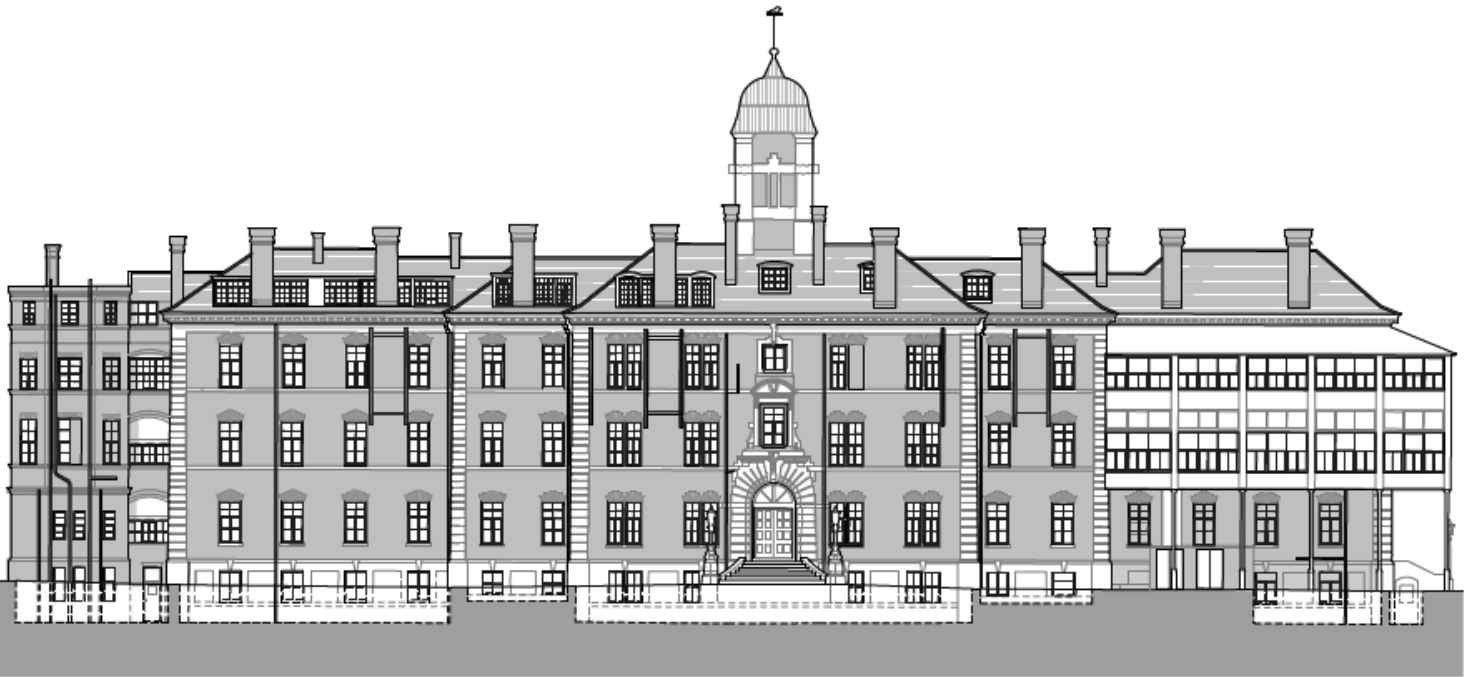
- Planning Statement (May 2018)
- Design and Access Statement (July 2018)
- Air Quality Assessment (May 2018)
- Arboricultural Development Report (May 2018), by Tree: Fabrik
- Technical Note: Black Mulberry (May 2018) Aspect Arboriculture
- Contamination Land Review (October 2017)
- Daylight, Sunlight and Overshadowing Report (May 2018)
- Delivery and Serving Management Plan (May 2018)
- Demolition Management Plan (May 2018)
- Demolition Noise Assessment (May 2018)
- Ecological Assessment (May 2018)
- Economic Impact Assessment Report
- Energy Statement (May 2018)
- Environmental Noise Assessment (May 2018)
- Environmental Statement (ES) Volumes 1, 2 and 3 including appendices (May 2018) and non-technical summary (May 2018)
- Flood Risk Assessment and Drainage Strategy
- Heritage Statement
- Structural Review and Analysis
- Structural Engineers' Advice Report
- Historic Environmental Assessment (May 2018)
- Landscape Strategy Design Statement (September 2018)
- Pre-Determined Archaeological Report October 2017)
- Statement of Community Involvement (May 2018)
- Structural Condition Report and Proposed Internal Alterations (May 2018) prepared by Reuby & Stagg
- Transport Assessment (May 2018)
- Framework Travel Plan (May 2018)

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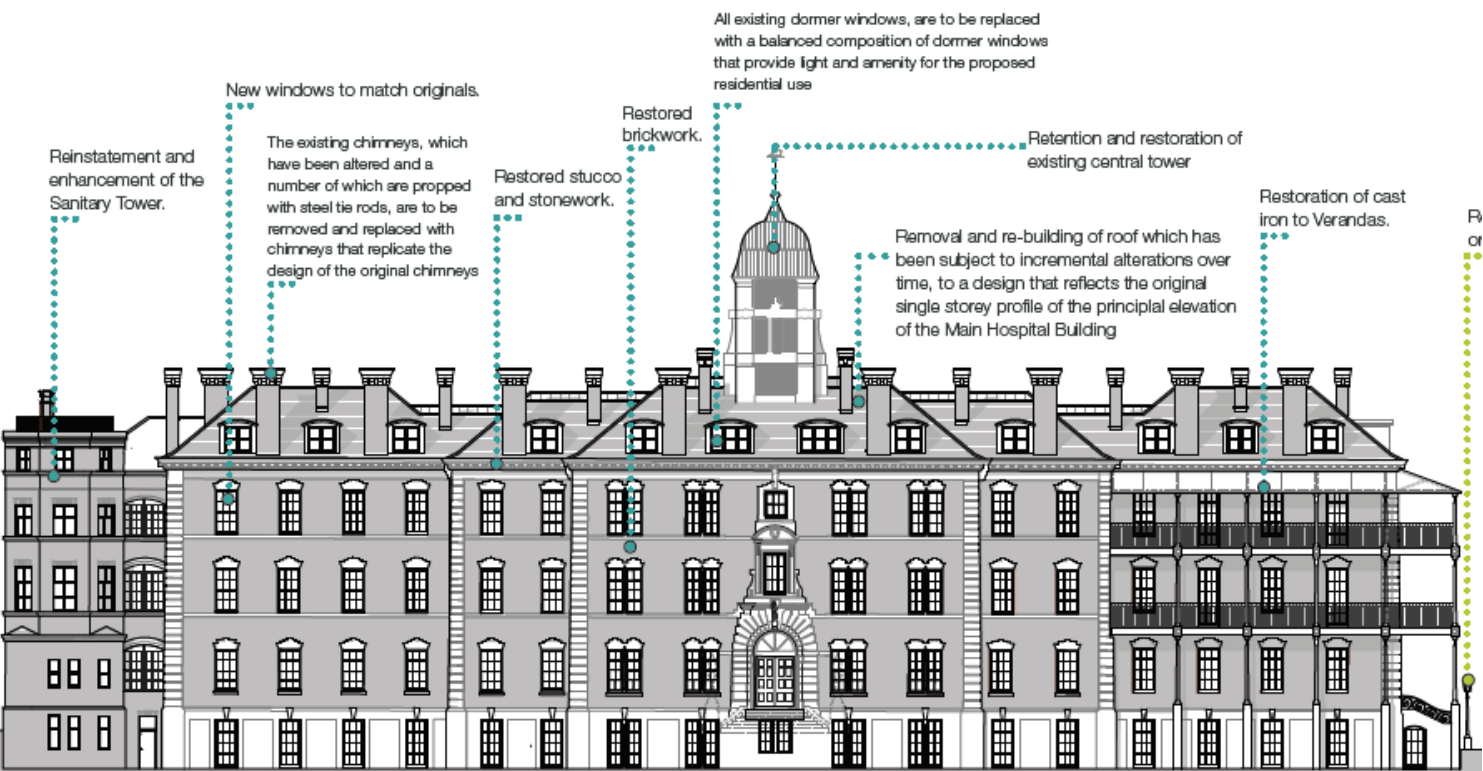
APPENDIX 4: Scheme Images and Plans

Aerial Photograph of Site



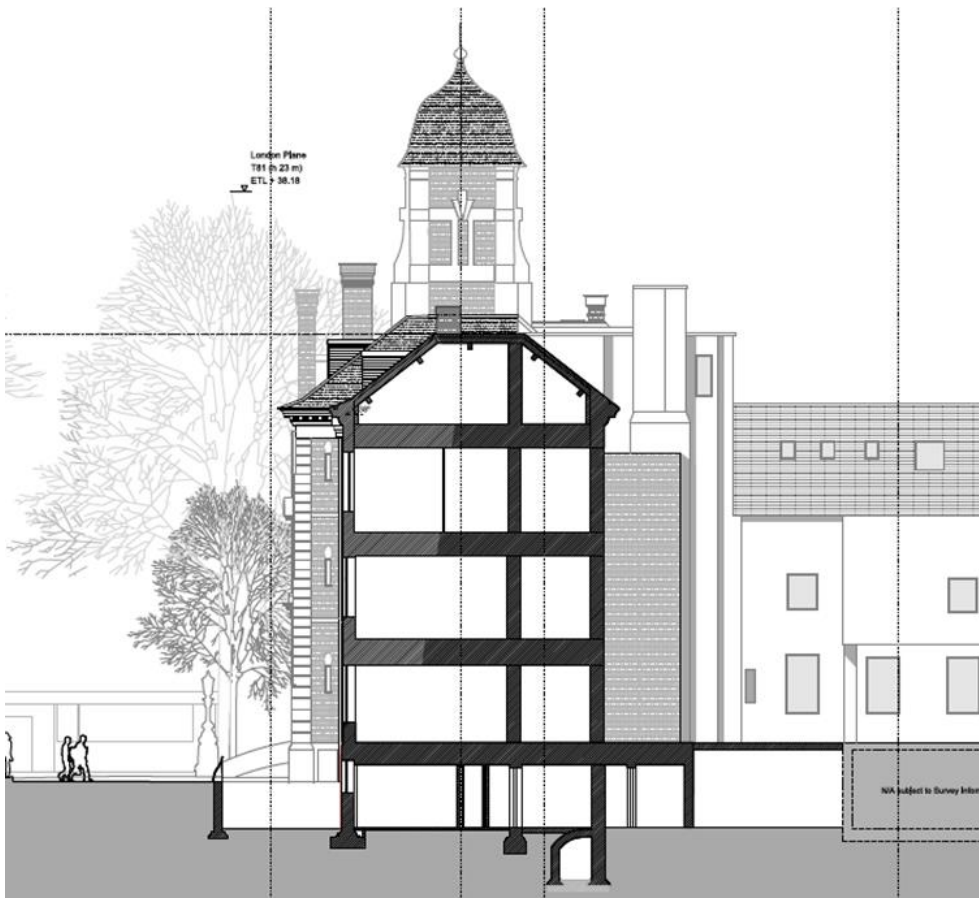


Existing Elevation

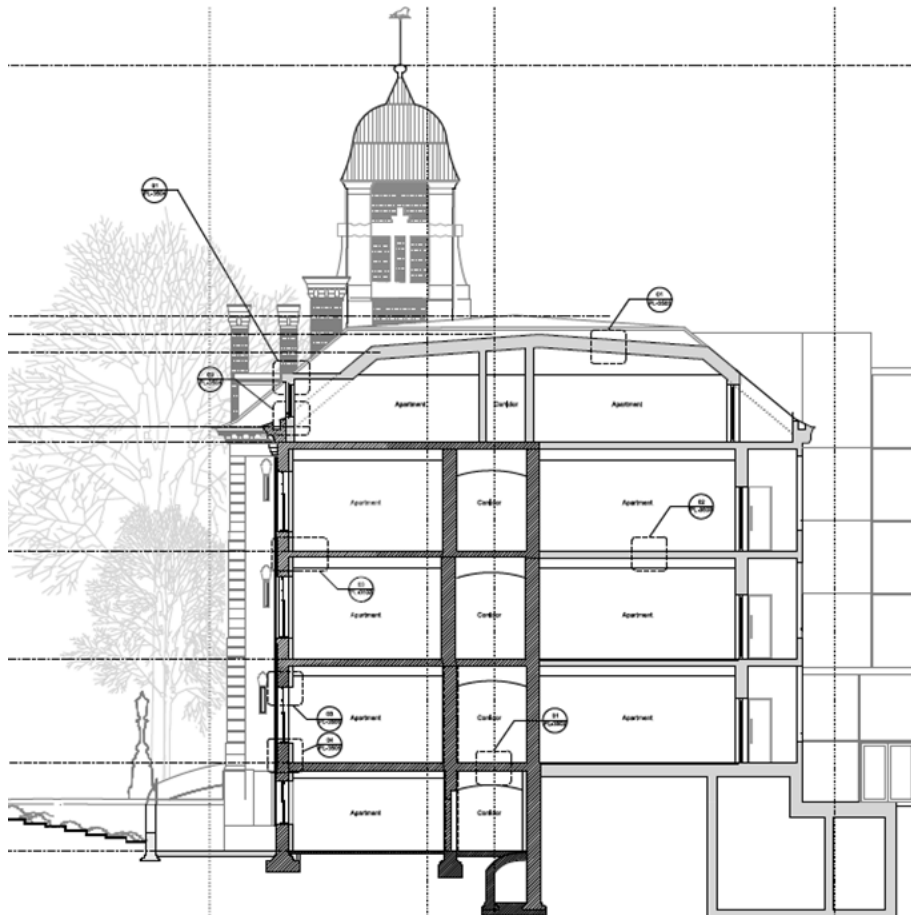


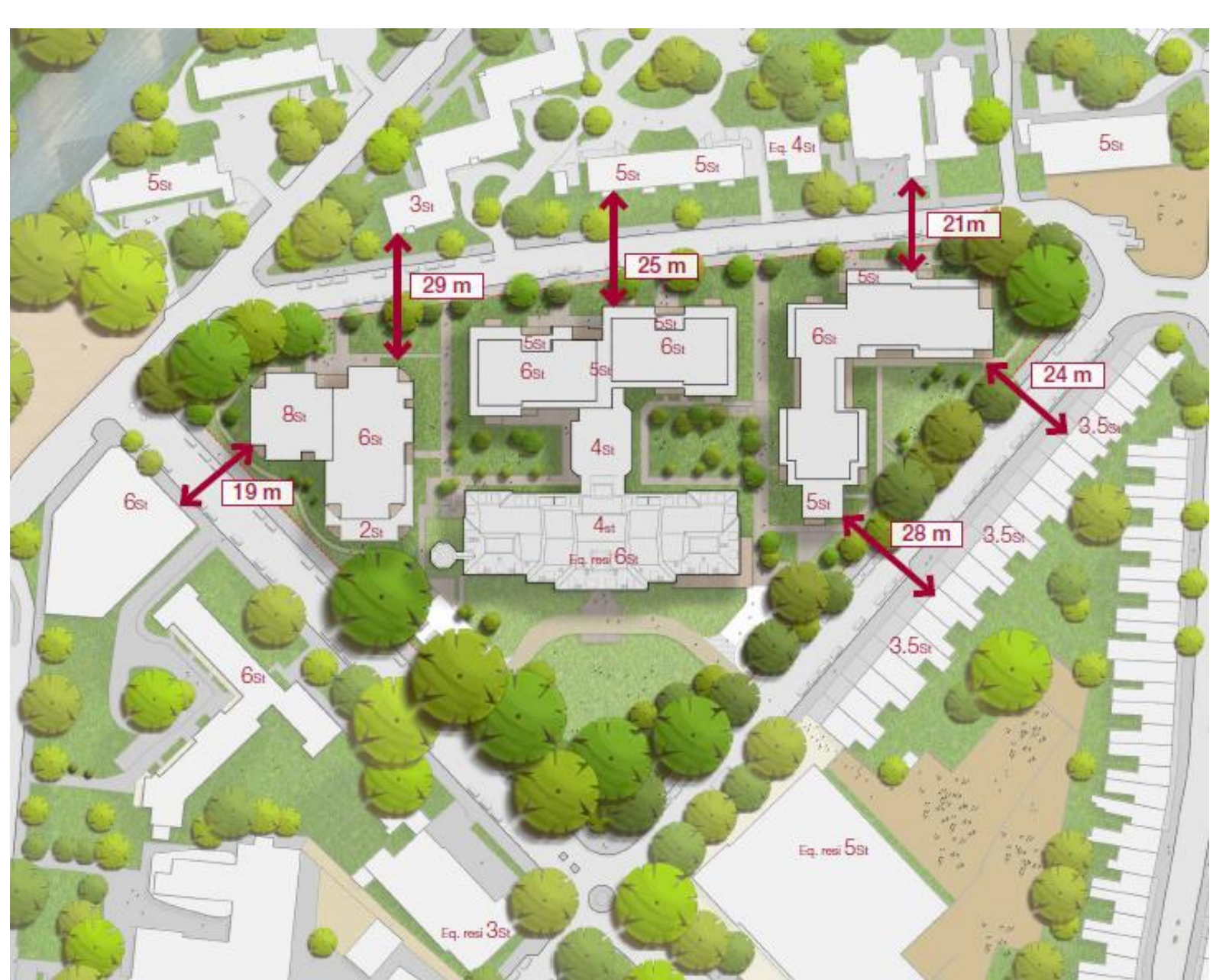
Proposed Elevation

**Main hospital building - front elevation
As existing (top drawing)
As proposed (bottom drawing)**

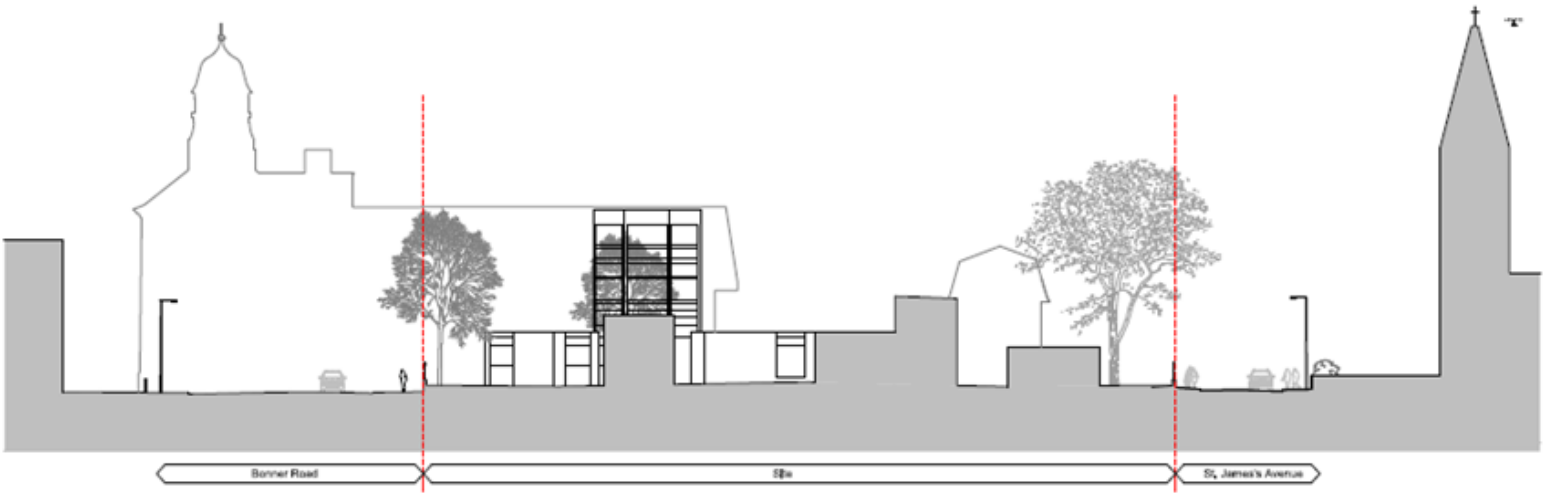


Section drawings – existing (above) and proposed (below) through main hospital building





Proposed building heights and proximity to neighbouring buildings



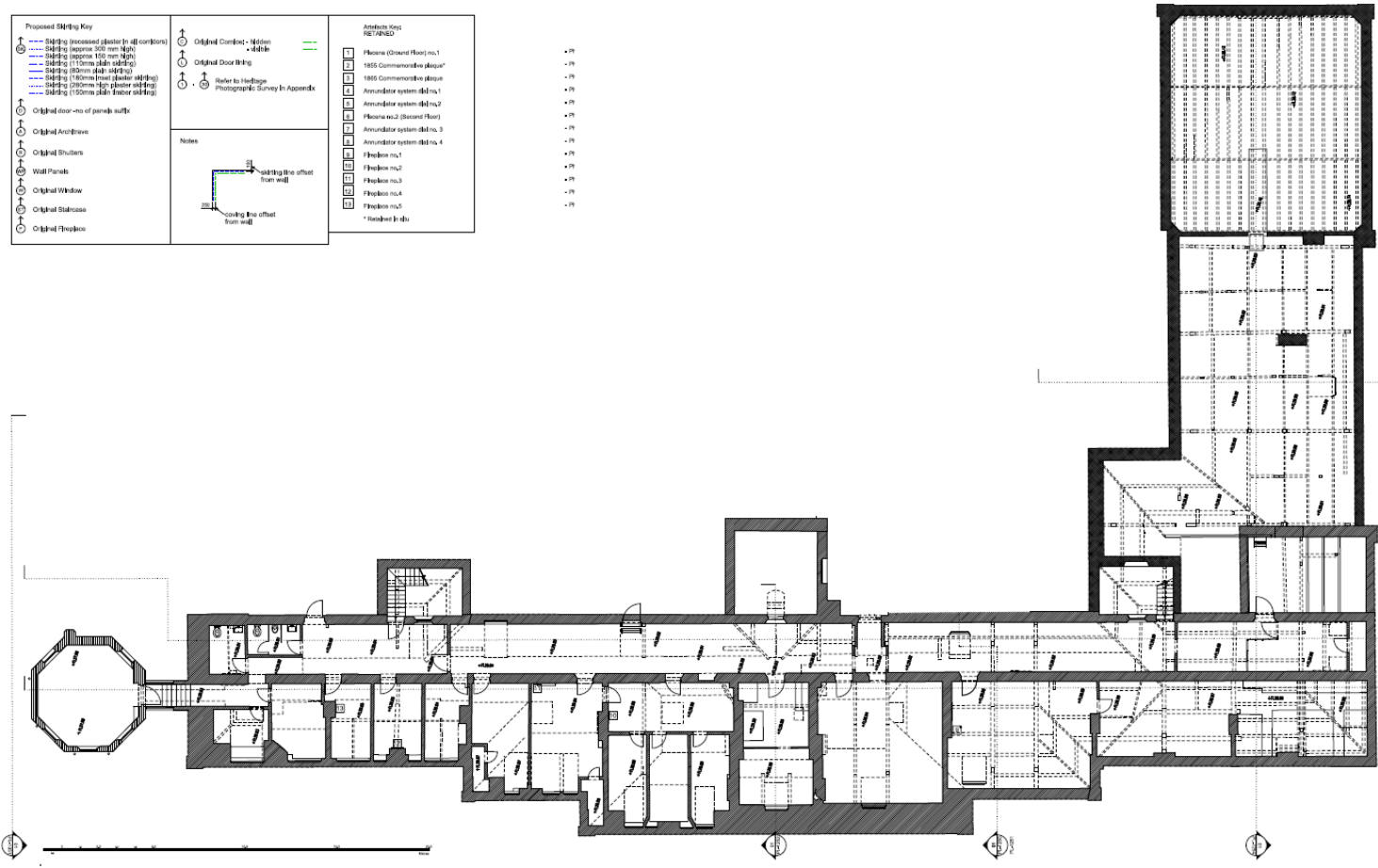
Existing site cross section – Bonner Road to St James’s Avenue



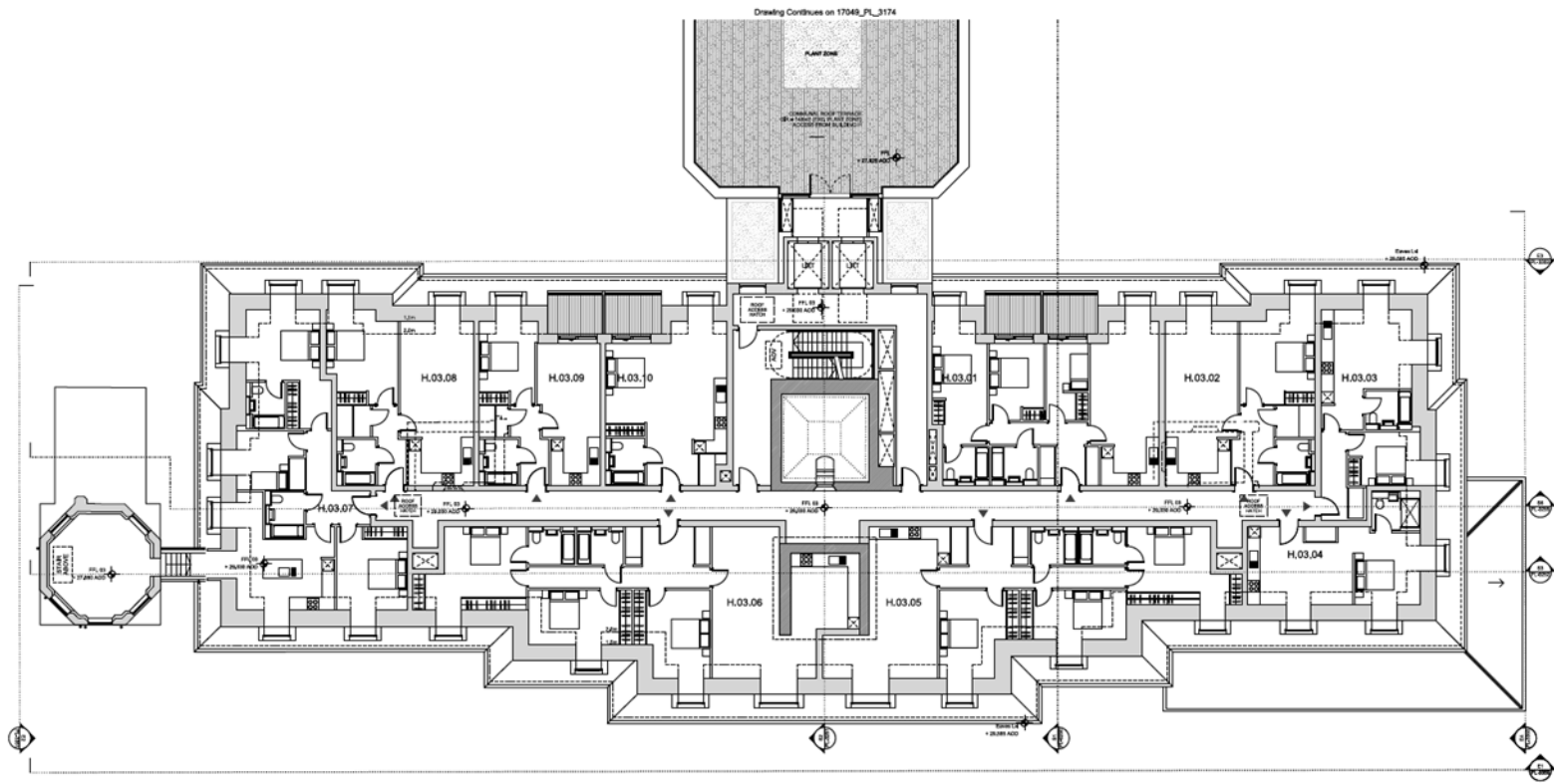
Proposed site cross section – Bonner Road to St James’s Avenue

| Proposed Finishing Key | Original Condition - Hidden | Architect Key RETAINED |
|--|--|---|
| <ul style="list-style-type: none"> Plaster (recessed plaster in all conditions) Plaster (approx 300 mm high) Plaster (approx 100 mm high) Plaster (110mm slab ceiling) Plaster (80mm slab ceiling) Plaster (100mm floor (water ceiling)) Plaster (100mm floor (water ceiling)) Plaster (100mm floor (water ceiling)) | <ul style="list-style-type: none"> Original Cornice - Hidden Original Door Fining Refer to Heritage Photographic Survey In Appendix | <ul style="list-style-type: none"> Floors (Ground floor) no.1 1855 Commemorative plaque* Amundator system did no.1 Amundator system did no.2 Floors no.2 (second floor) Amundator system did no.3 Amundator system did no.4 Fraction no.1 Fraction no.2 Fraction no.3 Fraction no.4 Fraction no.5 *Revised In situ |

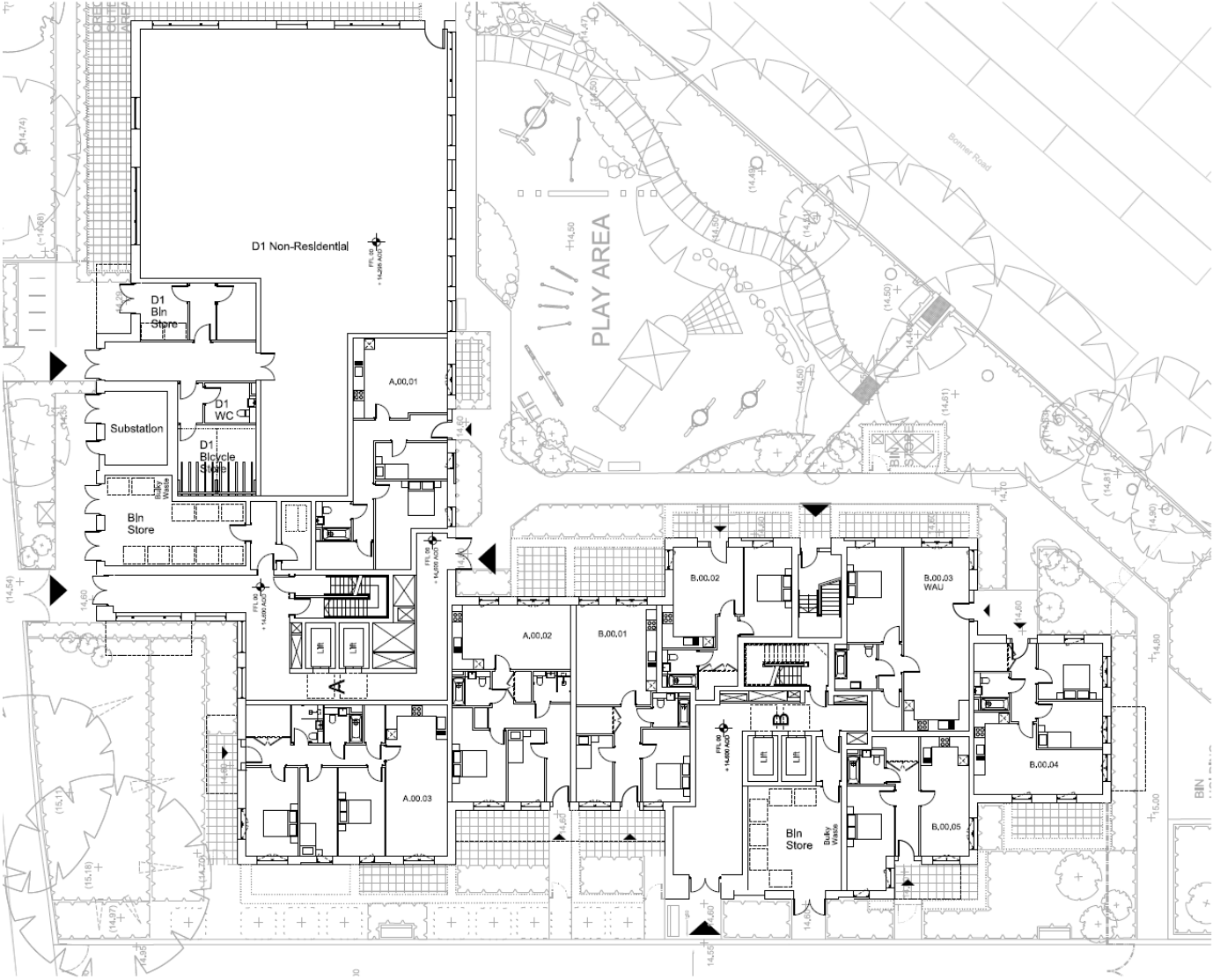
Notes

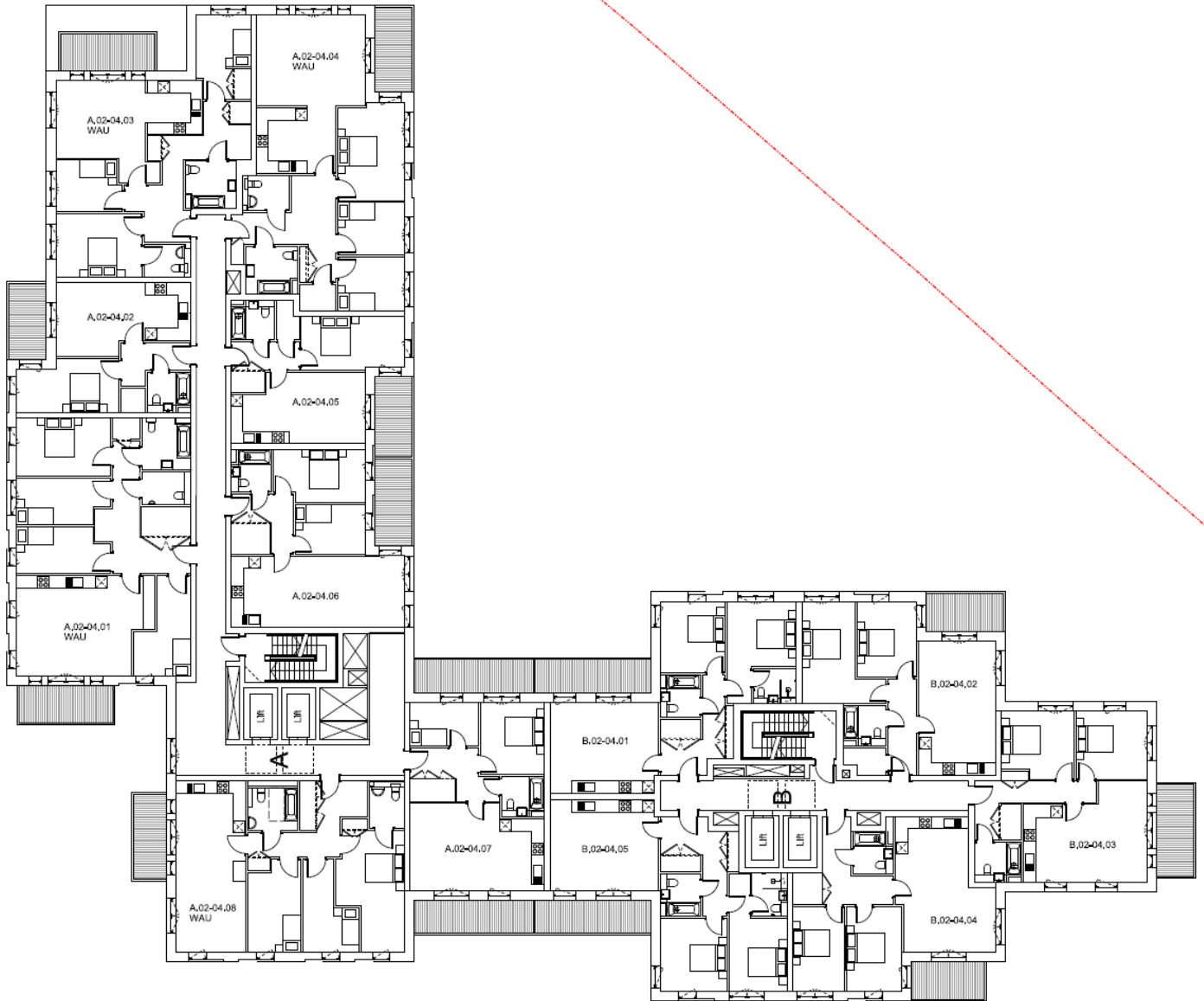


Above: Existing Main Hospital – Third Floor Plan
Below: Proposed Main Hospital – Third Floor Plan



Ground Floor Plan - to proposed Southern Building





2nd to 4th Floor Plan – to proposed Southern Building



Winter time verified view existing (above) and proposed (below) from Bonner Gate Bridge



View 3 existing baseline (winter)



Verified view existing (above) and proposed (below) from St James's Avenue – looking north with proposed South Building (to left) and proposed Central Building (in centre) of CGI

View 3 predicted effects (winter)





Verified view existing (above) and proposed (below) from Approach Road towards the junction with Bonner Road. Proposed Northern Building (to left) in foreground





Verified view existing (above) and proposed (below) from Bonner Road. With veranda to main hospital building visible (on left hand side of images) and in proposed view (proposed south building to fore on the right)





**Verified view (Winter) from junction of Old Ford Road and Bonner Road
Existing view (above) and Proposed view (below) with proposed south building in centre foreground**



Proposed non-verified CGI view from within courtyard looking towards Southern Building with rear of main hospital building (in left side of image)

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Verified (winter) view from junction of Bonner Road and Approach Road (showing proposed Northern and Southern Buildings set to left and east (respectively) of Main Hospital Building)



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Agenda Item 5.2

| | | | |
|--|---|--|----------------------------|
| Committee: Strategic Development | Date: 20 th September 2018 | Classification: Unrestricted | Agenda Item Number: |
|--|---|--|----------------------------|

| | |
|--|--|
| Report of: Director of Place | Title: Applications for Planning Permission & Listed Building Consent |
| Case Officer: Victoria Olonisaye-Collins | Ref Nos: PA/18/00528 & PA/18/00520 |
| | Ward: Lansbury |

1.0 APPLICATION DETAILS

Location: Barratt Industrial Estate, 20-22 Gillender Street, London

Existing Use: Mixed use of B1 and B2 uses, with residential (C3) within the locally listed building of Magnolia House:

1,915sqm industrial (B1c)

1 out of 9 units occupied with approximately 5 full time employees.

6 residential units existing on site (within Magnolia House)

Proposal:

FULL PLANNING APPLICATION: PA/18/00528

Demolition of the existing buildings, with the exception of 21-22 Gillender Street (Magnolia House), and redevelopment of the site to provide 307 residential units (Use Class C3), 1,815 sq m of commercial floorspace (Use Class B1) and 100 sq m of flexible commercial/retail floorspace (Use Class A1/A3/B1) within three buildings of 8 storeys (42.9m AOD), 16 storeys (67.0m AOD) and 20 storeys (78.5m AOD) with public and private amenity spaces, together with disabled car parking, cycle parking and associated landscaping.

LISTED BUILDING CONSENT: PA/18/00520

Remedial works to Grade II listed wall that forms the north wall of the Dowgate Wharf P B Burgoyne and Company Limited Warehouse (List Entry UID: 1065050) in association with redevelopment of the site at 20 -22 Gillender Street for demolition of the existing buildings, with the exception of 21-22 Gillender Street (Magnolia House), and redevelopment of the site to provide 307 residential units (Use Class C3), 1,815 sq m of commercial floorspace (Use Class B1) and 100 sq m of flexible commercial/retail floorspace (Use Class A1/A3/B1) within three buildings of 8 storeys

(42.9m AOD), 16 storeys (67.0m AOD) and 20 storeys (78.5m AOD) with public and private amenity spaces, together with disabled car parking, cycle parking and associated landscaping.

Drawings and Documents: See Appendix 1 for list of plans and documents.
See Appendix 2 for Images and views.

Applicant: Gillender 2 LLP

Ownership: Peabody Enterprises Limited and Peabody Trust

Historic Building: Magnolia House (locally listed); Dowgate Wharf PB Burgoyne and Co Ltd warehouse (Grade II listed).

Conservation Area Limehouse Cut Conservation Area

2.0 EXECUTIVE SUMMARY

- 2.1 Officers have considered this application against the Council's Development Plan policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan (MALP) 2016 and the National Planning Policy Framework and relevant supplementary planning documents.
- 2.2 This report considers an application for the redevelopment of the site for a mixed use high density development within 3 buildings ranging from 8 to 20 storeys to provide 307 residential units, maximising the provision of affordable housing at 46% with the re-provision of the existing 1,915 sq. m of commercial floorspace with substantial landscaping. The proposals include the restoration/enhancement and extension to the locally listed building (Magnolia House) to form a two storey light industrial workshop with an access to the river.
- 2.3 The application site falls within the Limehouse Cut Conservation Area, Site of Importance of Nature Conservation (SINC) and Local Industrial Location (LIL) as set out within the Council's Managing Development Document (2013). It is considered that the proposed mixed-use residential led redevelopment of site is acceptable within the context of the site allocation given the proposed re-provision of employment floor space. The site also falls within a Housing Zone defined within the Mayor of London's Housing Strategy (May 2018).
- 2.4 In the context of less than substantial harm to heritage assets the proposed design of the scheme is considered to be acceptable in terms of its impact on local views and heritage assets, its layout, height, scale and massing, its appearance, landscaping and material palette, and has also been designed in accordance with Secure by Design principles. Officers consider that the substantial public benefits outweigh the less than substantial harm to heritage assets and on balance, the application is therefore acceptable in design terms.

- 2.5 The proposal delivers a suitable mix of good quality housing, proposing 46% affordable housing by habitable room comprising 41 intermediate and 68 rented units (50;50 split between London Affordable and Tower Hamlets Living rents).
- 2.6 The distribution of height and massing, and the layout of the development optimise the capacity of the site while minimising the proposals amenity impacts. The proposal would not significantly adversely impact the amenity of surrounding residents and building occupiers and would also afford future occupiers of the development a suitable level of amenity and standard of accommodation. Therefore, the proposed development is in accordance with relevant policy and thus acceptable in design and amenity terms.
- 2.7 The proposal would not have an adverse impact upon the local highway and public transport network; rather it would provide road and bus stand improvements through S278 and S106 obligations, and would provide suitable disabled parking arrangements servicing arrangements. The proposal is therefore acceptable in transport and highways terms.
- 2.8 The proposed refuse strategy for the site has been designed to accord with the Council's waste management hierarchy of reduces, reuse and recycle, in accordance with relevant policy.
- 2.9 A strategy for minimising carbon dioxide emissions from the development has been proposed in compliance with the London Plan energy hierarchy and the impacts of the proposal would be mitigated through a carbon offsetting Section 106 payment. The non-residential elements of the scheme have been designed to be BREEAM 'Excellent'. The proposal is thus acceptable in energy and sustainability terms.
- 2.10 The proposal is acceptable in archaeology, air quality, biodiversity, contaminated land, flood risk, microclimate, SUDS, television and radio reception terms, and also in terms of its impact on trees. The scheme would be liable for both the Mayor's and the borough's community infrastructure levy. In addition, it would provide necessary and reasonable planning obligations with respect to affordable housing, local employment and training and environmental sustainability.
- 2.11 Subject to the recommended conditions and obligations, the proposals 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 planning considerations which would indicate that it should be refused.

3.0 RECOMMENDATION

- 3.1 That subject to any direction by the London Mayor, planning permission is APPROVED subject to the prior completion of a legal agreement to secure the following planning obligations:
- 3.2 Financial contributions:
- a) A contribution of £115,124.00 towards employment, skills, training and enterprise during the construction stage;

- b) A contribution of £51,545.84 towards employment skills and training to access employment in the commercial uses within the final development (end user phase);
- c) A contribution of £305,327.92 towards carbon offsetting;
- d) A contribution of £6,500 (£500 per head of term) towards monitoring compliance with the legal agreement.

Total financial contributions: £478,497.76

3.3 Non- financial contributions:

- a) Delivery of 46% Affordable Housing by habitable rooms comprising 41 intermediate (shared ownership) units, and 68 rented units (at 50/50 London Affordable Rents and Tower Hamlets Living Rents);
- b) Details of the social rent and Tower Hamlets Living Rent wheelchair accessible units to be approved before occupation;
- c) Viability review mechanism (conditional if scheme is not implemented within 2 years of permission);
- d) 15 construction phase apprenticeships and 1 end user apprenticeships;
- e) Access to employment and construction - 20% local goods/service procurement and 20% local jobs at construction phase;
- f) Permit free agreement restricting future residents from applying for parking permits;
- g) Travel Plan;
- h) Code of Construction Practice;

3.4 That the Corporate Director for Place is delegated authority 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 for Place is delegated power to refuse planning permission.

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

3.6 Conditions:

Prior to commencement:

1. Construction Environmental Management Plan and Construction Logistics Plan in consultation with TfL to include compliance with GLA's NRMM emission and dust monitoring throughout construction;
2. Ground contamination site investigation;
3. Archaeological scheme of investigation;
4. Details of construction cranes consultation with London City Airport;
5. Piling method statement in consultation with Thames water;
6. Thames water capacity study;
7. Updated bat survey (precautionary survey prior to demolition);
8. Survey on nesting birds or nest building birds if tree removal takes place between March-August;
9. S.278 highway works

Prior to Superstructure Works Conditions:

10. Revised air quality assessment and details of mechanical ventilation for residential and commercial units where mitigation is required.
11. Full details of biodiversity mitigation and enhancements;
12. Details and specification of all external facing materials;
13. Details and samples of shopfronts including signage and lighting;
14. Details and specification of all soft and hard landscaping and public realm including: materials; street furniture; lighting; CCTV; tree planting and play equipment
15. Surface water drainage scheme;
16. Details of proposed cycle parking and associated facilities;
17. Details of wayfinding signage in consultation with TfL and Highways;
18. Detail of Secured by Design measures;

Prior to Occupation Conditions:

19. Waste management plan;
20. Delivery and Servicing Management Plan
21. Details of extraction and ventilation for Class A3;
22. Scheme of highway works (agreement with TfL and the council) securing public realm improvement works including: traffic calming measures, public realm materials and planting; improvements to two bus stops to raise the kerbs to 140mm to allow for step-free access.
23. The securement of public access routes and areas of public realm on site including maintenance of these areas.
24. Detailed design of the wind mitigation measures.

Compliance Conditions:

25. Permission valid for 3 years;
26. Development in accordance with approved plans;
27. Hours of construction;
28. Hours of operation for A3 use
29. PD right removed for erection of fences;
30. PD rights removed for B1/2/8 to C3
31. Inclusive access standards for new residential units
32. Energy efficiency and sustainability standards
33. Noise and vibration insulation standards for new residential units
34. Noise limits for new plant

Informatives

1. Subject to S106 and S278 agreements;
 2. CIL liable;
 3. Thames Water informatives;
 4. National Grid informative;
 5. CRT code of practice.
- 3.7 That the application for the Listed Building Consent is APPROVED, subject to the following conditions.
- 3.8 Conditions: Listed Building Consent

Prior to commencement:

1. Structural engineers' drawings and a method statement
2. Archaeological scheme of investigation

Prior to Superstructure Works Conditions:

3. Details, samples and specification of all external facing materials;

Compliance Conditions:

4. Permission valid for 3 years;
5. Development in accordance with approved plans

3.9 Any other condition(s) and/or informatives as considered necessary by the Corporate Director for Place.

4.0 LOCATION DETAILS, DESIGNATIONS and PROPOSAL

Location Details and Site Description

4.1 The application site is located within the east of the borough and falls within the electoral ward of Lansbury. The site is approximately 0.55 hectares in size and is positioned on the eastern side of Gillender Street off the Blackwall Tunnel Approach (A12).



Figure 1- Site Location Plan

4.2 The site forms an irregular shaped parcel of land currently occupied by 9 brick/steel constructed units of single-storey warehouse-type buildings arranged around a central open service yard and comprising of a total of 1915sq.m (GIA) which were built in the 1980s. These units are generally in a

poor state of repair. The buildings are laid out as two terraces with a central communal loading/unloading and parking area.



Figure 2: View of existing industrial units on site.

- 4.3 The site includes a two storey locally-listed building at number 21-22 Gillender Street, known as 'Magnolia House' fronting Gillender Street. This was built in the late nineteenth century, circa 1898. This building has been substantially altered and extended since the mid-twentieth century.



Figure3: showing existing Magnolia House.

- 4.4 Below photographs show the junction between Magnolia House and the listed wall and the East elevation of Magnolia House. Magnolia House abuts the listed wall which forms the southern boundary of the site. The masonry of Magnolia House does not appear to be tucked into the wall; however it is not clear whether the wall is restrained by the structure of Magnolia house.



Figure 4: Magnolia House and the listed wall

- 4.5 Adjoining application site to the north is the 'Lock Keepers' (Gillender 1) development, this was developed on the site of the former Sun Flour Mill for a mixed-use residential led development (with some commercial space at ground floor level – Use Class B1). This development is between 5-13 storeys in height. Further north of this development is Bow School and Bow Locks which are located at the confluence of the Limehouse Cut and Bow Creek.

- 4.6 Immediately west of the application site is Gillender Street which runs parallel to the A12 Blackwall Tunnel Northern approach; and on the Blackwall Tunnel Northern approach is the 13 storey Tweed House residential development.
- 4.7 To the immediate south of the application site is Dowgate Wharf, a Grade II listed warehouse, part of which adjoins Magnolia House. Further south to this are other designated and non-designated heritage assets, including 24 Gillender Street (locally listed), the former Poplar Fire Station (Grade II listed), Bromley Hall (Grade II* listed) and the former Poplar Public Library (Grade II listed).
- 4.8 To the east of the application site, is River Lea, a tributary of the Thames located approximately 35m east of the site. River Lea marks the borough boundary between Tower Hamlets and Newham. Further east are warehouses located within Newham Council's land.
- 4.9 The site has a single vehicular point of access at the western end of Gillender Street, with additional pedestrian access available via a right of way along the canal. The site records Public Transport accessibility Level (PTAL) of 4 indicating good transport accessibility.
- 4.10 Bromley-by-Bow station (District and Hammersmith & City lines) is approximately 350 metres north of the site, on the opposite side of the A12. Three bus routes (108, 323 and 488) can be accessed within approximately 450 metres of the site.
- 4.11 Whilst the majority of the site is either built on or hardstanding, there are a small number of trees on the eastern part of the site in an otherwise paved area that is adjacent to the navigable River Lea / Bow Creek (which is to the east of the site).



Figure 5- Aerial view of site

Designations

- 4.12 The application site is located within the Limehouse Cut Conservation area which was designated in 2011 as shown in Figure 6 below. The Locally Listed Magnolia House is within the site boundary and the site is also located in close proximity of other heritage assets to the south of application site as highlighted above.

- 4.13 The site's character is influenced by the river and its rich industrial heritage as recognised by its inclusion within the Limehouse Cut Conservation Area.

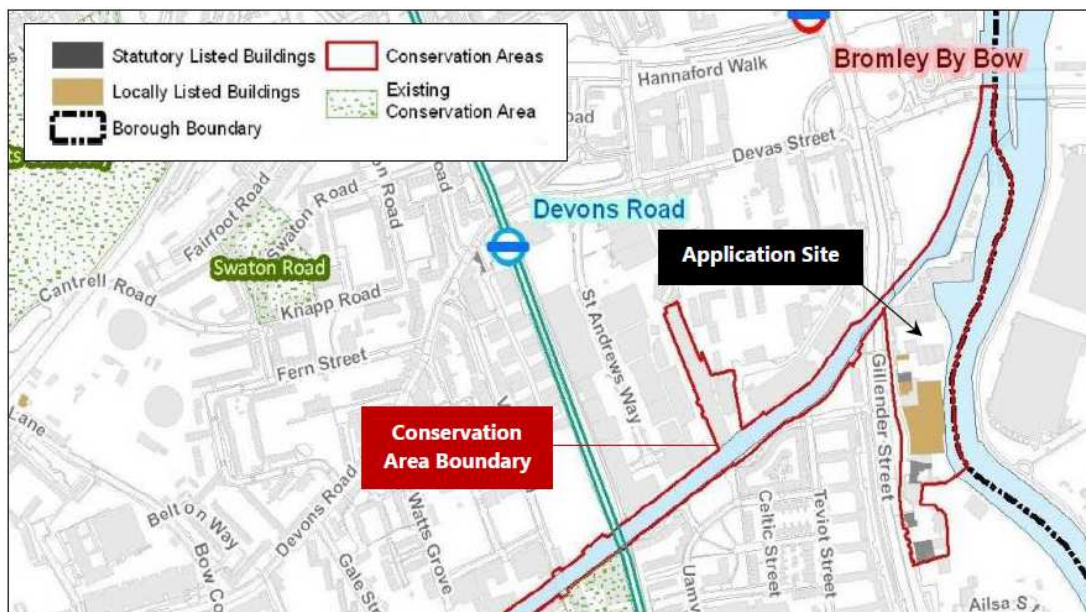


Figure 6- Map Showing surrounding Listed Buildings and Conservation Areas

- 4.14 The application site is designated as one of the Local Industrial Locations, Archaeological priority area and site of importance for nature conservation area.
- 4.15 In addition, the Environment Agency's flood map shows that the site falls within Flood Zone 3a. The whole of the borough falls within an Air Quality Management Area and within the London City Airport Safeguarding Zone.



Figure 7- Site Allocation from the Council's Adopted Policies Map 2013.

- 4.16 The site falls within the Poplar Riverside Housing Zone as defined within the Mayor of London's Housing Strategy (May 2018). Whilst this is not a planning designation, the housing zone status is a material planning consideration. Policy 8.1 (Implementation) in the London Plan sets out that

Housing Zones involve collaborative working between partners including the Mayor, boroughs and communities to realise the potential of large development areas through measures such as targeted tax incentives and effective land assembly to unlock development and optimise delivery.

Proposal

- 4.17 As shown in figure 8 below, the scheme proposals involve the demolition of the existing industrial units on site and redevelopment of the site to provide new buildings ranging from 8 storeys to 20 storeys in height, comprising 307 residential units, including affordable housing. The proposal offers a mix of affordable and private units, 46% (by habitable room) of which will be affordable homes. The buildings are designed as tenure blind with a focus on high quality design and living. The affordable mix provides an excellent balance of smaller units and larger family units. The proposals also include the retention, refurbishment and extension of the locally listed building (Magnolia House) which currently consist 6 residential units (5 x1b & 1 x 2b). These units would be replaced with employment uses (B1c) on site.



Figure 8- Site's CGI – view from Gillender Street.

- 4.18 The proposals also include the reprovision of up to 1,915sq.m of employment floor space in recognition of the site's designation as a Local Industrial Location in both the adopted and emerging local plans. Replacement B1c floor space is therefore proposed and configured to suit a wide variety of users including start-ups and those who are more established. The proposed configuration will result in a significant uplift in the number of people employed on the site. In addition to the proposals is remedial works to Grade II wall that forms the north wall of the Dowgate wharf P B Burgoyne and Company Limited Warehouse.



Figure 9- CGI of site – view from the yard.

- 4.19 Of the proposed 1,915sq.m of commercial space 100sq.m of the floor space is proposed to be flexible, in the form of A1/A3 or B1, as part of the non-residential offer and would be located on the eastern side of the proposed yard. This space is intended to become a hub for both residential and business communities of the development and the wider area.
- 4.20 The proposals include the creation of new routes and access to the river, one from the main access to the development via the Yard and the other located close to the concierge along the site's northern boundary which would be the river passage, both accessed from Gillender Street.

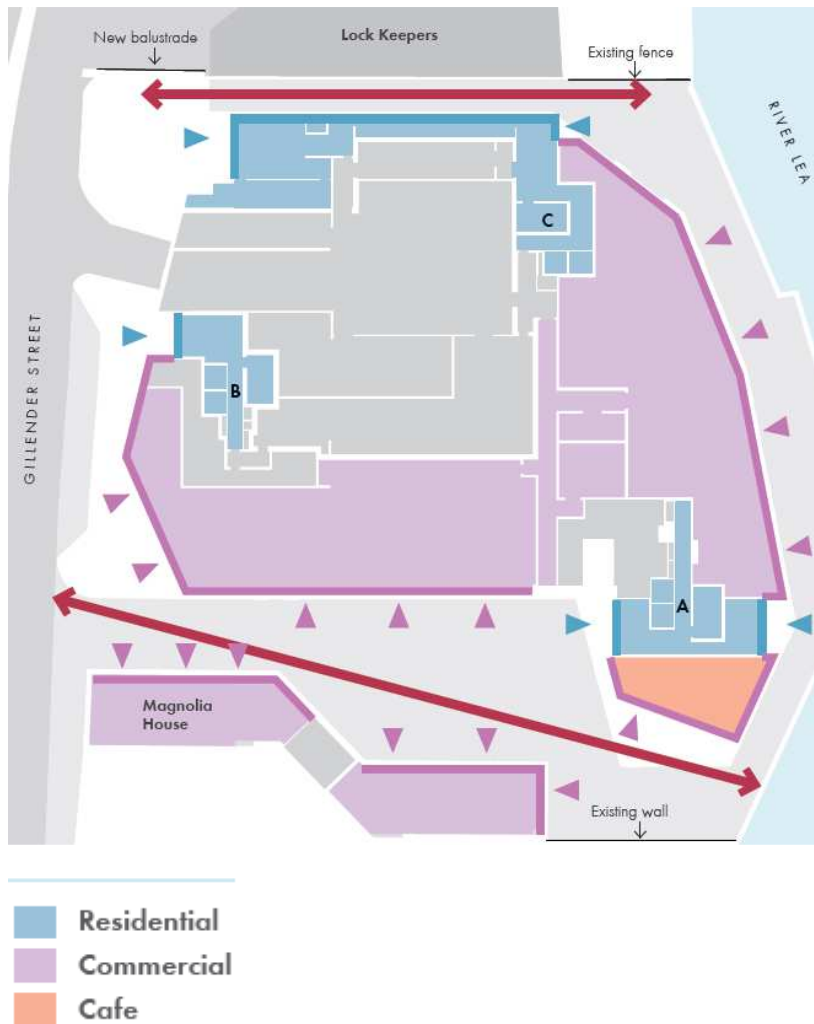


Figure10- Plan showing the location of the proposed uses

- 4.21 The scheme aims to intensify the use of the site by creating a mixed-use development combining light industrial uses with housing. The development will maximise the opportunity for affordable housing delivery, flexible B1c work space while complementing the first phase of the Gillender Street scheme, known as Lock Keepers. Although the application site is a constrained site, it benefits from good transport connections and a unique setting defined by the confluence of the River Lea and Limehouse Cut.



Figure 11- View showing proposed building heights across River Lea.

4.22 As shown in Figure 12 below, the proposal introduces improved public realm which would be uplift to existing situation of site where accessible green spaces are relatively limited in the immediate vicinity of the site. The closest significant green space is Three Mills Green bordering the Lea River Park to the north of the site which is accessible by the Lea Valley Walk, which runs along the north edge of Lock Keepers.



Figure 12 – View of Landscape Masterplan

- 4.23 The landscape proposals are designed to respond to the buildings by providing a suitable setting which integrates them into the space while enhancing the environment.

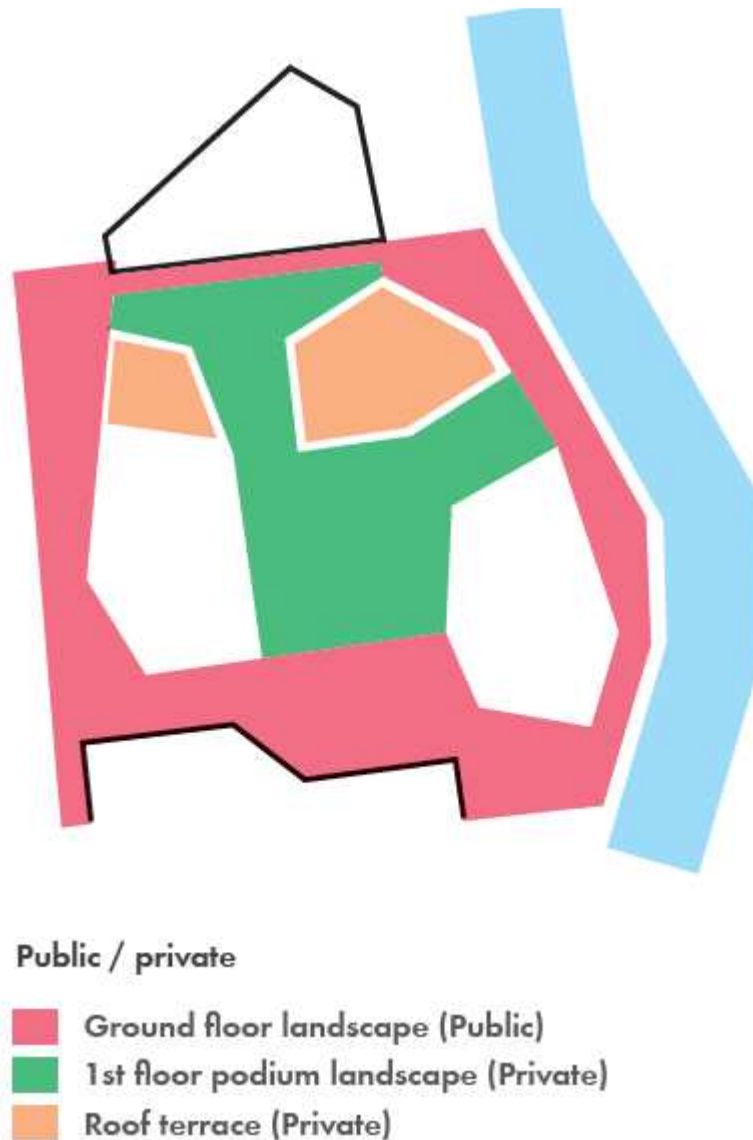


Figure 13- Public/private areas.

- 4.24 Figure 14 below shows the proposed communal (yellow) and play space (orange is under 5 and 11 and beige is 12+). The scheme provides a total of 1120sqm of play space, which is equivalent to the GLA play space requirements. Whilst there would be a shortfall in the amount of 12+ play space (60sqm against a requirement of 290sqm resulting in shortfall of 230sqm), there is 216sqm in excess of the play space requirements overall.
- 4.25 Communal space would be provided predominantly at podiums and rooftops (Blocks B and C roof terrace). The podium landscape is residential garden located at the first floor level with play, planting, recreation space and views of the river. And the roof terraces are external communal amenity spaces including areas for play and general recreation.

- 4.26 The scheme would provide adequate requirements for communal open space, with the required 347sqm delivered predominantly at roof/ podium level.

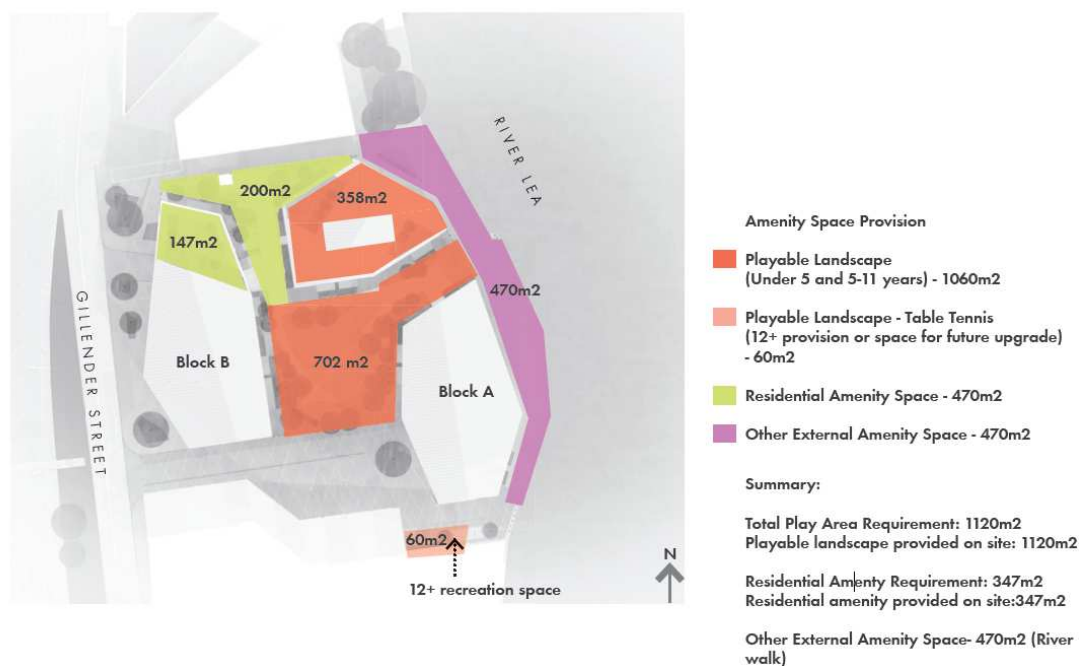


Figure 14 - Plan showing proposed communal and play space provision

- 4.27 The scheme would be car free but proposes 7 car parking spaces for wheelchair users on site. Short and Long term stay cycle parking is provided for residential and commercial uses in accordance with London Plan standards.

5.0 RELEVANT PLANNING HISTORY

- 5.1 There have been many smaller applications relating to changes of use, and signage. Application of particular relevance to the current planning application have been summarised below.

Application within site boundary:

PA/15/03315

Demolition of existing buildings and redevelopment of the site to provide new buildings ranging from ground plus six to ground plus 14 storeys in height comprising 196 residential units including affordable housing (Use Class C3) and 1,730 sq. m of commercial floorspace (Use Class B1) and 100 sq. m of retail floorspace (Use Class A1/A3) together with associated car parking, open space and landscaping.

Withdrawn 26/02/2018

Applications on adjoining sites:

PA/11/03549- Units 1, 2 & 3 Riverside Industrial Estate, 18 Gillender Street, London, E3.

Demolition of existing storage/warehouse buildings and redevelopment to provide 1,778 sq. m mixed commercial (Use Class B1) and 109 residential

units (Use Class C3) within three buildings from 5/6 to 12/13 storeys in height; new ground level community amenity and children's playspace; disabled and car club residential parking spaces and commercial service bays.

Permitted 28/09/2012

PA/16/02368 - East London Science School, Lock Keepers Gillender Street, London, E3 3JW

6.0 POLICY FRAMEWORK

6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of planning applications must be made in accordance the development plan unless material considerations indicate otherwise. The Development Plan comprises the London Plan (2016), Core Strategy (2010) and Managing Development Document (2013).

6.2 The list below contains the most relevant policies to the application:

6.3 Government Planning Policy

National Planning Policy Framework (July 2018) (NPPF)
National Planning Guidance Framework (NPPG)

6.4 London Plan (2016)

- 2.9 Inner London
- 2.13 Opportunity Areas
- 2.14 Areas for regeneration
- 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
- 3.12 Negotiating affordable housing on individual and mixed-use schemes
- 3.13 Affordable housing thresholds
- 3.14 Existing Housing
- 3.16 Protection and enhancement of social infrastructure
- 4.1 Developing London's economy
- 4.2 Offices
- 4.3 Mixed use development and offices
- 4.4 Managing Industrial land and premises
- 4.6 Support for and enhancement of arts, culture, sport and entertainment
- 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
 - 5.17 Waste capacity
 - 5.18 Construction, excavation and demolition waste
 - 5.21 Contaminated land
 - 6.1 Strategic approach to transport
 - 6.3 Assessing effects of development on transport capacity
 - 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
 - 7.12 Implementing the London view management framework
 - 7.13 Safety, security and resilience to emergency
 - 7.14 Improving air quality
 - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 - 7.19 Biodiversity and access to nature
 - 7.21 Trees and woodland
 - 7.26 Increasing the use of the blue-ribbon network for freight transport
 - 7.30 London's canals and other river and waterspaces
 - 8.2 Planning obligations
 - 8.3 Community Infrastructure Levy (CIL)
- 6.5 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
 - SP08 Making connected Places
 - 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
- 6.6 Managing Development Document 2013

- DM0 Delivering Sustainable Development
- DM1 Development within the town centre hierarchy
- DM3 Delivering Homes
- DM4 Housing standards and amenity space
- DM9 Improving air quality
- DM10 Delivering open space
- DM11 Living buildings and biodiversity
- DM12 Water spaces
- 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
- DM28 World heritage sites
- DM29 Achieving a zero-carbon borough and addressing climate change
- DM30 Contaminated Land

6.7 Draft Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits

Statutory public consultation on the 'Regulation 19' version of the above emerging plan commenced on Monday 2nd October 2017 and closed on Monday 13th November 2017. The Local Plan was submitted to the Secretary of State for examination on 28 February 2018 and is currently, at the time of writing, being Examined in Public. Weighting of draft policies is guided by paragraph 216 of the National Planning Policy Framework and paragraph 19 of the Planning Practice Guidance (Local Plans). These provide that from the day of publication a new Local Plan may be given weight (unless material considerations indicate otherwise) according to the stage of preparation of the emerging local plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the NPPF. Accordingly, as Local Plans progress through formal stages before adoption they accrue weight for the purposes of determining planning applications. As the Regulation 19 version is currently being considered by an Inspector, its weight remains limited. Nonetheless, it can be used to help guide planning applications and weight can be ascribed to policies in accordance with the advice set out in paragraph 216 of the NPPF.

6.8 Draft London Plan: The Spatial Development Strategy for Greater London

Statutory public consultation on the draft London Plan commenced on the 1st of December 2017 and closed on 2nd March 2018. The draft London Plan has been submitted to the Secretary of State for examination. The current 2016 consolidation London Plan is still the adopted Development Plan. However, the draft London Plan is a material consideration in planning decisions. It gains more weight as it moves through the process to adoption, however, the weight given to it is a matter for the decision maker.

6.9 Supplementary Planning Documents

Character and Context SPG (June 2014)
Development Viability SPD (October 2017)
Homes for Londoners: Affordable Housing and Viability SPG (August 2017)
Housing SPG (March 2016)
Planning for Equality and Diversity in London (October 2007)
Planning Obligations SPD (September 2016)
Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment SPG (October 2014)
Social Infrastructure SPG (May 2015)
Sustainable Design and Construction SPG (April 2014)
The Control of Dust and Emissions during Construction and Demolition SPG (July 2014)
Land for industry and transport SPG (September 2012)

7.0 CONSULTATION RESPONSES

7.1 The views of the Directorate of Place are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application.

Conservation and Design Advisory Panel (CADAP)

7.2 The proposal has been presented to CADAP, with the panel raising concerns with the manner in which the design responded to the local character, the quantity and quality of provision of public realm, communal amenity and child play space.

7.3 In response to these comments the applicant has made notable amendments to the scheme resulting in changes to the roof design, ground floor layout and level of amenity provision. These are discussed further in the 'Material Planning Considerations' section of this report.

Internal Responses:

LBTH Arboriculture

7.4 The loss of trees will be mitigated with replacement planting proposed and quality landscaping. Conditions required securing landscaping details.

LBTH Employment and Enterprise

7.5 Proposed employment/enterprise contributions at construction phase: The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. The Economic Development Service will support the developer in achieving this target through providing suitable candidates through the WorkPath Job Brokerage Service (Construction).

7.6 To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. The Economic Development Service will support the developer to achieve their target through ensuring they work

closely with the Council's Enterprise team to access the approved list of local businesses.

- 7.7 The Council will seek to secure a financial contribution of £115,124.00 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created. 15 local apprenticeships would be required in the construction phase to a minimum standard of NVQ Level 2.
- 7.8 Proposed employment/enterprise contributions at end-use phase: The Council seeks a monetary contribution of £51,545.84 towards the training and development of unemployed residents in Tower Hamlets to access either:
- i) jobs within the uses A3 and B1c of the development
 - ii) jobs or training within employment sectors relating to the final development
- Monitoring for all obligations will be discussed and agreed with the developer prior to commencement of works.

Total of 1 end-use apprenticeships on this scheme.

LBTH Environmental Health- Air Quality

- 7.9 The development will result in a reduction in parking spaces and hence a reduction in transport emissions which is welcomed.
- 7.10 The Air Quality Assessment identified construction dust as a potential issue, therefore relevant conditions are recommended to deal with the air quality management, monitoring and compliance with the requirements for non-road mobile machinery at construction stage and to deal with odour from mixed plant and equipment with the proposed A3 use class on site.
- 7.11 All non-road mobile machinery used during demolition/construction should comply with the GLA's NRMM emission limits. Dust monitoring will be required throughout the demolition/construction phase.

LBTH Environmental Health Contaminated Land

- 7.12 No objections subject to the inclusion of a condition requiring a written scheme to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment. A second part of the condition will require any remediation works to be carried out in full and a verification report to ensure this has been completed.

LBTH Environmental Health Noise and Vibration

- 7.13 Acceptable subject to conditions requiring full details of each building sound insulation and ventilation strategy and acoustic commissioning testing.

LBTH Sustainable Urban Drainage (SUDs)

- 7.14 An additional detail of surface water drainage scheme is required to be achieved via conditions.

LBTH Energy Efficiency and Sustainability

- 7.15 No objection subject to appropriate conditions and S106 contribution securing carbon offsetting contribution.

LBTH Transportation and Highways

- 7.16 No objections subject to the inclusion of conditions requiring a safe, sheltered and accessible to all cycle parking spaces.

LBTH Waste Policy and Development

- 7.17 No objections subject to condition requiring a full waste strategy

LBTH Occupational Therapist

- 7.18 Additional information required in terms of layouts of the wheelchair accessible units

External Responses:

Crime Prevention Officer

- 7.19 No objections subject to conditions. A list of design recommendations is included to help the design achieve a secure by design accreditation via conditions.

Canal and River Trust

- 7.20 No objection in principle subject to condition requiring a feasibility study to assess the potential for moving freight by water during the construction cycle.

Environment Agency

- 7.21 No objections subject to conditions requiring a river wall survey and an assessment of any required remedial works or flood defence replacement option; how the crest level could be raised to meet the required level and a scheme for the provision and management of compensatory habitat creation .

Greater London Authority

- 7.22 No in principle objection. The GLA Stage 1 report states in the conclusion that the application broadly complies with the London Plan, however, further information is required to comply fully:

- Affordable Housing: The applicant to be committed to delivering 35% (by habitable room) without grant.
- Design and Heritage: Improvements needed to improve the residential quality.
- Climate change mitigation: further information needed on potential additional measures to deliver further carbon dioxide reductions including the use of photovoltaic panels.

- Transport: Address concerns over trip generation for non-residential elements, site access arrangements and measures proposed to reduce conflicts between pedestrians/cyclists and vehicles; increase blue badge car parking; cycle parking access arrangements; location of short cycle parking and long stay cycle parking type. The following should be secured by S278, condition and S106: pedestrian improvements; car parking design and management plan; details of cycle parking; travel plan; delivery and servicing plan; and construction and logistics plan.

Officer note: Additional information has been submitted to the GLA to address these comments.

Historic England

- 7.23 Unable to support the proposal because of the harmful impact on the character of the Conservation Area and recommends that a significantly lower-scale development that better responds to the character of the Conservation Area is explored with the Applicant.

Officer note: Comments noted and addressed under the material consideration below

Historic England Archaeology

- 7.24 No objections subject to the inclusion of relevant conditions.
- 7.25 The impact of proposals on the locally listed building on site (Magnolia House) is not clear, planning condition requesting historic building assessment is desirable.

Transport for London

- 7.26 No objection subject to S278 agreement for bus stop accessibility improvements.

London City Airport

- 7.27 No safeguarding objection.

London Fire and Emergency Planning Authority

Additional information required in terms of existing water supply infrastructure as requested by Thames water; recommends that sprinklers are considered for new development. In other respects, this proposal should conform to the requirements of part B5 of Approved Document B.

Officer note: The requested impact study on the existing water supply infrastructure was submitted to Thames water and Thames Water provided updated comments with no objection subject to condition.

Natural England

- 7.28 No objection. The proposals are unlikely to have significant impacts on any statutorily protected sites or landscapes.

Port of London Authority

- 7.29 No principle objection but with comments in terms of any works in, on or over the river which will require a River Works Licence.

Officer note: The comments have been sent to the applicant.

Thames Water Authority

Waste Comments

- 7.30 Surface Water Drainage – no objection subject to the inclusion of piling condition.

Water Comments

- 7.31 No objections subject to inclusion of conditions and informative.

Officer note: conditions would be attached should permission be granted.

Transport for London

- 7.32 No objections subject to conditions and s278 item.
In addition:
- 1 disabled commercial parking space is required

Officer note: Officers agreed the provision of 1 disabled commercial parking space with the applicant and details can be achieved via condition should permission be granted.

8.0 LOCAL REPRESENTATION

Applicant's Consultation

- 8.1 The applicant submitted a Statement of Community Involvement (SCI) in support of the application, outlining details of its engagement with local people and others in order to inform the evolution of the proposals. Officers consider that the consultation undertaken before submission of the application meets the national requirements and London Plan guidance and exceeds the requirements of the Council's SCI.
- 8.2 The Statement of Community Involvement (SCI) informs that prior to the consultation event for the current application, several consultations on the future development of the site have taken place from the outset with multiple local stakeholders to ensure that the application reflects both the aspirations of the community and the stakeholders.
- 8.3 The SCI details the publication, attendance and outcomes of these events and details how contact was made with individuals and political stakeholders and pre-applications held with the GLA and Tower Hamlets.
- 8.4 With regard to the specific consultation for the current planning application, the SCI details of consultation with stakeholders and local community from onset from the pre-application stage and before the submission of the application; including meetings with neighbouring Lock Keepers development including workshop and public exhibition.

- 8.5 The public exhibition took place from 16:00 – 20:00 on Thursday April 2017, and from 10:00 – 16:00 on Saturday 22 April 2017 at Unit 1, Barratt Industrial Estate, Gillender Street, E3 3JX. The event was advertised throughout the area; over 3,000 addresses in the surrounding area received a hand delivered leaflet notifying them of the exhibition. The front of the leaflet was in English, and the back was in Bengali. The event was promoted through social media and a follow-up door-knock on Wednesday 19 April to remind residents about the exhibition.
- 8.6 The applicant states that 57 people attended of which 5 completed feedback forms. Of these, 80% were positive about the regeneration, 20% were neutral and none disagreed or strongly disagreed with the proposed redevelopment of site. The relationship between the amount of feedback received and the number of exhibition attendees suggests that the majority of attendees were unconcerned about the proposal and did not feel the need to provide feedback.
- 8.7 The areas of concern raised were:
- Height of proposals.
 - Security and public access.
 - Daylight and Sunlight
 - Noise and anti-social behaviour
- 8.8 The SCI sets how it has responded to these issues by meeting group of Lock Keepers' residents who had particular concerns. The first meeting took place on 15 June 2017 to respond to concerns raised. In relation to height of 20 storeys building, blocking light to residents of Lock Keepers, the applicant agreed to share the results of daylight and sunlight testing once this had been undertaken.
- 8.9 The SCI makes clear that in response to concerns about the potential for noise and anti-social behaviour from the river walkway, the applicant advised that the development would have a concierge and CCTV to provide surveillance with the provision of natural surveillance from the café/employment uses along the river. Also, temporary concierge facility for the existing Lock Keepers residents will be explored.
- 8.10 Second follow-up took place on 01 August 2017 with five residents present to respond to security; commercial uses and Daylight/sunlight issues. To publicise and disseminate response to residents' concerns, applicant responded by posting a high-resolution sketches of the proposals on the project website for interested members of public to view.
- 8.11 The applicant organised a meeting on 29 August 2017 to give detail explanation on the Daylight and sunlight assessment and illustrations showing views from a range of kitchens/living rooms with and without balconies. The consultant emphasized that, although some Lock Keepers residents will experience a reduction in daylight and sunlight to some windows, they will retain good levels of daylight and sunlight for an urban area.
- 8.12 Officers consider that the applicant has carried out thorough consultations and engagements on its proposals at the pre-application and application stages.

Statutory Representations

- 8.13 A total of 286 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised on site by way of a site notice and advertised in the local press. Following correction to the description of development to accurately reflect the height of the proposed development, further round of consultation took place.
- 8.14 In total, 2 representations were submitted; both in objection. Concerns/objections were raised in relation to the following:
1. Negative reduction in sunlight and privacy for residents of Tweed House.
 2. The percentage of the proposed affordable housing is below the Mayor's target of half of all the new homes.
 3. The height and bulk of the buildings have a massive negative impact on the nature and conservation area in the area, which contribute to the area's historical and environmental value.
 4. Bromley-by-Bow and Mile End stations will not be able to handle the increased amount of people flowing through at rush hours – the area is already overcrowded.

Officer note: Local residents' concerns are noted. Points 1 – 4 will be considered within the 'Material Planning Considerations' section of the report.

9.0 MATERIAL PLANNING CONSIDERATIONS

Land Use

Policy Context

- 9.1 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.
- 9.2 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.
- 9.3 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. 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.

- 9.4 Policy 3.14 in the London Plan details the approach to existing housing and states that loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floor space. The supporting text states that estate renewal should take in to account the regeneration benefits to the local community, the proportion of affordable housing in the surrounding area, and the amount of affordable housing to be provided elsewhere in the borough. Where redevelopment of affordable housing is proposed, it should not be permitted unless it is replaced by better quality accommodation, providing at least an equivalent floor space of affordable housing.
- 9.5 Policy DM3 in the Managing Development Document states that estate regeneration development that proposes a net loss of affordable housing will only be allowed in exceptional circumstances where: a) development demonstrates that a limited loss of affordable housing is required to improve the tenure mix on site or; b) public open space or a non-residential use will benefit the overall estate regeneration scheme.
- 9.6 The London Plan identifies the site as falling within an area for regeneration under Policy 2.14. Policy 4.4 of the London Plan relates to the management of industrial land, including the release of surplus industrial land where it will contribute to local planning objectives including housing.
- 9.7 The site is broadly defined as a Local Industrial Location within the Tower Hamlets Core Strategy, however more specific direction from the Core Strategy is less defined as the site sits on the cusp between LAP 5 & 6 Bromley-by-Bow and LAP 7 & 8 Poplar Riverside. However, both areas are relatively consistent in seeking connection and enhancement to riverside pathways along both the Lea River and Limehouse Cut. The vision for Bromley-by-Bow seeks a *"...well designed, mixed residential community with excellent social and community infrastructure"* while the vision for Poplar Riverside seeks *"...change from a largely industrial area to a predominantly residential area."* A key priority for Poplar Riverside is *"To manage the release of industrial land and ensure that new development is sustainable and built to the highest design standards at appropriate densities."*
- 9.8 The delivery of housing on this Local Industrial Location can be supported by the re-provision of new B1 space within the development at the proposed refurbished Magnolia House and its extension. This type of development subject to the re-provision of industrial floorspace would be considered to be in line with the redevelopment envisaged by local policy and supported at a strategic level.

Reprovision of Employment floorspace

- 9.9 Policy DM17 of the Tower Hamlets Managing Development DPD deals with Local Industrial Locations, setting out that development resulting in the loss of

industrial B Use Class floor space will not be supported. Policy DM17 goes on to state that redevelopment of Local Industrial Locations, including residential redevelopment, will only be supported if existing industrial B Use Class is reprovided on site. Among other considerations, policy DM17 seeks high quality flexible working space including units of 250sqm and 100sqm to meet the needs of small and medium enterprise.

- 9.10 The existing B1c units provide a total of 1,915sqm within 9 large units. The proposal seeks to reprovide 1,815sqm of B1c floorspace at the ground floor level of the new buildings (Block A, B and C) and within the refurbished and extended Magnolia House. The space would be configured to suit a wide variety of users including start-ups and those who are more established. The proposed configuration offers the potential for a significant uplift in the number of people employed on the site, from 5 existing employees to a maximum figure of approximately 125, and a minimum figure of approximately 49 (FTE) jobs. The space would allow uses such as research and development laboratories and light industry.
- 9.11 A 100sq.m café (A1/A3) is proposed at the eastern end of the proposed yard and would have three frontages: one overlooking the yard; a second one facing south; and a third facing the riverside walkway. The café would be open to residents, workers and people from the wider area. It is considered that a small café would complement the employment space as an amenity for staff and residents of the scheme and surrounding area.
- 9.12 In conclusion the proposed development providing a total of up to 1,915sq.m (1,815sq.m + 100sq.m) of replacement B1 (C) quality floorspace It is acknowledged that there could be temporary job loss while construction is ongoing; however this is not considered to be unacceptable. In the context of policy DM17, the proposal is compliant insofar as it relates to the re-provision of B Use Class floorspace.
- 9.13 The quality of the space is also a primary consideration in establishing the appropriateness of the use. The commercial units proposed offer a range of widths, depths, sizes and soffit heights (3-5 metres) recognising the need for a robust and flexible commercial offer. The proposed units would front three different zones; facing Gillender Street, the new yard and the River Lea. This adds to the variety to appeal to different tenant preferences and needs. Each unit will have its own air ventilation plant, however an extract duct to roof level is provided in building A to make provision for high level industrial B1(c) extract if this is required and considered appropriate for the B1(c) use class. The extract duct allows B1(c) uses to co-exist with residential uses with very limited amenity impact on residential occupiers.

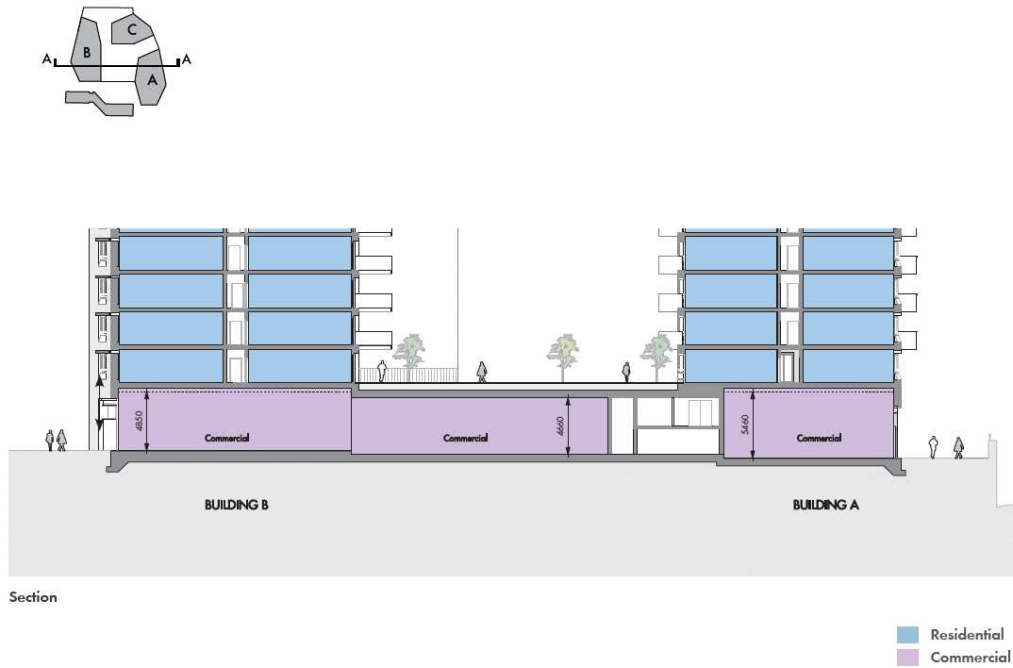


Figure 15- Section showing Residential and commercial.

- 9.14 The total GIA of 1,708sq.m of the commercial space is to be provided in each of the three blocks. Block A and C has a total of 470sqm located at the ground floor level. These units would be of a size suitable for small enterprise units with the proposed 100sq.m flexible use (A1/A3/B1) located at the corner of Block A.
- 9.15 Block B contains a sizeable amount of employment space, having 473sqm at ground floor level, fronting the new yard and Gillender Street. The commercial space is intended to allow a flexible arrangement of unit sizes. At present, the ground floor layout plans show the unit sizes would be subject to occupier requirements.
- 9.16 Magnolia House contains the bulk of the employment space, having 665sqm split between the ground floor level and first floor levels. The commercial space in Magnolia House fronts the yard which is the main access road to the development and to the river. Magnolia House provides an opportunity for medium sized business to locate within the development.

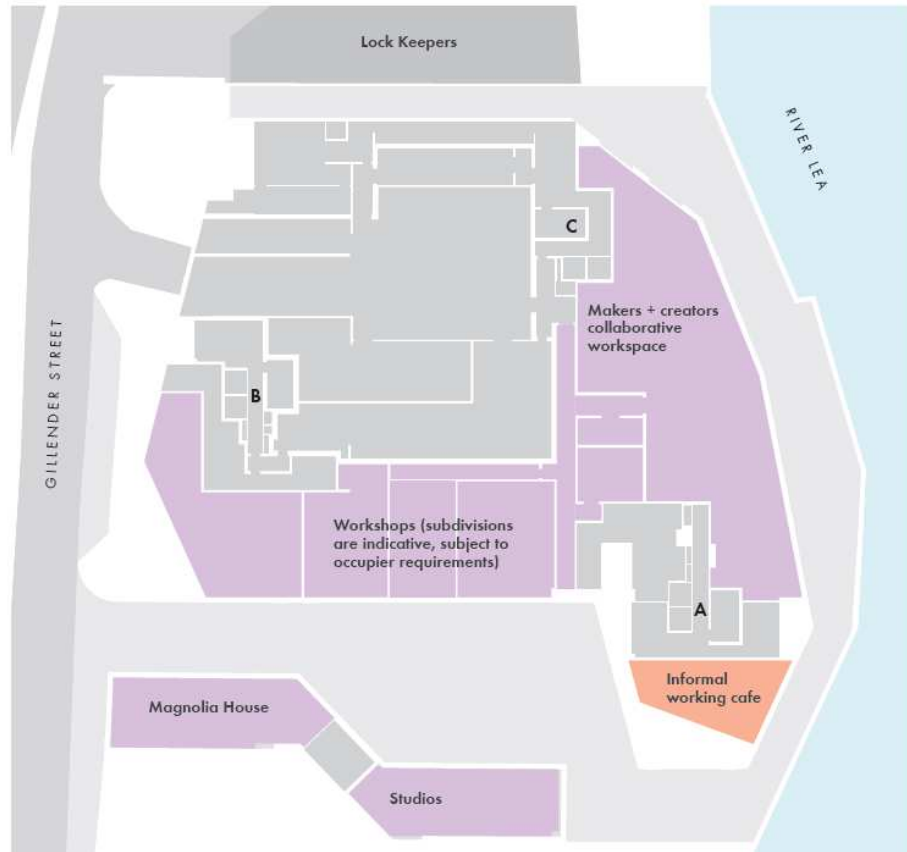


Figure 16- Diagram illustrating the proposed subdivision of units and commercial layout within the development.

- 9.17 The scheme's employment space offer is flexible in terms of the use and unit sizes. This is also an element of policy DM17 which seeks working space that is usable. To this end, the applicant has provided a commercial feasibility & Economic Analysis report from a firm of Chartered Surveyors and Commercial Property Consultants (Strettons Ltd) setting out the likely target occupiers of the commercial space. In this respect, the employment units are considered by the firm to add to a range of accommodation in the area, but be of a quality not presently available. The character of the proposed accommodation and its setting is considered to make the units attractive to potential occupiers, particularly those who may have not previously considered the location.
- 9.18 In terms of the target sectors, the advice of the firm is that creative industry, light industry workshop uses and traditional offices would be the best fit for the site. A significant proportion of potential occupiers as identified by the firm are likely to be locally based businesses wishing to upgrade from surrounding poor quality premises. And these occupiers fall into two types, individual businesses and maker/ creator workspace providers. The former demand floor areas of 100-200sqm, the latter require larger spaces of c500sqm as space is let out to a number of smaller businesses.
- 9.19 Employment spaces with no car parking and industrial/trade occupiers have been highlighted as a potential area of concern for future occupiers. However, given the target sector and public transport accessibility, parking is not

considered to be an overriding requirement for occupiers. And the nature of the proposed uses would be considered compatible with residential uses.

- 9.20 The site's servicing has also been examined by a transport consultant within the Transport Statement submitted with the application. Servicing details are discussed further in the report below.
- 9.21 Overall, the level of employment offer is considered to be acceptable by officers. It is acknowledged that the employment represents an improvement from existing situation on site which would be beneficial in terms of job creation to the local community and the economy in general. The size, quality and usability of the employment floorspace is a criteria for allowing redevelopment in Local Industrial Locations, as is the requirement for a flexible range of work space. In addition, the GLA have confirmed that there is no strategic issue with the proposed mixed use development, therefore the employment uses contained within the scheme would be considered to be acceptable and comply with the relevant land use policies.

Principle of Residential Use

- 9.22 The site is located within a Housing Zone designated by the Mayor of London in 2016. Whilst this is not a planning designation, the housing zone status is a material planning consideration. Policy 8.1 (Implementation) in the London Plan sets out that Housing Zones involve collaborative working between partners including the Mayor, boroughs and communities to realise the potential of large development areas through measures such as targeted tax incentives and effective land assembly to unlock development and optimise delivery.
- 9.23 The proposal would result a net increase of 301 residential units and would contribute towards the borough's target of delivering 3,931 new homes per year (as set out in policy 3.3 of the London Plan 2016). As such, the principle of residential use on the site is welcomed. However, the principle of losing 6 residential units within the Magnolia House (not including Social Rent) is acceptable on the basis that that the overall re-provision will increase the housing and provide affordable housing in terms of overall unit numbers, habitable rooms and floor space within the development. The affordable housing, housing mix and housing quality will be addressed in the housing section of the report below.

Density

Policy Context

- 9.24 Policy 2.13 of the London Plan (2016) states that "development proposals within opportunity areas and intensification areas should seek to optimise the residential and non-residential output and densities". Policy 3.4 seeks to ensure that new housing developments optimise the use of land by relating the density levels of housing to public transport accessibility levels.
- 9.25 The London Plan Housing SPG (2016) states that when coming to a view on the appropriate density for a development, that proper weight is given to the range of relevant qualitative concerns set out in Policy 3.5 and relevant policies in chapter 7 of the London Plan so an informed judgement can be

made about the point at which a development proposal falls within the wide density range for a particular type of setting/location.

- 9.26 It goes on to state that it may be acceptable for a particular scheme to exceed the ranges in the density matrix, providing important qualitative concerns are suitably addressed. However, to be supported, schemes which exceed the ranges in the matrix must be of a high design quality 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 and where these considerations are satisfactorily addressed, the London Plan provides sufficient flexibility for such higher density schemes to be supported taking into account the particular characteristics of a proposed development and its impact on the surrounding area.
- 9.27 Both the London Plan and the Housing SPG confirms that the density matrix contained within the London Plan (2016) should be applied flexibly rather than mechanistically.
- 9.28 The Council's Core Strategy Policy SP02 also relates density levels of housing to public transport accessibility levels and additionally relates density levels of housing to the hierarchy and proximity of nearby town centres, so that higher densities are promoted in and around town centres that are higher up in the hierarchy.

Assessment

- 9.29 The scheme falls within an 'urban' setting, with the Public Transport Accessibility Location (PTAL) at 4 indicating a 'good' accessibility level to public transport infrastructure.
- 9.30 Given the above the London Plan recommends that a suitable sustainable density range for such a site is 200-700 habitable rooms per hectare (hr/ha).
- 9.31 The application site has a site area of 0.55ha and seeks to provide 839 habitable rooms. In line with the Housing SPG methodology the resulting density is thus calculated as follows:

Total GIA – 28,855sqm
Of which is residential – 24,951sqm (87%)
No. of habitable rooms (839) / 87% of site area (0.4785ha)

= Residential density (1,753hr/ha)

- 9.32 The proposal density of approximately 642 units per hectare (1,753 habitable rooms per hectare). Whilst the residential density of this development exceeds the London Plan density guidelines, it should be noted that it is not appropriate to apply the density guidelines mechanistically, and that development should also generally maximise housing output so far as it does not demonstrate adverse symptoms of overdevelopment.
- 9.33 Such adverse symptoms of overdevelopment can include: poor response to local context and character; poor residential and environmental quality; an inappropriate residential mix; inadequate communal amenity or child play space provision; and inadequate waste/recycling and car parking facilities. In

this instance, officers are content that the proposed development does not demonstrate such symptoms, as it is considered to be of a high quality design which does not significantly adversely affect the local context or character (discussed further within the design section of this report), and will also provide future occupiers an acceptable level of amenity (discussed further within the housing and amenity sections of this report).

- 9.34 Furthermore it should be noted that this site sits within 'Poplar Housing Zone' which promotes the delivery of a 'strategic housing development', and also benefits from a good accessible location. As such officers are content that the proposed density of this development is appropriate, given the scheme's design and location.
- 9.35 Officers consider the proposal to be well designed, optimising the potential of this underutilised brownfield site, although officers also emphasise the importance of delivering high quality residential accommodation that is well designed and respond to the surrounding context.
- 9.36 In conclusion, given the proposed design, residential quality and location of site, the proposed density would be considered to be broadly acceptable and comply with the relevant policy in this respect.

Housing

Policy Context

- 9.37 Paragraph 50 of the NPPF states that local authorities should seek "to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities".
- 9.38 Policy 3.5 of the London Plan (2016) states that "the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children and older people". Policy 3.6 states that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs". Policy 3.8 states that new developments should "offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these". Policy 3.12 states that "the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes".
- 9.39 The Council's Core Strategy Policy SP02 seeks to "ensure new housing assists in the creation of sustainable places", requires "35%-50% affordable homes on sites providing 10 new residential units or more (subject to viability)", "a mix of housing sizes on all sites providing new housing", and seeks to ensure that "all housing is appropriate, high-quality, well-designed and sustainable".
- 9.40 The Council's Managing Development Document Policy DM3 seeks "to maximise affordable housing in accordance with the Council's tenure split (70% Social/Affordable Rent and 30% Intermediate)" and ensure that

development provides “a balance of housing types, including family homes, in accordance with the breakdown of unit types set out within the most up-to-date housing needs assessment”. Policy DM4 states that “all housing developments should have adequate provision of internal space in order to provide an appropriate living environment” and provide amenity space and child play space in accordance with Council standards.

- 9.41 Part 5 of Policy DM3 states that development that would involve net loss of residential floorspace; residential units or any family housing will be resisted. Except if it accords with part 6. Part 6 of the policy states that estate regeneration development that proposes a net loss of affordable housing will only be allowed in exceptional circumstances where: a) development demonstrates that a limited loss of affordable housing is required to improve the tenure mix on site or; b) public open space or a non-residential use will benefit the overall estate regeneration scheme.

Affordable Housing

- 9.42 The table below illustrate the proposed unit mix for the development:

| Tenure | Units | % | Habitable Rooms | % |
|---------------------------------|--------------|------------|------------------------|------------|
| Market Sector | 198 | 65 | 456 | 54.35 |
| Intermediate | 41 | 13 | 128 | 15.26 |
| Social/Affordable Rented | 68 | 22 | 255 | 30.39 |
| Total | 307 | 100 | 839 | 100 |

Figure 17: Housing unit mix

- 9.43 The affordable housing offer put forward by the applicant is despite the viability report claiming that this offer is substantially over and above the maximum reasonable amount that can viably be supported by the development. The applicant is content to accept this position on the basis that their investment is a market based one which over the lifetime of the development would make commercial sense.
- 9.44 The proposed 46% affordable housing provision would include GLA grant funding; however the applicant is unconditionally committed to provide 35% minimum affordable housing by habitable room without grant funding and this can be secured through the s106 Agreement.
- 9.45 As part of the applicant’s viability exercise and in line with the Mayor’s Affordable Housing and Viability SPG, the applicant has also tested the possibility of the inclusion of Council’s grant funding for the affordable units in order to increase the overall affordable housing offer from 46% to 50%. This testing however concluded that even with the inclusion of grant funding, a 50% affordable housing scheme would result in a greater deficit than the currently proposed 46% affordable housing scheme and would thus not be viable for the applicant to pursue.

- 9.46 The applicant's viability report has been reviewed by an independent viability consultant instructed by the Council, who whilst querying some of the figures contained within the report, notably the ground rental income, contingency, professional fee allowance, build cost, marketing fee, shared ownership values and affordable rent values, ultimately concluded in July 2018 that despite these differences, the scheme cannot support more affordable housing than currently proposed (i.e. 46%) and remain viable. The affordable provision uses grant funding from the GLA to fund units through the Developer Led Route as part of the Mayors Homes for Londoners – Affordable Homes Programme 2016-2021 for the 109 affordable housing units regardless of tenure.
- 9.47 The original affordable housing offer put forward by the applicant in November 2014 (when the withdrawn application under ref: PA/14/03315 was submitted) was at 24.8%, this included the provision of social/affordable rented products at LBTH Framework Rents (the Council's preferred rent levels at the time). Officers have negotiated with the applicant to achieve an amended affordable housing offer which includes these new rent levels (although current proposal is higher in density, however the affordable level proposed means that the applicant has further increased their loss and deficit on the scheme), and the split of social/affordable rented accommodation is outlined in the table below:

| Product | Units | % | Habitable Rooms | % |
|----------------------------------|--------------|----------|------------------------|----------|
| London Affordable Rent | 34 | 50% | 127 | 50% |
| Tower Hamlets Living Rent | 34 | 50% | 128 | 50% |

Figure 18- Breakdown of Social/Affordable Rented Products

- 9.48 It is noted above that the proposed split between the London Affordable Rent and Tower Hamlets Living Rent products would comply with the Council's preferred split of 50%/50%, with a greater proportion of larger family sized (3-bed+) units provided. Officers are content that the offer put forward by the applicant is reasonable and policy compliant.
- 9.49 With respect to the intermediate provision within the development, the applicant is proposing to provide 9 x 1 bed units, 18 x 2 bed units and 14 x 3 bed units all of which will be shared ownership. The applicant has confirmed that all the intermediate units would be affordable to those with a household income of less than £90,000 (i.e. not exceeding 40% of net income). Given that the other affordability criteria are met officers are content with the affordability of the proposed intermediate provision within this scheme.
- 9.50 In line with the Mayor's Affordable housing and viability SPG, an early stage review mechanism of the viability report will be required in the event that the above ground superstructure is not in place within 2 years of the date of consent. Such a requirement would be inserted as a clause within the section 106 agreement in the event that planning permission was to be granted.
- 9.51 To conclude, the proposed development would secure more than the maximum viable amount of affordable housing on site; the scheme is broadly policy compliant in terms of tenure split and; securing review

mechanisms will allow for additional affordable housing to be secured at fixed point if the viability position changes within 2 years and the development is yet to be implemented. As such, the scheme complies with the relevant policy and is acceptable in terms of affordable housing.

Housing Mix

9.52 The following table outlines both the proposed unit mix, by size and tenure, as well as the Council’s current preferred unit mix, which seeks to secure a mixture of small and large housing, and is set out within Policy DM3(7) of the Managing Development Document:

| Unit Size | Total Units | Affordable Housing | | | | | | Market Housing | | |
|--------------|-------------|--------------------------|-------------|-----------------|--------------|-------------|-----------------|----------------|-------------|-----------------|
| | | Social/Affordable Rented | | | Intermediate | | | Units | % | Policy Target % |
| | | Units | % | Policy Target % | Units | % | Policy Target % | | | |
| Studio | 31 | 0 | / | / | 0 | / | / | 31 | 16% | / |
| 1 Bed | 123 | 22 | 32% | 30% | 9 | 22% | 25% | 92 | 46% | 50% |
| 2 Bed | 91 | 14 | 21% | 25% | 18 | 44% | 50% | 59 | 30% | 30% |
| 3 Bed | 54 | 24 | 35% | 30% | 14 | 34% | 25% | 16 | 8% | 20% |
| 4 Bed | 8 | 8 | 12% | 15% | 0 | 0 | 0% | 0 | 0 | |
| Total | 307 | 68 | 100% | 100% | 41 | 100% | 100% | 198 | 100% | 100% |

Figure 19- Unit mix by size, tenure

9.53 Within the Social/Affordable tenure, the mix of units is broadly compliant with a slight over provision of 1 and 3 bed and a slight under provision of 2 and 4 bedroom units. Overall, more much needed family units would be provided on site.

9.54 Within the intermediate tenure, with an overprovision of 3 bedroom units and an under provision of 1 and 2 bedroom units, the proposal is geared towards the provision of more family units. This is considered broadly in keeping with the preferred unit mix, although very marginally off target.

9.55 Finally, within the market housing tenure, the proposed unit sizes are predominantly in accordance with the preferred mix though skewed more towards 1 bed units (including studios), with the proportion of family sized (3-bed+) units being below the targets set out in the Council’s preferred unit mix. Given the over provision of family sized units within the intermediate tenure, officers are content to accept a lower number of family sized (3-bed+) units within market tenure. Overall, the proposed development still offers a good mix of 1 and 2 bed market units.

9.56 Overall, in the context of the Council’s relevant policies, officers are content that the proposed dwelling mix of this proposal can broadly be considered to be policy compliant and is thus considered acceptable.

Accessible Housing

- 9.57 The proposed development seeks to provide a total of 31 wheelchair accessible units (designed in accordance with Part M4 (3) (2) (b) of the Building Regulations 2015), which equates to 10% of the total number of residential units being proposed (307). The remaining 296 units will be designed to be adaptable (in accordance with Part M4 (2) of the Building Regulations 2015).
- 9.58 The following table outlines the mix of wheelchair units proposed. 20 of the wheelchair accessible units are to be in the form of market units (17 x 1-bed, 2 x 2-bed, 1 x3-bed), 4 are to be in the form of intermediate units (4 x 2 bed), and 7 are to be in the form of social/affordable rented units (1 x 1-bed, 4 x 2-bed and 2 x 3 bed). Ideally there would have been provision of some 4-bedroom wheelchair units; however the 10% requirement is met.
- 9.59 Overall, the provision of wheelchair units is considered acceptable as the 10% requirement is met and the mix includes family sized units in the affordable tenure where there is most demand.

| Tenure | 1-bed | 2-bed | 3-bed | 4-bed | Total | As a % of Tenure |
|---------------------------------|-------|-------|-------|-------|-------|------------------|
| Market Sector | 17 | 2 | 1 | - | 20 | 10% |
| Intermediate | 0 | 4 | - | - | 4 | 10% |
| Social/Affordable Rented | 1 | 4 | 2 | - | 7 | 10% |
| Total | 18 | 10 | 3 | - | 31 | 10% overall |

Figure 20- wheelchair provision

- 9.60 In order to ensure that the proposed wheelchair accessible units have been designed in accordance with Part M4 (3) of the Building Regulations 2015 a condition requiring detailed layouts of the units at a scale of 1:50 will be imposed. The condition will also stipulate that the remaining 296 units within the development must be designed in accordance with Part M4 (2) of the Building Regulations 2015. The Council’s occupational therapists raised no concerns. Subject to this condition officers are therefore content that the proposed residential accommodation is acceptable in accessibility terms.
- 9.61 In accordance with paragraph 3.76 of the London Plan the quality and robustness of materials and architectural detailing must be consistent across all residential elements of the scheme irrespective of tenure. The proposed development would provide consistent residential standards across all the development, and appropriate condition is suggested to secure implementation of as proposed.

Housing Quality

- 9.62 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 (2016) 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.

- 9.63 Standard 12 relates to shared circulation and states that each core should be accessible to generally no more than eight units on each floor. Within the development, individual cores do not serve more than 7 units per floor, with all entrances having access to at least 2 lifts. As such, the scheme is compliant with the design guidance and the access arrangements are considered to be acceptable and in accordance with the standards set out in the Mayor's Housing SPG.
- 9.64 The development would contain 6 (2%) north facing single aspect units (all studios as oppose to family accommodation) on the 2nd to 7th floor of Block C. These units are all private units with the remaining 301 units (98%) designed to be dual aspect units. The GLA officers raised this issue and the applicant responded by highlighting the minimum number of single aspect north facing units and their design as non- family accommodation. Given that the development would predominantly provide dual aspect units on site, officers are content that the marginal level of single aspect north facing units is acceptable on balance.
- 9.65 With respect to internal floor areas, all 307 proposed units either meet or exceed the standards set out both with the London Plan (2016) and the Tower Hamlets Managing Development Document (2013).
- 9.66 Given the above officers consider the residential quality of the scheme to be high and thus policy compliant.

Daylight/ Sunlight Levels for the Development

- 9.67 Guidance on the assessment of daylight and sunlight levels for new developments is set out in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. When calculating the levels of daylight afforded to new developments, the BRE have adopted and recommend the use of British Standard 8206 as the primary form of assessment which recommends minimum Average Daylight Factor (ADF) values for new residential dwellings, which are as follows:
- >2% for kitchens;
 - >1.5% for living rooms; and
 - >1% for bedrooms.
- 9.68 The BRE guidelines state that the layout of proposed developments should maximise the number of south facing main living rooms, and that where windows within such rooms face within 90 degrees of south they should be assessed using the Annual Probable Sunlight Hours (APSH) method. The APSH calculation considers the amount of sun available in both the summer and winter for each such window, and if the window can receive at least 25% total APSH with 5% during the winter months (between 21st September and 21st March), then the affected room can be considered to receive sufficient levels of sunlight. Finally, in order for any proposed external amenity space to be considered as receiving sufficient levels of sunlight, at least half (50%) of such space should receive direct sunlight for at least two hours on the 21st March.

- 9.69 The applicant has submitted a Daylight and Sunlight report which has been reviewed by an independent daylight and sunlight specialist instructed by the Council.
- 9.70 The applicant's report advises that ADF, NSL and APSH assessments have been undertaken to the first 15 floors of Blocks A and B and the first 7 floors of Block C with the results of these assessments considered sufficient in order to reach suitable conclusions as to the adequacy of daylight and sunlight to the remainder of the proposed apartments, the Council's appointed consultant does not disagree with this approach.
- 9.71 Within the proposed development, 88% of the habitable rooms will meet the BRE criteria for ADF, which equates to 738 out of the 839 proposed habitable rooms, and 93% will meet the NSL standard, which equates to 780 out of 839. This is considered a very good level of compliance for a proposed scheme of this scale and for the rooms which do not meet the ADF criteria it should be noted that these are typically those below balconies which restrict the daylight to be enjoyed in those rooms.
- 9.72 Out of those rooms that are below the ADF target levels, the ADF levels are within 0.5% of the target levels, therefore, the significance of the failures to the majority of rooms is considered to be minor. The remainder of the rooms are considered to be below the ADF target to a moderate extent. In addition, the majority of rooms, whilst they do not meet the ADF target value; they retain an adequate level of daylight distribution for a development of this scale.
- 9.73 From the tables below, it can be summarised that 9 kitchens will not meet the ADF target level between 1.5% - 2.0%, 52 living/kitchen/dining/studios and 13 bedrooms.
- 9.74 Officers are content that this minor non-compliance can be considered to be acceptable, given that the provision of balcony is clearly a beneficial amenity that balances the lower levels of daylight available to the affected rooms. Based on the above, available daylight within the proposed development can be considered to be very good and broadly compliant with relevant policy.

| Internal Assessment Summary | | | | | | | | |
|-----------------------------|----------------------------------|--|----------------|----------------|---------|---------|------------|-----|
| | | | | Block A | Block B | Block C | All Blocks | |
| ADF Summary | Results for those Rooms Assessed | Living Rooms / Studios / LKDs (1.5% ADF Target) | Above Guidance | 153 | 74 | 30 | 257 | |
| | | | Below Guidance | 14 | 36 | 17 | 67 | |
| | | | Total | 167 | 110 | 47 | 324 | |
| | | Kitchens (2.0% ADF Target) | Above Guidance | 0 | 20 | 0 | 20 | |
| | | | Below Guidance | 0 | 12 | 0 | 12 | |
| | | | Total | 0 | 32 | 0 | 32 | |
| | Bedrooms (1.0% ADF Target) | Above Guidance | 205 | 227 | 33 | 465 | | |
| | | Below Guidance | 3 | 13 | 1 | 17 | | |
| | | Total | 208 | 240 | 34 | 482 | | |
| | Results for All Rooms in Block | | | Above Guidance | 358 | 319 | 63 | 740 |
| | | | | Below Guidance | 17 | 63 | 18 | 98 |
| | | | | Total | 375 | 382 | 81 | 838 |

| Total Blocks | | | |
|--|----------|-------------------|----------|
| Rooms that Do not Meet the Suggested ADF | | | |
| | Kitchens | Living/LKD/Studio | Bedrooms |
| 1.5% - 2.0% | 9 | 0 | |
| 1% - 1.5% | 1 | 52 | |
| 0.5% - 1% | 2 | 15 | 13 |
| 0% - 0.5 | 0 | 0 | 4 |
| Total | 12 | 67 | 17 |

Figure21a – Internal assessment (ADF)

| | | | | Block A | Block B | Block C | All Blocks |
|-------------|--|-------------------------------|----------------|---------|---------|---------|------------|
| NSL Summary | Results for those Rooms Assessed (Using a target value of 50%) | Living Rooms / Studios / LKDs | Above Guidance | 160 | 110 | 41 | 311 |
| | | | Below Guidance | 7 | 0 | 6 | 13 |
| | | | Total | 167 | 110 | 47 | 324 |
| | | Kitchens | Above Guidance | 0 | 21 | 0 | 21 |
| | | | Below Guidance | 0 | 11 | 0 | 11 |
| | | | Total | 0 | 32 | 0 | 32 |
| | | Bedrooms | Above Guidance | 198 | 221 | 27 | 446 |
| | | | Below Guidance | 10 | 19 | 7 | 36 |
| | | | Total | 208 | 240 | 34 | 482 |
| | Results for All Rooms in Block | Above Guidance | 358 | 352 | 68 | 778 | |
| | | Below Guidance | 17 | 30 | 13 | 60 | |
| | | Total | 375 | 382 | 81 | 838 | |

| Total Blocks | | | |
|-----------------|----------|---------------------------|----------|
| | Kitchens | Living Rooms/LKDs/Studios | Bedrooms |
| Meet NSL | 3 | 54 | 4 |
| Do Not Meet NSL | 9 | 13 | 13 |

Figure21b – Internal assessment (NLS)

- 9.75 With respect to sunlight levels within the proposed development, the APSH results show that those rooms with windows that face within 90 degrees of due south will generally enjoy good levels of sunlight in accordance with the BRE guidelines. For those rooms that have windows within 90 degrees of due south, at least 80% will enjoy good levels of sunlight in accordance with the BRE guidelines with a total APSH above 25%.
- 9.76 Those windows that receive lower levels of sunlight are typically set back behind balconies and as indicated above with the daylight assessment a balance between the provision of the beneficial amenity space and the slightly lower levels of sunlight within the room needs to be struck, and given the importance provision of amenity that balcony provides and that the balcony itself will generally enjoy good levels of sunlight, it will then be considered acceptable on balance.
- 9.77 The windows that are not orientated within 90 degrees of due south will generally receive slightly lower levels of sunlight. However, this is to be expected given the orientation of the window; however, generally, it is considered that adequate levels of sunlight will be enjoyed across the proposed development.
- 9.78 In addition, due to the size of the proposed development and the fact that the majority of rooms still meet or exceed the recommended sunlight levels as set out within the BRE guidance, officers are content that the proposed development will afford future occupants acceptable levels of sunlight and

can on balance be considered to be broadly compliant with relevant policy and the BRE guidelines.

| | | | | Block A | Block B | Block C | All Blocks |
|---|----------------------------------|-------------------------------|----------------|---------|---------|---------|------------|
| APSH Summary (Only Assessing Rooms with windows orientated within 90 Degrees of Due South) | Results for those Rooms Assessed | Living Rooms / Studios / LKDs | Above Guidance | 31 | 22 | 8 | 61 |
| | | | Below Guidance | 0 | 29 | 19 | 48 |
| | | | Total | 31 | 51 | 27 | 109 |
| | | Kitchens | Above Guidance | 0 | 9 | 0 | 9 |
| | | | Below Guidance | 0 | 0 | 0 | 0 |
| | | | Total | 0 | 9 | 0 | 9 |
| | Bedrooms | Above Guidance | 87 | 86 | 6 | 179 | |
| | | Below Guidance | 0 | 0 | 15 | 15 | |
| | | Total | 87 | 86 | 21 | 194 | |
| | Results for All Rooms in Block | | Above Guidance | 148 | 122 | 14 | 284 |
| | | | Below Guidance | 0 | 29 | 34 | 63 |
| | | | Total | 148 | 151 | 48 | 347 |

Figure21c – Internal assessment (APSH)

9.79 Out of the 63 rooms that do not meet the BRE guidelines, 29 rooms will experience a good Winter APSH level above 5% while the total is below 25% as indicated in the table below. The table shows that all rooms will enjoy some sunlight with the majority being above 10% and at a lowest value of 7%.

| Total Blocks | |
|---|----|
| Rooms that Do not Meet the Suggested APSH | |
| Retains 20% - 25% | 0 |
| Retains 15% - 20% | 17 |
| Retains 10% - 15% | 27 |
| Retains 5% - 10% | 19 |
| Total | 63 |

Figure21d – Internal assessment (APSH)

Overshadowing to the Proposed Amenity Spaces

9.80 The landscape strategy for the proposed development incorporates a range of open spaces. These include public realm areas and rooftop gardens. Most of these spaces would meet the BRE guidelines in that over half of each area would receive over 2 hours of sunlight on March 21. An overshadowing analysis has been carried out to the amenity spaces to be provided within the development, the ground floor area, first floor and the two rooftop gardens as indicated below:



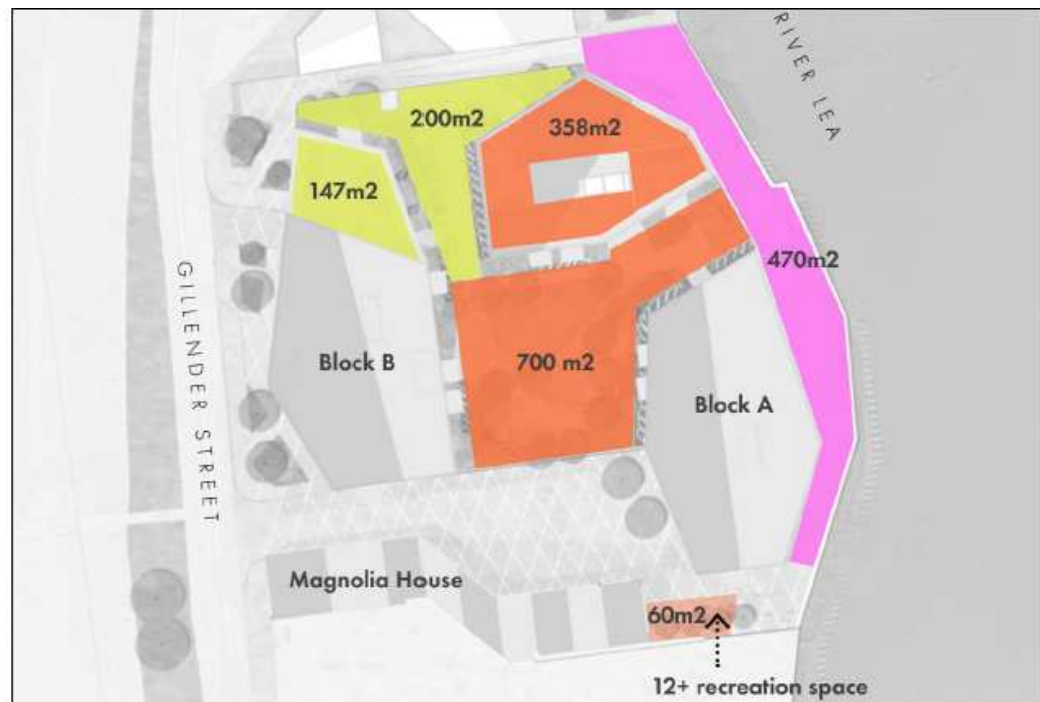
Figure 21d– Internal assessment (Amenity spaces)

- 9.81 From the above, the river walk way and main garden amenity space (the raised central area) should enjoy good levels of sunlight in accordance with the BRE guidelines. The remaining ground floor space is considered more of a throughway rather than an amenity area but will experience 2 hours of sun on ground to 49% of its area. This would be 1% below the recommended BRE criteria and it is therefore considered to be a minor departure from the BRE guidance.
- 9.82 The 3 small rooftop gardens, on the 21st of March, will not enjoy 2 hours of sunlight on Ground to 50% of their areas due to the sunken design/structures overhead of these gardens. However, in the summer months when the gardens are most likely to be used, the sun is higher in the sky and is able to pass over the top of the buildings allowing for all three rooftop gardens to enjoy 2 hours of sun on ground to well over 50% of each space.
- 9.83 Overall, the fact that the river walk way and main central garden amenity space meets the BRE guidelines means that every resident will have access to a well sun lit space. The roof gardens, with appropriate design and use of materials will add value to the proposal with sufficient sunlight in the summer months. On balance, the quality of the amenity areas are therefore considered adequately lit.

Communal Amenity Space

- 9.84 Policy DM4(2) of the Council's Managing Development Document states that for all developments proposing 10 or more new residential dwellings, a minimum of 50sqm for the first 10 units and 1sqm for every unit thereafter should be provided. As this development proposes 307 residential units, a minimum of 347sqm of communal space is thus required.

9.85 The scheme would provide adequate residential communal area in compliance with the policy requirement for 347sqm of communal amenity space provided at roof/podium level.



Source – Allies and Morrison.

| | | |
|---|--|-------------------|
|  | Playable Landscape <i>(Under 5 and 5-11 years)</i> | 1,058 sq m |
|  | Playable Landscape - Table Tennis <i>(12+ provision or space for future upgrade)</i> | 60 sq m |
|  | Residential Amenity Space | 347 sq m |
|  | Other External Amenity Space | 470 sq m |

Figure 22 - Plan showing proposed communal and play space provision

9.86 Officers are content that the location, scale and layout of the proposed communal amenity are acceptable, and further details of these spaces, including the landscaping to the rooftop communal amenity space, will be secured by condition.

Child Play Space

9.87 In order to calculate the expected child yield for this development officers have used the Mayor of London's child yield calculator which is informed by the 'Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012)' which requires a minimum of 10sqm of child play space per child. The table below outlines both the expected child yield for the development as well as the proposed quantum of child play space which is to be provided as part of this development.

9.88

| Age Group | Child Yield | Minimum Requirement (sq. m) | Proposed Play Space (sq. m) |
|---------------|-----------------------|-----------------------------|-----------------------------|
| Under 5 Years | 42 | 420 | 1060 |
| 5-11 Years | 40 | 400 | |
| Over 12 Years | 29 | 290 | 60 |
| Total | 112 (due to rounding) | 1120 (due to rounding) | 1120 |

Figure 23 – Child Playspace table

9.89 Figure 23 above shows the proposed play space the scheme provides a total of 1120sqm of play space, which equates the GLA play space requirements. Whilst there is a shortfall in the amount of 12+ play space (60sqm against a requirement of 290sqm resulting in shortfall of 230sqm), given that the location of the playspace for 12+ age group would be located close to the river walk adjacent to the proposed café, it is considered that the proposed upgraded river walk would be useable by this age group for informal gatherings within defined seating and planting areas to make up for the shortfall. The GLA officers concluded that the proposed quantum, location and quality of the proposed play space would accord with the London Plan policy subject to condition to achieve details of the play space. Play space is provided predominantly on the first floor podium level. This is incorporated within the communal garden with space for children to play around, utilising a range of play opportunities, carefully sculpted into the landscape. A further partially internal play space is located on the roof of block C which caters for a proportion of the residents from blocks A, B and C. These two spaces fully cater for the under 5 and 5-11 year age groups with an overprovision of 240sqm.

9.90 Overall, officers are satisfied the proposal is broadly compliant with policy in terms of quantum and location of play space. A condition requiring full details of the proposed child play spaces will be imposed to ensure that these spaces are of a high standard should planning permission be granted.

Conclusion

9.91 The proposal provides a policy compliant level of affordable housing (beyond that which can be considered to be the maximum viable level), and a suitable mix of housing (including accessible housing), which is of a high residential standard, the application can therefore be considered acceptable in housing terms.

Design

Policy Context

9.92 Paragraph 56 of the NPPF states that “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. Paragraph 63 states that “in determining applications, great weight should be given to

outstanding or innovative designs which help raise the standard of design more generally in the area”.

- 9.93 Policy 7.1 of the London Plan (2016) seeks to ensure that “the design of new buildings and spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood”. The London Plan place expectations on all developments to achieve a high standard of design which responds to local character, enhances the public realm and includes architecture of the highest quality that defines the area and makes a positive contribution to the streetscape and cityscape. Other policies relevant to this proposal with respect to design are policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.10, 7.11 and 7.12 of the London Plan (2016).
- 9.94 The Council’s Core Strategy policy SP09 seeks to “create a high-quality public realm network which provides a range of sizes of public space that can function as places for social gathering”. Policy SP10 seeks to “ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds”. Policy SP12 seeks to enhance place making through “ensuring development proposals recognise their role and function in helping to deliver the vision, priorities and principles for each place”.
- 9.95 The Council’s Managing Development Document policy DM24 states that “development will be required to be designed to the highest quality standards, incorporating principles of good design, including: ensuring design is sensitive to and enhances the local character and setting of the development”. Other policies relevant to this proposal with respect to design are policies DM23, DM26, DM27 and DM28 of the Managing Development Document (2013).

Site Layout

- 9.96 The submitted design and access statement sets out a detailed analysis of the existing site and surroundings and design opportunities and constraints. The scheme would largely cover the existing site with development, and comprises three blocks linked at ground floor level with a podium, and a separate block at the south of the site which consists of the existing Magnolia House and a new rear extension. In general, the proposal is reflective of the historic use of the site and responds to the site’s constraints and opportunities, including its setting within the Limehouse Cut Conservation Area, the boundaries with the River Lea and the A12 and the listed buildings to the south of the site.
- 9.97 The siting of the buildings improve the legibility of the area and contribute to defining new public routes and spaces as part of the aspiration to improve the walkways and links through to the river from Gillender Street. Two new connections to the riverside are proposed which provide physical and visual permeability. The northern route would pull the northern podium extent down from the neighbouring Lock Keepers development, and safeguard the future possibility of a riverside walk along the west side of the River Lea from Bow Locks, extending to the south. At present, the site is privately owned with no public access to the riverside. Proposal would open this part of the walkway and future-proof a public riverside walkway, which is one of the Council’s aspirations for the area. The proposal is designed with a concierge located

at the ground floor north western end of Block C overlooking the newly proposed river passage.

- 9.98 In addition to the new yard, the scheme introduces a second new pedestrian route to the river along the site's northern boundary (the river passage). This route is activated by a concierge and a residential lobby. The aspiration is to extend the landscaping in the North West part of the site to include land within third party ownership to create a comprehensive landscaping plan. Should planning permission be granted, a clause will be included in the S106 to future proof a comprehensive landscape at this location.

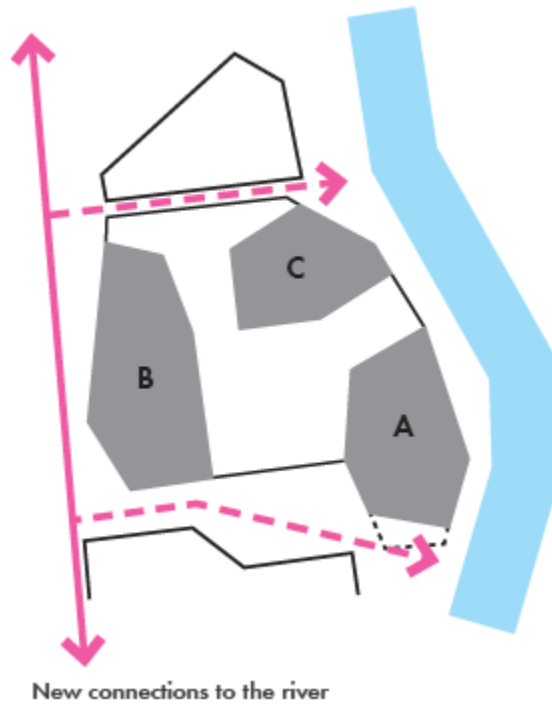


Figure 24: Showing proposed connections to the river

- 9.99 The proposals maximise active frontages along all four sides of the development; Gillender Street, the new yard, river passage and along the river front. The residential entrances are located within the active frontages, along Gillender Street, off the new yard and along the river front. The new yard is a new space that is accessible to the public leading directly to the river front which will be active and animated by the variety of commercial units facing this new urban space. The new yard's meeting with the river front can be defined by a new local café (A1/A3 use class) through the proposed flexible use that could animate the river front and become a meeting place for new and existing residents, workers and visitors. Although situated on the waterfront, if the end user is to be a café it could be visible from the street to add to the legibility of the site and support its commercial success.

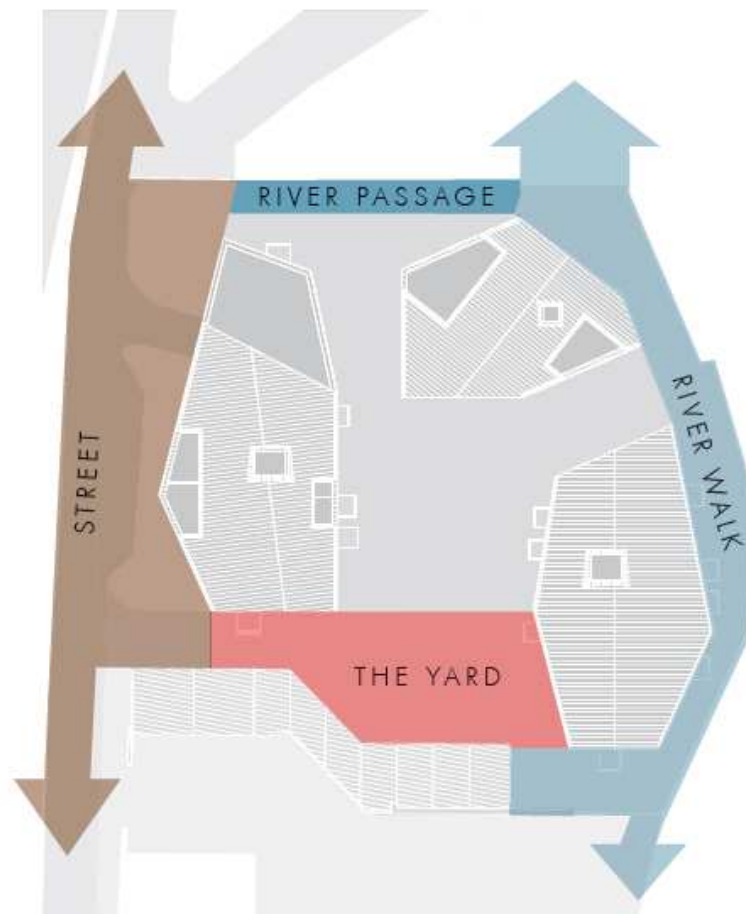


Figure 25- Active frontages

- 9.100 The proposed shared yard would become a commercial space allowing better servicing for commercial units. As part of optimising views of the river from Gillender Street across the new yard, the residential entrance to building A and the commercial use on the ground floor would be glazed to create transparency, and the balconies on the first and second floors on the south elevation of building A would be inset. The proposed commercial use and the ground floor elevational treatment on the corner of the new yard and the waterfront would further attract people from Gillender Street and also activate the public realm while offering a shared amenity for residents and businesses.
- 9.101 In addition, the proposed improvements to the riverside path and the opening up to new east-west links to the river will provide an enhanced connection to the river, an integral part of the character of the Conservation Area and setting of the neighbouring listed buildings.
- 9.102 The podium design and orientation is a central focus of the scheme. The podium would provide amenity space with a southerly aspect, and introduce a space between buildings A and C where views to the river can be maximised. The location of the podium is orientated away from the A12 to reduce noise intrusion into the podium and to relate to the alignment of the existing buildings in the Conservation Area to the south.



Figure29- Podium

- 9.103 Overall, the proposals would be considered to add to the diversity of architectural styles, building heights and mix of uses in the Conservation Area while relating back to the architectural language of industrial buildings. At the same time the scheme builds on emerging architectural language of recent development, most notably Lock Keepers, by creating a strong correspondence and overall building mass composition with Lock Keepers, creating a coherent piece of city that begins to stitch back together what is currently a fragmented collection of sites lining the River Lea.
- 9.104 In addition to the architectural merit of the scheme, the proposals provides the enhancement of sightlines and views of these buildings from the surrounding area; enhanced pedestrian and cycle routes from key access points to the site and throughout the site; improved landscaping and well-designed public open space/amenity space; active frontages almost consistently around the edges of the site with rationalised service areas away from the public realm and; an improved locally listed Magnolia House with the position of new yard which marks a key entrance to the site and provides views to the river from Gillender Street. For these reasons, the approach to site layout incorporates good design principles in accordance with the relevant policies.

Shopfronts

- 9.105 Care would be taken to ensure that the proposed shopfronts to the commercial units including the details of materials, signage, security and ventilation adequately reflect and protect the character of industrial area and the Conservation Area within which the site is located. Should permission be granted, conditions would be attached to secure these details.

Lighting Strategy

- 9.106 Details of the proposed lighting would be achieved via condition should permission be granted. This will give the council the opportunity to be able to assess the way in which the public and the commercial units including the shopfront lighting and the lighting for projecting signs are to be lit. This is of particular importance, to ensure that the proposed lighting does not cause harm to the character of the Conservation Area. However, details of proposed signage does not form part of this application, would be subject of another application should permission be granted and therefore, the details of the lighting would be conditioned.
- 9.107 In accordance with Policy D11 of the draft London Plan, the Council should secure an informative requiring the submission of a fire statement, produced by a third party suitable qualified assessor, should planning permission be granted.

Height, Scale and Massing

- 9.108 In terms of the appropriateness of the proposed height and scale for this location, Policy SP10 in the Core Strategy states that buildings must respect local context and townscape in terms of character, scale and bulk of the surrounding area. Specifically, in relation to tall buildings, it states that tall buildings will be located in the Canary Wharf and Aldgate preferred office locations and tall buildings proposed outside of these areas will be assessed against DM26 in the MDD (2013).
- 9.109 Policy DM26 sets out those building heights will be considered in accordance with the town centre hierarchy. The policy also sets out a range of other criteria for tall buildings including:
- high quality architectural design;
 - providing a positive contribution to the skyline;
 - not adversely impacting heritage assets or strategic and local views;
 - presenting a human scale of development at street level;
 - inclusion of high quality open space;
 - not adversely impacting microclimate;
 - not adversely impacting biodiversity;
 - providing positive social and economic benefits and contributing to socially balanced and inclusive communities;
 - complying with civil aviation requirements not interfering with radio/ telecommunications equipment.
- 9.110 Tall buildings are defined in the London Plan (paragraph 7.25) as those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for referral of applications to the mayor (30m or taller). On this basis, the proposed development across site would fall within the category of tall building.
- 9.111 The application proposes redevelopment of an existing industrial site to provide 307 residential units across 3 buildings ranging from 8 to 20 storeys. The proposals would largely cover the existing site area with development, and comprises 3 blocks (Block A - 20 storeys, Block B- 16 storeys and Block C- 8 storeys). linked at ground floor with a podium, and a separate block at

the south of the site which consists of Magnolia House and a new rear extension. The development, while greater in scale than the existing context, appropriately optimises the potential of this underutilised brownfield site to deliver good design and high residential standards.

- 9.112 The development will be seen in views of the Grade II and Grade II* listed buildings located both to the north and south of the site (specifically the Grade II* Listed Bromley Hall, the Grade II Listed seven gasholders at Bow Creek, the Grade II Listed Dowgate Wharf P B Burgoyne and Company Limited Warehouse and the Grade II Listed Former Fire Station) forming a contemporary addition to the Limehouse Cut Conservation Area. The design of the proposal is considered to be a contemporary response to the historic character of the conservation area and would replace the existing poor quality industrial buildings. Whilst it is acknowledged that the 20 storey building would rise significantly above surrounding buildings in the Conservation Area, given the site's location in an Opportunity Area and the existing tall buildings in the immediate vicinity of site, the proposals respond to the changing context of the area whilst referencing elements of the conservation area in terms of materiality and design.
- 9.113 The applicant has explored a number of massing options and has worked with the officers to achieve an appropriate built form and scale, having regard to the heights of neighbouring blocks and due consideration given to the conservation area within which the site is located, the adjoining and nearby heritage assets located to the south of site. The GLA officers concluded that, the proposals given the site's location in a Housing Zone, the emerging context in the immediate vicinity for buildings up to 13 storeys in height (Lock Keepers development) and 25 storeys close to Bromley-by-Bow station, and the high residential quality achieved through the design and materials, the proposed massing and building heights are supported.
- 9.114 The proposed tower building (Block A) rises to 20 storeys and is located at the eastern end of the site, along the river walkway. Block B at 16 storeys high would be located on the western side of site facing Gillender Street, while Block C would be 8 storeys high, located on the northern side of site. The new buildings are conceived as one unified collection of buildings with the towers and podium all being integral and expressed as one unified form. The architecture responds to its context in the Limehouse Cut Conservation Area, and extends and adds to the architecture of Lock Keepers to the north in design and material terms. This integrates the new buildings with their context both in architectural and urban terms, as well as creating an excellent and pleasant environment for people to live, work and visit.
- 9.115 The highest block within the proposed development, which is Block A at 20 storeys high, would be consistent with other schemes approved in the area. To the west of the site on a triangular site between Teviot Street, the A12 and the Limehouse Cut is Tweed House, a social housing block of 13 storeys in height. Further to the north, is the Tesco development site at 19 storeys high. Between the Tesco redevelopment site and the Limehouse Cut planning permission has been granted for a seven storey hotel. These developments show that the area around Bromley-by-Bow station and the Limehouse Cut is emerging at a location where buildings of height are to be located. Therefore, the height of Block A does not raise significant concerns for officers given the surrounding context and emerging schemes in the area. Block B at 16 storeys and Block C at 8 storeys would be compatible

with buildings within the immediate vicinity of site and would therefore be considered to be in scale and character with buildings in surrounding area.

- 9.116 Although the scale difference between blocks A and C is drastic, the justifications for the scale change between the blocks stems from the historic relationship of dockside buildings to each other being varied and in contrast to one another. Differences in the form and articulation of the building create vertical variety, break up the massing and add interest to the elevation.
- 9.117 The submitted Design and Access Statement and the Heritage, townscape and Visual Impact Assessment includes views at different locations showing the distribution of building heights within close proximity of the site.
- 9.118 The proposals would be similar in height to the approved scheme of 10 – 25 storey buildings on Chrisp Street located on the south eastern side of the application site, and also to the former St. Andrews hospital development site of approximately 27 storeys, located on the north west of the site.
- 9.119 Whilst the buildings would be a step up from the immediate vicinity of site, the proposed architectural quality and design would be of a high standard; the proposals would not adversely impact on heritage assets or strategic and local views; the design presents a human scale of development at street level; the scheme provides sufficient and high quality amenity space, play space and public open space; and the development would not have negative impacts in terms of microclimate, biodiversity, civil aviation or public safety. For these reasons, the development accords with DM26 and the relevant tall building policies and can be seen to be acceptable in terms of its height, scale and massing.
- 9.120 The scale of the buildings is characterised by the tall Block A, the long north south bulk of Block B and the smaller Block C. Given the highlighted points above, the scale is considered to be appropriate given the surrounding context. The GLA and the Council's Urban Design officers are in support of the proposed height scale and massing given the surrounding context, design quality, materials and emerging schemes in the area.



Yard north, south elevation

Figure 31- Image showing proposed massing view from the yard.



Figure 32: View of Magnolia House

Appearance and Materials

- 9.121 The submitted Design and Access Statement sets out a strategy for layering elements of the architectural expression to provide a balance between consistency and variety, complimenting and contrasting. The architecture of new buildings provides an architectural and urban response to their context which includes Lock Keepers.
- 9.122 The key components found in the Conservation Area that are recognised and expressed in the proposals are:
- robust architecture (including deep window brick reveals)
 - expression of lintels
 - regular window spacing
 - hierarchical order (buildings with a base, middle and top)
 - consistent materiality (mainly bricks)

- variety in window detailing
- building close to the water's edge
- integration of public realm and play space
- incorporating metal work and ironmongery
- strong expression of the lintel and sill
- expressing the metal work in projecting balcony design.

9.123 The architectural treatment recognises that the proposals have four different sides: the environment of the A12 road to the west, the waterside frontage to the east, and the differing architecture of the existing buildings to the north and south.

9.124 The proposed subtle architectural treatments of varied colour scheme of the lintels and the balconies on the different elevations... The proposal uses black lintels and grey balustrade railings on the outward looking elevations, and white lintels and white balustrade railings on the more inward looking podium elevations allows subtle architcu The residential balconies are designed to be visually light in appearance both in colour and detailing to contrast with the more robust appearance of the buildings themselves.

9.125 The proposed brick colour for the new buildings would be similar to the existing Lock Keepers buildings. The proposed brick would be more red and textured. The new buildings are seen as part of a family of buildings with the existing Lock Keepers maintaining differentiation between the two sites. The details of the materials would be secured through a planning condition.

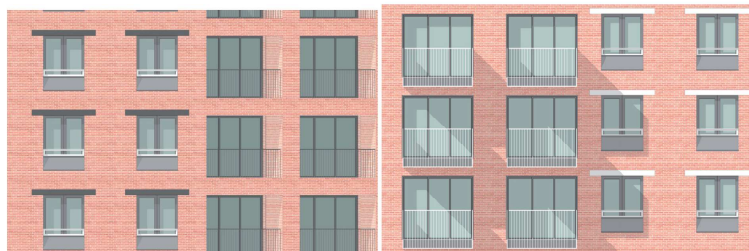


Figure 33- Elevation black and white lintel

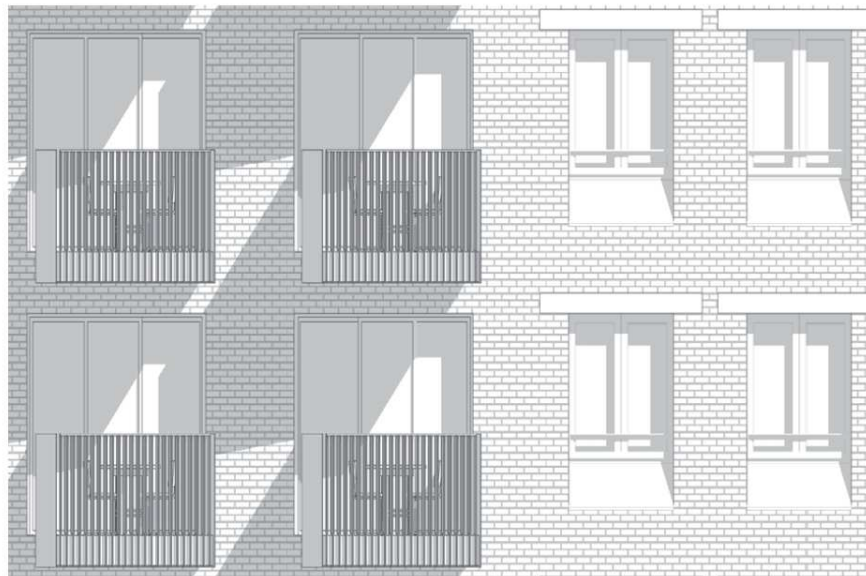


Figure 34- Image of balcony

- 9.126 The existing Lock Keepers' development is referenced through the use of materials and design details. The main façades have been kept simple by using brick construction and metal windows, balconies and roofs. All openings are square, inset and aligned vertically and horizontally creating a consistent rhythm in the façades. Windows are to be dark powder coated aluminium frames with cill and soffit plate. The specific façade details can be achieved via appropriate condition.
- 9.127 The roof form of the buildings is designed with a shallow pitch and is intended to reflect the complex shape of the building footprints. The roof is to be comprised of a folded seam zinc material with clipped eaves sitting flush with the parapet brick edge. The gutters are to be concealed and set back from the edge of the roof in similar design and appearance with the Lock Keepers development.
- 9.128 The extension to Magnolia House will have buff coloured bricks to relate to the existing Magnolia House and warehouse buildings directly to the south. The elevation treatment provides a strong architectural concept for the project and allows the new buildings to integrate well and enhance the Limehouse Cut Conservation Area. A condition would be attached requiring the applicant to provide details and samples of all external materials to ensure a high-quality finish

Landscaping

- 9.129 The proposed development seeks to provide new areas of landscaping and public realm that would exceed what is currently on site, which are groups of semi-mature trees on the river frontage and occasional former mooring points, these trees are partially contained within raised brick planters.
- 9.130 The landscape proposals are designed to respond to the proposed buildings, by providing a suitable setting which integrates them into the space while enhancing the environment. The landscape components are set within five distinct areas, delivering a hierarchy of open spaces, these are:
- A widened footway and pedestrian space, with opportunities for greening Gillender Street ;
 - A new pedestrian route and piece of public realm straddling the river edge (River frontage and passage);
 - A functional predominantly hard space, servicing the commercial units, while providing for safe pedestrian access to the river (The Yard);
 - Communal residential garden, with play, planting, recreation space and views of the river (Podium); and
 - External communal amenity spaces including areas for play and general recreation (Roof terraces).
- 9.131 The landscaping proposes a variety of hard and soft landscaping and materials that would complement the overall design. Therefore with appropriate condition, officers are satisfied the proposed spaces would be well designed.
- 9.132 In light of the above and subject to the necessary conditions requiring further details of seating, planting, lighting, hard and soft surface materials, play equipment, wayfinding and street furniture, officers consider that the

landscaping proposals are acceptable as they will significantly improve the pedestrian environment of the site, connecting routes and the surrounding roads.

Secure by Design

- 9.133 The applicant has engaged with the Metropolitan Police's Secure by Design team as part of the design process, and they have been consulted with as part of the planning application process. The Secure by Design officer raised no objection to the proposed design of the scheme and has requested that a condition be imposed (in the event that planning permission is granted) which requires the applicant to achieve Secure by Design accreditation prior to the occupation of the development. Furthermore, the applicant has committed to providing CCTV on the site and this would be secured via condition. With the inclusion of the abovementioned conditions, the development would incorporate measures to increase safety and reduce antisocial behaviour on the site.

Heritage Considerations

- 9.134 When determining planning applications affecting the setting of listed buildings, Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that special regard should be paid to the desirability of preserving the building or its setting, or any features of special interest. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of its planning functions, that the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 9.135 The implementation of this legislation has been addressed in recent Court of Appeal and High Court Judgements concerning the proper approach for assessing impacts on listed buildings and conservation areas. These are considered in more detail below however, the emphasis for decision makers is that in balancing benefits and impacts of a proposal, the preservation of the heritage assets should be given "special regard / attention" and therefore considerable weight and importance.
- 9.136 Paragraph 132 of the NPPF (2012) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 9.137 Paragraph 134 of the NPPF (2012) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.138 Paragraph 135 of the NPPF (2012) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

9.139 The application site falls within the Limehouse Cut Conservation Area, designated in August 2011 and includes the locally listed Magnolia House with other locally listed, grade listed and grade II* listed located to the south of application site. The historical significance of the Limehouse Cut relates to it being London's first industrial canal. The retaining and lining walls were built of Kentish ragstone or stock brick and include granite setts and cast iron mooring rings and posts. Some of this structure survives in places and contributes to the character of the waterway.

9.140 Within the Conservation area and located to the south of application site are other heritage assets including the Dowgate Wharf PB Burgoyne and Co Ltd warehouse (Grade II listed), 24 Gillender Street (locally listed), the former Poplar Fire Station (Grade II listed), Bromley Hall (Grade II* listed) and the former Poplar Public Library (Grade II listed). Therefore, the development has the potential to impact upon these heritage assets. It should be noted that the site would not fall within any of the strategic viewpoints identified in the London View Management Framework (2012).

9.141 The map below shows the relationship of the site to surrounding heritage assets, identifying statutory Listed Buildings, locally Listed Buildings and the Conservation Area.

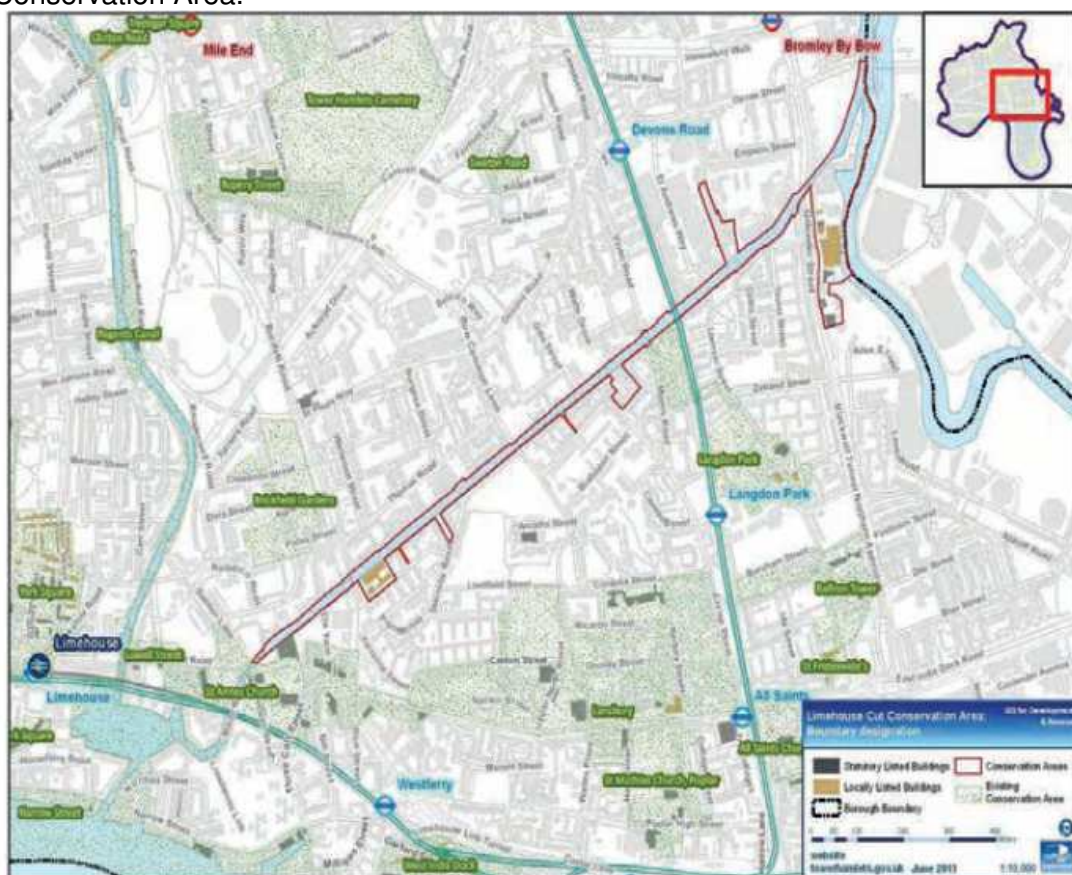


Figure 35- Site in relation with other heritage assets

9.142 The significance of the identified Conservation Area is set out in the Adopted Conservation Area Appraisal, whilst the applicant has provided a full Heritage, Townscape and Visual Impact Assessment in support of the proposals. This sets out the significance of the surrounding Listed Buildings and non-

designated heritage assets and officers are satisfied with the assessment of interest concluded within the document.

Impact of scale of buildings to heritage assets and setting of Conservation Area

- 9.143 The conservation and design officer, whilst in agreement with officer's view that the less than substantial harm caused by the proposals to designated heritage assets would be outweighed by the public benefits of the scheme in accordance with paragraphs 134 and 135 of the NPPF (2012), sets out several aspects of the scheme that would lead to less than substantial harm as outlined in the following paragraphs.
- 9.144 The buildings associated with the 19th century distillery on the site were all but demolished in the 1980s and the site was redeveloped as an industrial estate. The existing buildings on site are modern industrial sheds with no architectural merit or heritage value. Its modern character and appearance does not contribute to the character of the Conservation Area.
- 9.145 Magnolia House (nos. 21 – 22 Gillender Street) pair of late Victorian terraces at the south west corner of the site do not form part of the group of historic buildings which front Gillender Street. The group is identified in the Conservation Area Appraisal as a "historic streetscape" and it contributes to the character and appearance of the Conservation Area as a surviving fragment of the 19th century industrial townscape. Magnolia House in its present state does not contribute positively to the site and the Limehouse Cut Conservation Area. Although, it does represent a historic link with the past activities on the site, this is not evident in the architecture of the building as it has been extensively altered in the past.
- 9.146 A number of design values are established including the retention, refurbishment and extension of the existing two storeys locally listed Magnolia House. Magnolia House located at the southern end of the site is a non-designated heritage asset, which will be retained, refurbished and converted for flexible light industrial use. Magnolia House shares a party wall with the Grade II Listed Dowgate Wharf P Burgoyne and Company Ltd Warehouse. The proposals will provide an enhancement to Magnolia House which is a pair of amalgamated late 19th Century terraced properties and has been substantially altered in the past and extended since the mid twentieth century. The proposal includes an extension to Magnolia House toward the southern end of the yard and will include improvement works to the Grade II Listed party wall (with Listed Building consent application). The proposed two storey extension to Magnolia House will be subservient in scale and will sit back from the full extent of the pitched roofs so that Magnolia House remains the more prominent building.
- 9.147 The refurbished Magnolia house will retain the historic features of the building and form the anchoring corner of Gillender Street and the yard leading to the river, and also form a row of two storey light industrial workshops that line the southern edge of the yard. The design of the workshops builds on the roof form of Magnolia House in a series of gables that follow the geometry of the southern boundary of the site. Wide doors of more than 3.3 metres define the ground floor frontage of the workshops to support a wide range of uses. The first floor offers additional work space. The treatment to the south and north elevations of Magnolia House seeks to repair the facades. All the windows on

the south elevation facing the neighbouring property are removed and will be bricked up using second hand bricks similar in colour to the existing listed wall. A vertical recessed shadow gap joint is incorporated to separate the existing brickwork of Magnolia House from the new brickwork of the extension. The proposed brickwork colour for the extension is buff stock brick. The new workshops are lower than Magnolia House and the listed wall deliberately making them architecturally subservient to both.

- 9.148 Other heritage assets within 500m of the site boundary are: The Bromley Hall (Grade II*) located approximately 200m south of site is a two storey building in dark red brick which was listed in 1950 and the list entry description updated in 1993; Twelvetrees Crescent Bridge (Grade II) located approximately 330m north east of site which was listed in 1996 for its iron construction which is of architectural interest; the Dowgate Wharf P B Burgoyne and company Limited warehouse (Grade II), a surviving example of the Victorian industrial history and was listed in 1973, updated in 1994 because of its architectural character; Former fire station (Grade II) located approximately 180m south of the site, this building was listed in 2010 because of its historic and architectural character; Poplar Public Library (Grade II) located approximately 260m south of the site, this was listed in 1973 and updated in 1992 for its architectural interest; The war Memorial (Grade II) located approximately 430m north east of the site and listed in 2008 for its historic and architectural importance; Statue of sir Corbett Woodhall (Grade II) located approximately 430m north east of the site was listed in 2008 for its historic and architectural value; the Former Bromley Hall School for the Physically Handicapped (Grade II) located approximately 450m south of the site, was listed in 2012 for its architectural quality; 24 Gillender Street (Locally Listed) located approximately 70m south of the site, included on the council's Local list because of its positive contribution to the Limehouse Cut Conservation Area.

Assessment of harm to heritage assets

- 9.149 Having assessed the effects of the proposed redevelopment of the site on surrounding heritage assets in terms of their significance and setting, it is concluded that the proposals would result in some harmful visual impacts from the proposed development. The harm is considered to be 'less than substantial' in terms of paragraph 134 of the NPPF, given that the resultant development would replace existing buildings of no interest, which are currently a detracting feature within the Conservation Area, with a high quality architectural development that would successfully address the A12, refurbishes and extends the locally listed Magnolia House, providing high quality workspace for creative and light industrial uses, improves the public realm on and around the site and provides new linkages through to the river.
- 9.150 It should be noted that while some harmful impacts to the heritage assets is identified, predominantly by virtue of the scale of the buildings, it is also the case that aspects of the design within these views (predominantly the materials and design detailing) are actually an improvement to the existing arrangement, as highlighted above. This is recognised in the external appearance section of the report above and reflected in the public benefits to the scheme in the paragraphs below. However, the overall position on the basis of the abovementioned viewpoints is that there is 'less than substantial' harm to the designated heritage assets for the reasons set out above.

9.151 In line with paragraph 134 of the NPPF (2012), this 'less than substantial' harm should be weighed against the public benefits of the proposal. The applicant has outlined the following scheme benefits in the respective planning and heritage statements:

- Retention, refurbishes and extends the locally listed building at Magnolia House;
- Enhancement of economic opportunities;
- Provision of family housing
- Enhancement of the conservation Area by new high quality architectural development
- The provision of new amenity space
- Enhanced connectivity
- Improved access to the river
- Reprovision of existing levels of commercial floor area
- The layout of the proposals will open up views in to the river;
- Creation of approximately 125 new jobs as well as financial and non-financial contributions to employment and enterprise and apprenticeships;
- Delivery of 307 high quality new homes that would contribute to the boroughs housing stock, 46% of which would be affordable homes and;
- Delivery of new, well designed buildings that would have a high quality external appearance.

9.152 In undertaking our assessment of the proposals and, in light of the 'less than substantial' harm identified by the Conservation Officer, great weight has been given to the statutory duty in respect of both Listed Buildings and Conservation Areas. Officers consider, however, that the public benefits of the proposals are substantial and outweigh the 'less than substantial' harm caused by the proposal. The proposals therefore accord with the relevant policies, including paragraph 134 of the NPPF (2012).

Conclusion

9.153 Overall, the design of the buildings gives the impression of a cluster of dockside warehouse buildings as seen throughout canal and dock locations in other historically industrial cities. Although the historic use of the site is clearly referenced, the design does not attempt to replicate an older building by simply using the former warehouse as a template. Such contemporary additions as the roof arrangement, balcony angles and ground floor treatment are successful in introducing new buildings that take a cue from the historic context, rather than attempting to replicate it.

9.154 Officers consider that the proposed design of the scheme is acceptable in terms of its impact on views and heritage assets, its layout, height, scale and massing, its appearance, landscaping and material palette, and has also been designed in accordance with Secure by Design principles. As such officers can conclude that the application is acceptable in design terms.

9.155 The site is also within a designated Area of Archaeological Importance. Advice from English Heritage indicates that the site has potential for archaeological remains to be present dating back to prehistoric times. On the advice of English Heritage Archaeology team, a condition will be imposed to secure a written scheme of investigation for archaeological remains.

Amenity

Policy Context

- 9.156 Paragraph 17 of the NPPF states local planning authorities should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.157 Policy 7.6 of the London Plan (2016) seeks to ensure that development does “not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”.
- 9.158 The Council’s Core Strategy policy SP10 (4) seeks to ensure that development “protects amenity and promotes well-being (including preventing loss of privacy and access to daylight and sunlight)”.
- 9.159 The Council’s Managing Development Document policy DM25 states that “development should seek to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm”.

Overlooking, Outlook, Privacy and Enclosure Impacts for Neighbours

- 9.160 Figure 36 below shows the nearest residential property, distances to neighbouring residential property outside of the red line boundary and within the site. The proposed development has been designed to minimise any overlooking between buildings A, B, C and existing properties to comply with Policy DM25 in the MDD (2013).
- 9.161 The nearest residential property to site is the Lock Keepers development which would be 18.6m away from Block B; Block C would be a minimum of 6.3m away from the Lock Keepers development, however at this location the proposed development would face a blank flank wall. Where there are residential windows, the 18m distances guidelines between existing and new accommodation are maintained.

Blocks A, B and C

- 9.162 18m separation distances are achieved between Blocks A and B (26m), whilst the distances between Block B and C are approximately 8 – 11m, and the distances between Block C and A would be approximately 10m. These separation distances would not comply with the guidelines as set in Policy DM25. However, in order to mitigate the impact of the closeness of these units, the flats in Block C would be orientated toward the west to prioritise their windows and balconies on the north and south facades, away from Block B, with the exception of a single window serving a bedroom in a studio flat. This overlooking instance between two of the bedrooms in Block B and the bedroom in Block C is less critical as it is overlooking between two bedrooms where users are likely to use curtains to overcome a perceived lack of privacy.
- 9.163 Facing units between Block A and C are designed to have their living rooms and balconies looking away from each other. The balcony of the south facing

unit in Block C is partially inset to increase the distance to the facing bedroom window of Block A to over 12 metres. The facing bedroom windows in Blocks A and C are set within deep reveals that increase the facing windows to 11 metres, to further mitigate direct overlooking. The design of the buildings employs deep window reveals and metal balcony railings which enhance an overall sense of privacy in the scheme.

9.164 On balance, the scheme is acceptable in this regard and would not cause any material impact in terms of overlooking/loss of privacy for existing or proposed residential properties.

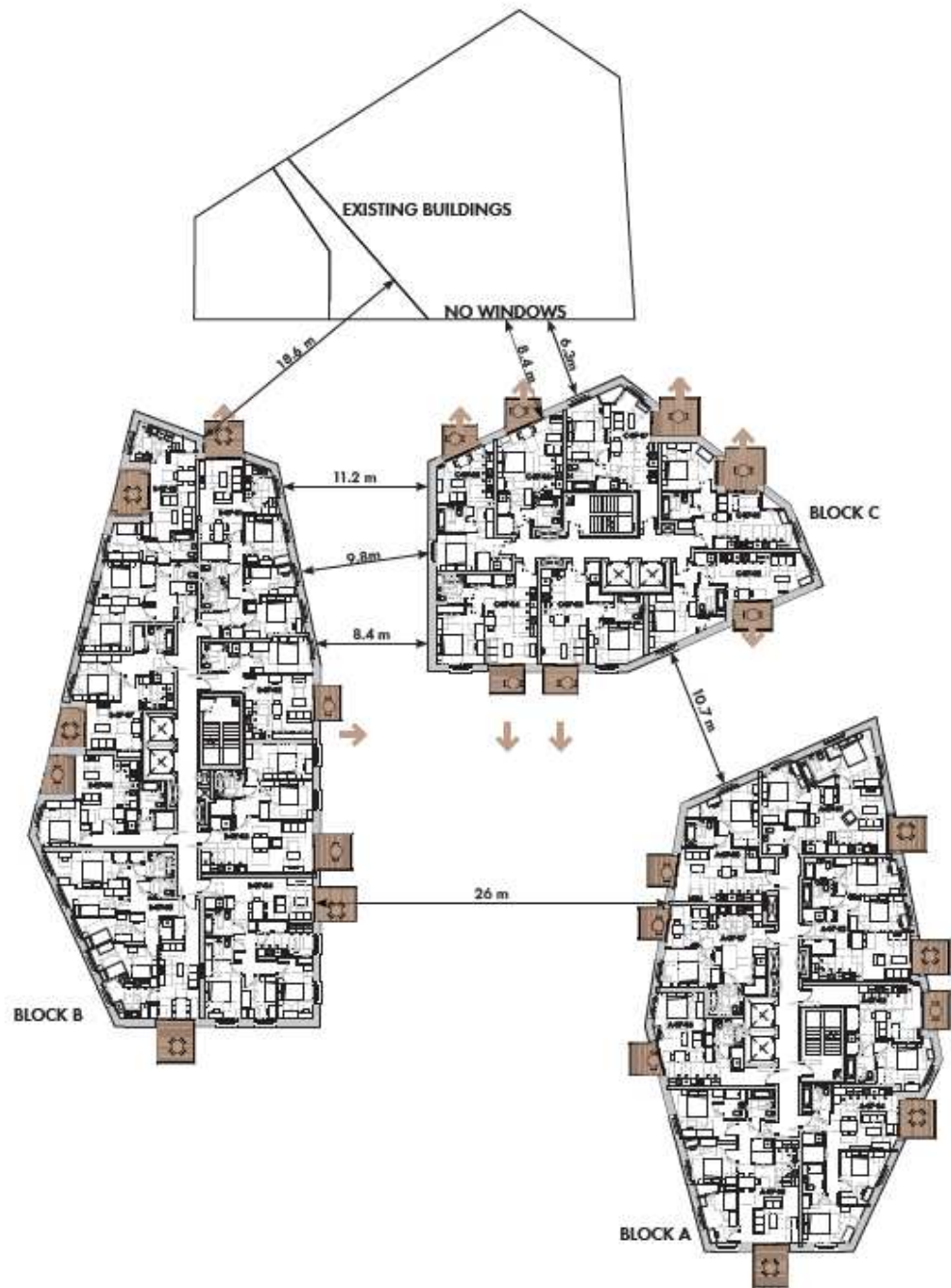


Figure 36- Map showing inter-relationship between properties

Daylight and Sunlight Impact for Neighbours

- 9.165 Guidance on the assessment of daylight and sunlight impacts is set out in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. When calculating the impact, a proposed development has on the daylight to neighbouring properties; the primary form of assessment is the Vertical Sky Component (VSC) method which measures the amount of skylight falling on a vertical wall or window, together with the No Sky Line Contour (NSL) method which is a measure of the distribution of daylight within a room. When combined these tests measure whether a building maintains most of the daylight it currently receives. When calculating the impact a proposed development has on the sunlight to neighbouring properties, the Annual Probable Sunlight Hours (APSH) method is used to calculate how much sunlight the window can receive. It should be noted that this calculation is only applicable to windows which face within 90 degrees of south as windows which face within 90 degrees of north would have no expectation of sunlight. Finally, when calculating the impact a proposed development has on the overshadowing of external amenity spaces, the Sunlight Amenity Assessment is used which calculates the proportion of an amenity area which receives at least two hours of direct sunlight on the 21st March.
- 9.166 In accordance with BRE guidelines in order for a proposal to be regarded as meeting the VSC criteria, upon completion of the development a window should either retain 27% VSC in absolute terms or retain at least 80% of its existing VSC value. In order for a proposal to be regarded as meeting the NSL criteria, upon completion of the development it should retain at least 80% of its existing NSL value. In order for a proposal to be regarded as meeting the APSH criteria, upon completion of the development a window should retain at least 25% total APSH with 5% in the winter months in absolute terms, retain at least 80% of its existing total and winter APSH values, or the loss of total absolute annual APSH should be less than 4% of the total former APSH value. Finally, in order for a proposal to be regarded as not unacceptably overshadowing an existing external amenity space, at least half (50%) of any assessed external amenity space should see direct sunlight for at least two hours on the 21st March.
- 9.167 As part of the submitted documents with the application, the applicant has undertaken a daylight and sunlight assessment which assesses the impact of the proposed development on a number of surrounding properties and external amenity spaces as listed below. For assessment purposes, the significance of expected reductions in daylight and sunlight enjoyed by neighbouring properties has been summarised dependant on how far beyond the BRE criteria the reductions are. The ranges are: 20-30% (Minor Adverse), 30-40% (Moderate Adverse) and over 40% (Major Adverse). The assessment has also been reviewed by an independent daylight and sunlight specialist instructed by the Council.
- 9.168 The surrounding properties assessed are as follows:
- Tweed House;
 - Lock Keepers, Gillender Street;

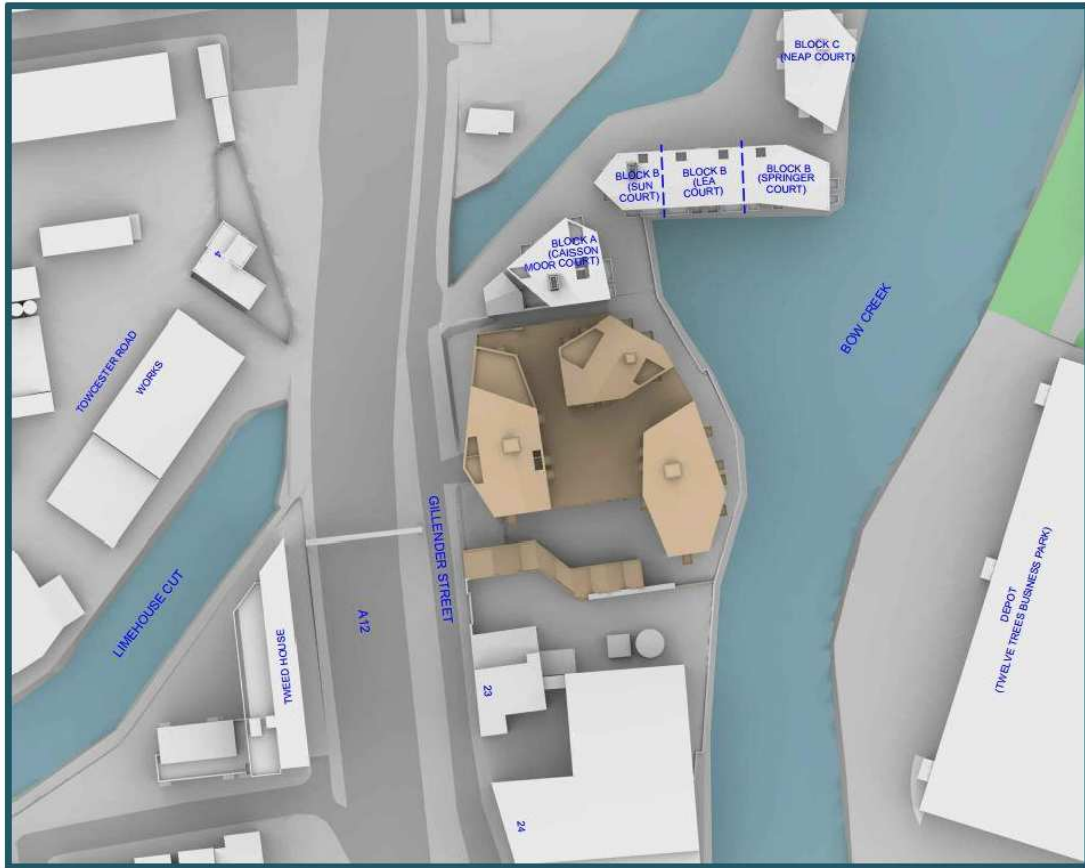


Figure 37(above) and Figure 26 (below) – Maps both showing location of site and the surrounding properties

9.169 The table below summarises the number of windows tested within each property and how many of these meet the BRE guidelines for daylight, no sky line/daylight distribution, Annual Probable Sunlight Hours (ASPH) and during winter months.

From Tweed House:

| Tweed House | | |
|-------------|-------------------------|-----------------------|
| | | Existing vs. Proposed |
| VSC | Meets Guidance | 246 |
| | Does not Meet Guidance | 0 |
| | No. of Windows Assessed | 246 |
| NSL | Meets Guidance | 135 |
| | Does not Meet Guidance | 22 |
| | No. of Rooms Assessed | 157 |
| APSH | Meets Guidance | 24 |
| | Does not Meet Guidance | 0 |
| | No. of Rooms Assessed | 24 |

Figure 38- Tweed House Daylight/Sunlight assessment

- 9.170 From the above table, there are 246 windows serving 157 site facing rooms. All windows and associated rooms will experience either no reduction or only small VSC reductions which are in accordance with the BRE guidelines recommendations. In regard to the NSL test, 22 rooms of the 157 assessed will experience a reduction which falls outside of the 20% BRE reduction criteria. However, all of these 22 rooms are understood to serve bedrooms, which in accordance with the BRE guidelines have a lesser requirement for daylight. In addition, each of the 22 rooms retains a daylight distribution to over 50% of the working plane, which would be considered to be a good level of daylight for an urban area.
- 9.171 Overall, due to the fact that the VSC results are all within the BRE guidelines recommendations, and that the VSC test is considered a better indicator of any relative loss of daylight than the NSL test, it is therefore concluded that the effect on this property will be small and non-material.
- 9.172 In terms of sunlight, all rooms, which have site facing windows orientated within 90 degrees of due south, would experience only small reductions in sunlight by less than 20%, which are within the BRE guidelines recommendations. In accordance with BRE guidelines, the occupants should not notice a change in sunlight amenity and the effect is therefore considered negligible.

For Lock Keepers – Block A.

Includes comparison with the previously proposed scheme in 2014, from which residents are aware of forthcoming redevelopment of site.

| Gillender 1 - Block A | | | | |
|-----------------------|-------------------------|-----------------------|--------------------------|--|
| | | Existing vs. Proposed | 2014 Scheme vs. Proposed | 2014 Scheme vs. Proposed Without Balconies |
| VSC | Meets Guidance | 140 | 174 | 174 |
| | Does not Meet Guidance | 36 | 2 | 2 |
| | No. of Windows Assessed | 176 | 176 | 176 |
| NSL | Meets Guidance | 54 | 55 | 55 |
| | Does not Meet Guidance | 1 | 0 | 0 |
| | No. of Rooms Assessed | 55 | 55 | 55 |
| APSH | Meets Guidance | 40 | 42 | 42 |
| | Does not Meet Guidance | 4 | 2 | 2 |
| | No. of Rooms Assessed | 44 | 44 | 44 |

Figure 39a- Gillender 1 Daylight/Sunlight assessment (VSC, NSL & APSH)

9.173 In terms of daylight to Block A at the Lock Keepers development, from the above table, 176 windows serving 55 site facing rooms have been assessed. The VSC results for the Existing vs. Proposed Scenario show that 140 of the 176 windows assessed will experience small reductions of daylight within the BRE guidelines. The remaining 36 windows serve 18 rooms, of which 17 are bedrooms with VSC loss of between 21% and 55% and 1 is a living/kitchen/diner with VSC loss of 27%. Although reductions in daylight beyond that recommended by the BRE guidelines may occur to 18 rooms, the ADF tests show that 15 of these rooms are likely to retain an ADF above the recommended levels. The 3 remaining rooms are bedrooms on the first floor serving two flats and the living rooms to each of these flats will be still have daylight level and the APSH level at 25% above the suggested BRE guidance. In addition, it is noted that the daylight to these 3 bedroom windows is already obstructed by the two storey office element of Lock Keepers development. Therefore, shortfalls will be considered acceptable on balance.

9.174 The NSL assessments show that all rooms within the property, except one would experience small reductions which are in accordance with the BRE guidelines at 21% loss.

9.175 The BRE guidelines suggest that southerly facing windows should receive at least 25% of the Annual Probable Sunlight Hours, as well as, 5% of the APSH in the winter months. The results for the Living/Kitchen/Dining room will fall short of the winter guidance by 2%. This room therefore is considered to retain good levels of sunlight and the reductions are considered to be minor.

9.176 Loss of sunlight to Block A at the Lock Keepers for site facing windows orientated within 90 degrees due south would generally be within the BRE guidelines except for 4 rooms. These rooms which experience reductions beyond the BRE winter guidelines by 2% (having 3%), serve 3 bedrooms and a Living/Kitchen/Dining room in the western elevation of the first floor. The effect on these bedrooms is therefore not considered minor as the rooms will enjoy APSH beyond the BRE guidance.

Daylight to Block B at the Lock Keepers development

- 9.177 With regards to daylight, 224 windows serving 83 site facing rooms have been assessed. The VSC results for the Existing vs. Proposed scenario show that 91 of the 224 windows assessed will experience small reductions between 20.05% and 25.03% daylight outside the BRE guidelines. The remaining 133 windows serve 55 rooms, of which 18 are bedrooms and the remainder are living rooms, kitchens or dining rooms, or a combination of these uses will be within less than 20% suggested by BRE guidance.
- 9.178 The NSL results show that 64 of the 83 rooms assessed will experience small in daylight distribution of less than 20%, this is considered to minor while the remaining 19 rooms between 22.8% and 64.4%. Out of these rooms, 7 are serving bedrooms, 4 serving kitchen and 8 serving living/kitchen/dining. These shortfalls are considered

Sunlight to Block B

- 9.179 The results for the Existing vs. Proposed Scenario show that 69 of the 83 rooms assessed are BRE compliant in terms of any alteration in Annual and Winter Probable Sunlight Hours. The remaining 14 rooms are located beneath, or are located in close proximity to, balconies and further assessments for the existing vs proposed scenario, without balconies has therefore been undertaken.
- 9.180 The results without balconies in the Existing vs. Proposed scenario show that all rooms would meet the BRE guidelines criteria. It can therefore be considered that the presence of the balcony, rather than the size of the new obstruction, is the main factor in the relative loss of sunlight. The overall effect to these rooms is therefore considered minor in accordance with the BRE guidelines.

Impact on Surrounding Open Spaces

An overshadowing assessment has been undertaken for the existing neighbouring amenity space and the BRE standard is met due to the sufficient distances between site and surrounding open spaces.

Noise Impact

- 9.181 The application pack includes an acoustic planning report. Consideration is given in the assessment to the following potential effects:
- Noise and / or vibration effects on existing nearby buildings and their occupants during the proposed demolition, refurbishment and construction works;
 - Effects on occupants of existing nearby buildings due to noise from new building services plant associated with the Project;
 - Effects on occupants of existing nearby buildings associated with increased noise from changes in traffic flows due to the Project;

- Effects on occupants of existing nearby buildings associated with increased noise break-out from activity within commercial premises (B1c, A1/A3) due to the Project;
 - Noise effects on the Project from existing sources (e.g. roads, noise from human activities in the area and natural wildlife).
- 9.182 Details of noise and or vibration and their impact on nearby buildings/residents during operation has not been provided in the report, this can be assessed within the Construction Environmental Management Plan and this will be requested via condition, should permission be granted.
- 9.183 For proposed plant which will service the completed development, suitable noise limits have been proposed to ensure that plant does not cause disturbance to existing residents in the surrounding area or future occupants of the proposed development. A condition requiring testing to demonstrate compliance with such noise limits will be imposed in the event that planning permission was to be granted.
- 9.184 In terms of the proposed ground floor commercial uses and the type of the tenant, potential users would be required to submit a management plan detailing the required hours of operation for the B1 and A1/A3 elements of the scheme with appropriate specification of the building fabric to adequately contain internally generated noise. With the inclusion of a condition requesting this information, it is not considered that the commercial elements would give rise to unacceptable levels of noise and general disturbance associated with the use.
- 9.185 Traffic noise by high vehicular flows on the A12 can be mitigated through the design of the development which is proposed to provide a good level of amenity in outdoor living areas for future residents of the development in line with relevant and credited guidance.
- 9.186 In terms of the sound insulation performance of the glazing systems, the report assumes that windows remain closed, however, should windows be partially opened for ventilation (assuming 10-15 dB typical noise attenuation) the internal design criteria levels would not be met within habitable rooms overlooking the A12. This is not uncommon in locations adjoining major transportation routes, as in the case with the application site which is located along the A12. Due to the high ambient (LAeq) and maximum (LAFmax) noise levels incident at habitable rooms overlooking the A12, a mechanical ventilation system would be required. This would allow windows to remain closed for much of the time, safeguarding internal target criteria levels, with occupants free to open windows for purge ventilation and summer cooling as required at their own discretion accepting the related increase in noise. In contrast, for habitable room spaces that are shielded and/or orientated away from the A12, natural ventilation openings, such as trickle vents and passive through-wall ventilators would be acceptable.
- 9.187 Details of mitigation would be required via condition to ensure that the alternative source of ventilation does not compromise the overall performance of the façade system or the internal noise level design criteria to be met within habitable room spaces.

Construction Impacts

- 9.188 The construction impacts of the proposal would be carefully controlled and minimised through a suitably worded condition requiring the submission of a Construction Environmental Management Plan (CEMP). Such a document would be required to detail measures as to how the A12 and surrounding roads will continue safe operation, working hours, measures to control dust, air pollution, noise pollution, vibration, and any other measures in order to minimise the impact on the surrounding residents and building occupiers.

Conclusion

- 9.189 Officers consider that, with appropriate conditions, the proposal would not significantly adversely impact the amenity of surrounding residents and building occupiers, and would also afford future occupiers of the development a suitable level of amenity. The proposed development can be seen to be in accordance with policy SP10 (4) of the Core Strategy (2010) and policy DM25 of the Managing Development Document (2013) and is thus acceptable in amenity terms.

Highways and Transport

Policy Context

- 9.190 According to paragraph 34 of the NPPF developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 9.191 Policy 6.1 of the London Plan (2016) seeks to support “development that generates high levels of trips at locations with high levels of public transport accessibility” and “increase the use of the Blue Ribbon Network [...] for freight use”. Other policies relevant to this development include policies 6.3, 6.9, 6.10, 6.13 and 7.26.
- 9.192 The Council’s Core Strategy policy SP08 seeks to encourage the sustainable transportations of freight by “promoting and maximising the movement of freight by water and rail to take the load off the strategic road network”. Policy SP09 seeks to “ensure new development has no adverse impact on the safety and capacity of the road network” and promote “car free developments and those schemes which minimise on-site and off-site car parking provision, particularly in areas with good access to public transport”.
- 9.193 The Council’s Managing Development Document policy DM20 states that “development will need to demonstrate it is properly integrated with the transport network and has no unacceptable impacts on the capacity and safety of the transport network”. Policy DM21 states that “development that generates a significant number of vehicle trips for goods or materials during its construction and operational phases will need to demonstrate how the impacts on the transport network and on amenity will be avoided, remedied or mitigated”. Policy DM22 states that “where development is located in areas of good public transport accessibility and/or areas of existing on-street parking stress, the Council will require it to be permit-free” and that “development will be required to meet, and preferably exceed, the minimum standards for cycle parking”.
- 9.194 The proposals reduce the onsite parking by virtue of the proposals covering the existing site with development and that the scheme is car free with the

exception of spaces for blue badge holders, however, by comparing the potential trip generation of the lawful use of the site and the predicted trips from the proposed use of the site is shown in the table below. TfL have requested that multi-modal trip generation is calculated using Census data rather than TRICS as submitted with the Transport statement. The census data is as summarised in the table below

| | Driver | Car pass' | Walk | Cycle | Taxi | Rail | Bus | TOTAL |
|-----------|--------|-----------|------|-------|------|------|-----|-------|
| 0800-0900 | 8 | 5 | 57 | 6 | 3 | 44 | 31 | 154 |
| 1700-1800 | 8 | 5 | 57 | 6 | 3 | 44 | 31 | 153 |
| Daily | 69 | 41 | 510 | 55 | 28 | 395 | 276 | 1378 |

Figure 40- Census data

- 9.195 The development would therefore generate an increase in peak hour trips and a material increase in journeys across the day as a whole when all modes of travel are considered in combination. Importantly the increase by each mode of transport would be less pronounced and would have no material effect on the capacity or operation of that mode.
- 9.196 The predicted increase in pedestrian journeys is the highest increase; however, the local pedestrian network has been audited and shown to be very good with the exception of the footway immediately adjacent to the site. This shift away from the car and towards journeys on foot is therefore a positive step. 57 additional pedestrians during the peak hour would have no material effect on the pedestrian network. Some 40 additional pedestrians per hour across the remainder of the day would also have no measurable effect on pedestrian infrastructure capacity.
- 9.197 The development would result in 31 additional peak hour bus journeys and 276 across the day. On first sight and without further investigation this seems like it could have an effect on bus capacity. However, the site is served by three high frequency bus services running in each direction throughout the day. At an average frequency of 12 minutes each service has 5 buses per hour in each direction (10 in total). For a robust analysis if we exclude evening travel and concentrate simply on daily travel between 7am and 7pm, this would equate to 120 buses per route, or 360 for all three routes. The increase in bus use as a result of redeveloping this site therefore equates to an average of less than one passenger per bus. It is likely that the number per bus will increase above the average in the peak periods and some routes may be more popular than others, however, even taking these factors into account, this would still only equate to a peak of 1 new passenger per bus. These changes would be less than daily variation on any particular route and would be imperceptible to passenger transport capacity. The overall effect, however, would be to add revenue to local bus services thereby increasing local bus viability.
- 9.198 The development would result in 44 additional peak hour rail journeys and 395 across the day. It is anticipated that this will be divided equally between District line, Hammersmith and City line (via Bromley by Bow), and DLR via (Devons Road). The effect on each part of the network would be an additional 15 additional peak hour trips per line and 132 trips across the day. When considering the frequency of trains as set out in Section 4, this would equate

to a maximum of one extra passenger per train, either during the peaks or across the day as a whole. These changes would be less than daily variation on any particular route and would be imperceptible to passenger transport capacity.

- 9.199 As a result of this analysis it is clear that the proposed development would have a negligible adverse impact on the rest of the local transport network. The development would, as might be expected, benefit from its accessible location and ability to promote sustainable travel.
- 9.200 The proposed development will be supported by a Framework Travel Plan, a Delivery and Servicing Plan and a Construction and Logistics plan. This three-part Transport implementation Strategy will actively manage the movement of people and goods to and from the site. The journeys associated with the proposed residential units would have no material effect on any individual mode of transport. The Framework Travel Plan would provide an opportunity to increase the number of cyclists and car-sharers and decrease the levels of single car occupancy further still. The development will deliver a range of local transport improvements including new pedestrian and cycle links to the River Walk as well as footway upgrades which forms part of the proposal to be funded by the development and achieved via S278 and 106.
- 9.201 TfL has requested a multi-modal trip generation assessment for the existing and proposed commercial uses. However, the TS explain that the transport impact of the proposed development is determined by comparing the journeys that might realistically be generated by the existing use of the site, and those anticipated for the proposed development. It goes on to state that the existing site constitutes 1,915m² of 'B' class employment space and the proposed development re-provides 1,915m² of 'B' class employment space. The employment journeys are therefore neutral. The transport effects of the proposed development result from the new residential uses only.
- 9.202 TRICS database is used to derive total predicted journeys for the existing and proposed floorspace; we have then applied the Census data journey to work mode-share proportions to establish predicted trips by each mode. Below table shows the total journeys by each mode based on the Census data journey to work mode share:

| 1975m ² | Driver | Car Pass'r | OGVS | Walk | Cycle | Rail | Bus | TOTAL |
|--------------------|---------------|--------------|------|---------------|--------------|---------------|---------------|-------|
| 0800-0900 | 16 | 1 | 1 | 11 | 4 | 41 | 12 | 85 |
| 1700-1800 | 24 | 2 | 1 | 16 | 5 | 61 | 18 | 128 |
| Daily | 128 | 10 | 9 | 88 | 29 | 326 | 94 | 681 |
| | <i>18.80%</i> | <i>1.50%</i> | | <i>12.90%</i> | <i>4.20%</i> | <i>47.90%</i> | <i>13.80%</i> | |

Figure 41-Employment space multi-modal trips

* The figures in green represent total journeys, derived from TRICS (excluding OGV). The percentage figures in italics are taken from the Census data journey-to-work mode share. The remaining figures are derived by applying the Census mode share to the TRICS total travel demand.

The table above shows the multi-modal peak hour and daily trips associated with the existing employment site and the proposed replacement employment uses. It is important to note that the proposed development does not include car parking for the commercial uses so the driver trips (derived from the Census data) would be redistributed proportionally across the other modes

Alterations to highway

- 9.203 The proposals involve improvements to 2 bus stops to make them suitable for all public transport users; footway resurfacing in close vicinity fronting application site; speed cushions to the front of site. These would be secured via a Section 278/106 agreement which would be required as part of the section 106 should permission be granted.
- 9.204 Officers consider that the alterations to the public highway network as outlined above will improve the highway network within the immediate context of the application site, will not have an adverse impact upon either the safety or the capacity of the surrounding highway network and will also enhance walking and cycling routes across the site and within the immediate context.

Car parking

- 9.205 The proposal involves the loss of the current 35 spaces on the existing hard standing surface on site, which would be replaced by the proposed development and associated open space. There are no development plan policies to protect car parks and the site has a good Public Transport Accessibility Location of 4. The proposed development would be car free with the exception of blue badge spaces and this would be secured via conditions and a section 106 Agreement should permission be granted.
- 9.206 The application scheme would be car free with the exception of 7 blue badge spaces for disabled residents within the site, this equates to 2.3% which exceeds the average demand for all Inner London Boroughs (2.1%) and exceeds demand for LBTH (1.8%). 1 commercial blue badge holder would be required and this would be achieved via condition to comply with the TFL officers' requirement. Two of the spaces will be provided with electric vehicle charging points (EVCP) which exceeds the 20% London Plan requirement and all seven spaces will be provided with passive EVCP provision.
- 9.207 The road immediately outside the site is Gillender Street, a one-way road (southbound) which has a single running lane for general traffic and a nearside bus lane. Parking restrictions apply on Gillender Street from Monday-Saturday 7am-7pm, denoted by a single yellow line on both side of the carriageway. In addition, on-street loading is restricted from Monday-Saturday 7:00-10:00 and 15:00-19:00pm, during the bus lane operating hours.
- 9.208 The proposed car-free development, given the location of site would not give rise to indiscriminate parking as there are no residential roads within a 200m walk of the site. No car parking is provided for the commercial units; only 1 disabled bay would be required as highlighted above. Although officers recognise that a choice of travel, including by car for those that need it, may result in increased parking stress in the area, the general thrust of planning policy is to encourage sustainable travel, including limiting parking provision.

- 9.209 The car free development proposed is supported by the Mayor of London and TfL. Overall, officers consider that the proposals accord with Core Strategy Policy SP09, MDD Policy DM22 and London Plan Policy 6.13 and are acceptable

Pedestrian Links

- 9.210 An updated full Pedestrian Environment Review System (PERS) audit was undertaken as part of the assessment submitted with the proposals, from this assessment, an audit of pedestrian facilities around the site and surrounding area shows that the site is accessible from a high-quality footway network. This includes a footbridge to the east crossing the River Lea, underpasses beneath the A12 and footway along the Limehouse Cut leading south and north. The redevelopment of Bow School north of the site, recently renovated and widened the footway on the eastern side of Gillender Street as far south as the access into the Lock Keepers development.
- 9.211 A pedestrian underpass is located 80m to the north of the site providing a grade-separated crossing beneath the A12. This underpass has ramped accesses on both sides. An additional crossing is available beneath the A12 immediately adjacent to Bromley by Bow LUL station but this has steps only. Gillender Street connects to Navigation Road, which has access to the Limehouse Cut towpath walk/cycle route providing another underpass to the western side of the A12 and continuing south-west and north to the wider pedestrian/cycle network.
- 9.212 All side road crossings have flush (<6mm) dropped kerbs and tactile paving. There are only 2 worst scoring links in the study area which are L2 and L3 located to the front of application site as indicated in the Transport Statement (not within the redline area of site; due to a degree of 'clutter' caused by street furniture and poor surface conditions. The proposals would include pedestrian improvements to these two areas to ensure good pedestrians environment that will encourage more walking to and from the site. It is therefore concluded that site is located within an acceptable walking distance from facilities surrounding the site.

Cycle parking

- 9.213 The proposed development comprises 307 dwellings (31 x studio; 123 x 1b; 91 x 2b; 54 x 3b and 8 x 4b). For the proposed residential component the minimum cycle parking provision is therefore 460 secure long-stay spaces and 8 short-stay spaces. The long stay spaces are provided in two cycle stores, and these secure bike stores are accessed at ground level via double doors and exceed the minimum space standards for cycle storage.
- 9.214 The commercial units have a combined floor area of 1815m² (B1) and 100m² (A1/A3/B1). The light industrial uses therefore require 7 long-stay staff spaces. These will be accommodated within the back of house areas within the units themselves. The flexible 'café' space is too small to require any long stay spaces but the combined requirement for short stay spaces for the residential, employment and retail/café uses will be for 12 cycle parking spaces. These will be provided in the form of six Sheffield loop stands incorporated into the landscaping scheme and located close to the building entrances.

- 9.215 Highways and TfL are satisfied with the external parking spaces and the internal basement (9) cycle parking spaces on the basis they would provide accessible and secure locations. Appropriate condition will be imposed to secure an accessible cycle parking spaces via condition.

Deliveries and Servicing

- 9.216 The proposed site layout has been designed to ensure that refuse and delivery service vehicles are able to access the full extent of the site and that refuse stores are located within 10m collection vehicles. Tracking diagrams have been submitted and demonstrate that sufficient space has been provided to allow the delivery vehicle to turn within the yard.
- 9.217 The industrial units are provided with servicing for deliveries, collections and refuse collections. Space for a large 12m rigid vehicle is provided along Gillender Street, and vehicle access for smaller commercial vehicles is within the new yard. All units have service access doors through their individual front facades. The units facing the River Lea additionally would have service access through a corridor beneath the podium level to the rear of these units. All vehicles (vans/light goods) using the new yard can enter and leave in a forward gear. Importantly, the new yard has been designed to allow them to perform a 'loop', thereby removing any reversing manoeuvres within the new yard, for residential and pedestrian safety. Due to the relatively limited servicing needs envisaged for B1(c), the newly proposed yard has been designed to safely accommodate deliveries but also to provide an attractive hard-landscaped area and pedestrian route to the river. In addition, a dedicated loading bay would be located on Gillender Street for larger vehicles. The proposed arrangement would be considered acceptable.
- 9.218 The loading bay located on Gillender Street fronting Block will be appropriately managed to ensure they are only used by service /delivery vehicles.

Conclusion

- 9.219 Officers consider that as the proposal would not have an adverse impact upon the local highway and public transport network, would provide suitable parking arrangements, and would be serviced in a manner which would not adversely impact the local highway network, the proposal on balance is acceptable in transport and highways terms with appropriate conditions to ensure appropriate design of the bay and cycle parking details.

Waste

Policy Context

- 9.220 Policy 5.17 of the London Plan (2016) states that development proposals should be "minimising waste and achieving high reuse and recycling performance".
- 9.221 The Council's Core Strategy policy SP05 (1) states that development should "implement the waste management hierarchy of reduce, reuse and recycle".

9.222 The Council's Managing Development Document policy DM14 (2) states that "development should demonstrate how it will provide appropriate storage facilities for residual waste and recycling as a component element to implement the waste management hierarchy of reduce, reuse and recycle".

Assessment

9.223 The applicant has confirmed in the assessment submitted with the application that the Council's current minimum waste requirements for new residential units would be adequately provided on site.

9.224 There are no specific capacities set out for commercial waste in policy. The refuse areas for commercial waste will be looked after by estate management and collected by private contractors. Neither highways nor waste officers object to these storage/ collection arrangements.

9.225 The following details would be secured in a waste, deliveries and service management plan should permission be granted:

- Internal waste storage for each residential unit of: 40 litre refuse, 40 litres recycling and 10 litres food waste should be provided internally;
- Bin stores to be built in accordance with relevant standards;
- Measurement of bins will be provided in cubic meters to demonstrate there is sufficient space in bin stores;
- Sufficient door sizes with catches or stays;
- All bin stores will be free from any steps;
- Bins to be built in accordance with relevant standards;
- Bulky waste storage must be in its own separate storage unit away from other waste streams;
- Information of dropped kerbs to be provided and within 10m of trolleying distance from bin store;
- Waste carrying distance for residents should be maximum 30 metres to the bin store;
- Managing agent will present all waste streams including bulky waste where these are not within 10 metres trolleying distance for the waste collection operatives including all waste stored at all other levels except ground level, and;
- Details of how the waste collections vehicle will service this proposal including all loading and unloading areas must be provided.

9.226 Subject to the inclusion of this condition requiring a waste management strategy, officers are satisfied that the space and layout would allow for sufficient storage, access and management arrangements and thus would comply with the relevant policy.

Energy Efficiency and Sustainability

Policy Context

9.227 Paragraph 93 of the NPPF states that planning plays a key role in reducing greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. Paragraph 97 of the NPPF seeks to support development which can draw its energy supply from decentralised, renewable or low carbon energy supply systems.

- 9.228 Policy 5.2 of the London Plan (2016) states that *“development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy: 1) be lean: use less energy, 2) be clean: supply energy efficiently, 3) be green: use renewable energy”*. Policy 5.3 states that *“the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime”*. Policy 5.6 states that *“development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites”*. Policy 5.7 states that *“within the framework of the energy hierarchy, major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible”*. Finally policy 5.9 states that *“major development proposals should reduce potential overheating and reliance on air conditioning systems”*.
- 9.229 The Council’s Core Strategy policy SP11 seeks to ensure that development helps to *“implement a borough-wide carbon emissions target of 60% below 1990 levels by 2025”*.
- 9.230 The Council’s Managing Development Document policy DM29 details the necessary carbon reductions over and above the building regulations requirements and states that *“development will be required to connect to or demonstrate a potential connection to a decentralised energy system unless it can be demonstrated that this is not feasible or viable”* and that *“sustainable design assessment tools will be used to ensure climate change mitigation measures are maximised within development”*.

Assessment

- 9.231 The applicant has submitted both an energy and sustainability statement which detail how the London Plan energy hierarchy of ‘be lean, be clean and be green’ has been adhered to in the design of the proposed building, and how sustainable design features have been incorporated into the proposal.
- 9.232 All reasonable endeavours have been made to reduce the amount of energy required by the building and supply it in the most efficient method possible, through the incorporation of a number of energy efficiency measures. These measures have led to the scheme achieving a 45% reduction in CO2 emissions against the Building Regulations 2013, the proposal therefore meet the Council’s target. However, the submitted energy strategy identifies the shortfall to meeting zero carbon for the residential element which equates to 169.6 tonnesCO2. A £305,327.92 carbon offsetting contribution is required to mitigate the impacts and this will be required via section 106. A condition requiring the submission of the as built CO2 reduction calculations will also be required to ensure that they meet the current projected figures.
- 9.233 Part (4) of policy DM29 in the Managing Development Document states that sustainable design assessment tools will be used to ensure that development achieves the highest levels of sustainable design and construction. It should be noted that the Code for Sustainable Homes was abolished in 2015 and as such no longer applies to this development. As such the only sustainable design assessment tool relevant to this development is BREEAM which only

covers the non-residential element of the proposal, and in order to meet policy DM29 the proposed non-residential elements of the proposal must be designed to achieve a BREEAM 'Excellent' assessment rating.

- 9.234 The submitted sustainability statement shows that the proposed commercial units have been designed to be BREEAM 'Excellent.' In order to ensure that the development achieves this target a condition requiring the final certificates to be submitted within 3 months of completion of the development will be imposed.
- 9.235 Subject to the conditions outlined above and the carbon off-setting planning obligation, officers are content that the proposal accords with relevant policies and guidance with respect to energy efficiency and sustainability.

Environmental Considerations

Policy Context

- 9.236 Policies 5.10 and 5.11 of the London Plan (2016) state that *"development proposals should integrate green infrastructure" such as "roof, wall and site planting"*. Policy 5.12 states that *"development proposals must comply with the flood risk assessment and management requirements set out in the NPPF"*. Policy 5.13 states that *"development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for doing so"*. Policy 5.21 states that *"appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination"*.
- 9.237 Policy 7.7 states that *"tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference"*. Policy 7.8 states that *"new development should make provision for the protection of archaeological resources"*. Policy 7.14 states that *"development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality"*. Policy 7.19 states that *"development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity"*. Finally policy 7.21 states that *"existing trees of value should be retained and any loss as the result of development should be replaced"*, and *"wherever appropriate the planting of additional trees should be included in new developments"*.
- 9.238 The Council's Core Strategy policy SP03 states that air pollution in the borough will be addressed by *"managing and improving air quality along transport corridors" and "implementing a "Clear Zone" in the borough to improve air quality"*. Policy SP04 states that the Council will *"promote and support new development that provides green roofs, green terraces and other measures to green the built environment" and that "all new development that has to be located in a high risk flood zone must demonstrate that it is safe [and] that all new development across the borough does not increase the risk and impact of flooding"*. Policy SP10 states that development should seek to protect and enhance archaeological remains and archaeological priority areas.

- 9.239 The Council's Managing Development Document policy DM9 states that *"major development will be required to submit an Air Quality Assessment demonstrating how it will prevent or reduce associated air pollution during construction or demolition"*. Policy DM11 states that *"development will be required to provide elements of a 'living building'" and will be required to deliver "biodiversity enhancements in accordance with the Council's Local Biodiversity Action Plan"*. Policy DM13 states that *"development will be required to show how it reduces the amount of water usage, runoff and discharge from the site, through the use of appropriate water reuse and Sustainable Urban Drainage (SUD) techniques"*. Policy DM27 states that development within Archaeological Priority Areas will be required to be accompanied by *"an Archaeological Evaluation Report and will require any nationally important remains to be preserved permanently on site"*.
- 9.240 Finally policy DM30 states that *"where development is proposed on contaminated land or potentially contaminated land, a site investigation will be required and remediation proposals agreed to deal with the contamination before planning permission is granted"*.

Air Quality

- 9.241 The development will result in a reduction in parking spaces and hence a reduction in transport emissions which is welcomed. The Air Quality Assessment identified construction dust as a potential issue and proposes that further detailed modelling be undertaken at the detailed design stage to determine the extent of the mitigation required. This to be achieved via condition.
- 9.242 Mechanical ventilation is likely to be required to provide the residents with cleaner air. In line with the acoustic report, should permission be granted a condition would be attached requiring details of the mitigation including the location of the air inlets, which should be located in an area of less polluted air.
- 9.243 The proposal would be required to meet the emissions standards set out in the GLA's 'Sustainable Design and Construction SPG', and can be achieved via condition.
- 9.244 With regard to the construction, this will be secured via condition and the Construction Environment Management Plan condition will also be required to detail how the potential air quality effects will be mitigated and monitored in line with the 'The Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance 2014' and the 'Tower Hamlets Code of Construction practice.' Subject to the abovementioned conditions, the proposal complies with the relevant policy.

Biodiversity

- 9.245 Policy DM11 requires major developments to deliver net gains for biodiversity which contribute to objectives in the Local Biodiversity Action Plan (LBAP). The proposals do involve loss of some trees but the biodiversity officer has advised that the tree replanting, landscaping proposed plus additional river wall enhancements would achieve net gains for biodiversity. Details of all biodiversity measures would be secured via condition.

- 9.246 Conditions would also be attached regarding the clearance of trees (to protect nesting birds) and an updated bat survey prior to the commencement of works to protect any potential bats on site.
- 9.247 Subject to the inclusion of the abovementioned conditions, the proposals would enhance biodiversity on site and thus the proposal would comply with the relevant policy.

Trees

- 9.248 Overall, the proposal involves the removal of 19 trees from the site. However, of these, 14 are category c or u (low quality or unsuitable for retention). The tree replanting strategy makes provision for new trees in the proposed development.
- 9.249 Whilst the tree officer has raised no objections to the loss of the majority of trees on the site, but concerns were raised in relation to the loss of 2 mature trees along the river walkway. The tree officer has advised that this will have a significant environmental, amenity and landscape impact. Following officer's concerns, the applicant propose to replace the two trees to the front of the site with Acer Campestre. The proposed replacement species adequately mitigates for the loss of the existing trees on the site.
- 9.250 The proposed overall public realm improvements and wider scheme benefits are considered acceptable.

Contaminated Land

- 9.251 The Council's Environmental Health Contaminated Land officer has reviewed the proposals and has requested conditions requiring the submission of a full site investigation report prior to the commencement of works and a full verification report prior to the occupation of the development to ensure that any land contamination present on this site is appropriately dealt with in order to minimise any risks to health and ecology.

Flood Risk

- 9.252 Although the site is located within flood zone 3a it is protected by the Thames Tidal flood defences from a 1 in 1000 (0.1%) chance in any year flood event. The Council's Strategic Flood Risk Assessment (SFRA) shows that the site will be at risk of flooding if there was to be a breach in the tidal defences. However, the Environment Agency's most recent breach hazard modelling study (June 2017) shows the site to be outside of the areas impacted by flooding if there was to be a breach in defences. The Environment Agency therefore considers the proposed development to be at a low risk of flooding.
- 9.253 The application is supported by a flood risk assessment which outlines a number of measures incorporated into the scheme's design which would allow occupants of the building to remain safe in the event of a flood. The Environment Agency has reviewed the submitted flood risk assessment and has not objected to the proposals, subject to appropriate conditions. In light of the above officers consider that the proposed development is acceptable in flood risk terms.

Microclimate

- 9.254 A Wind Microclimate Assessment has been submitted with the application including wind tunnel results of the proposed scheme in the context of existing surrounding environment and a cumulative scenario.
- 9.255 The results states that with the introduction of the proposed development, wind conditions generally remain suitable for strolling or better during winter months. However, sensitive areas such as outdoor sitting areas, entrance, terraces and balconies are exposed to windier conditions than desired. Furthermore, strong winds susceptible to destabilise members of the general public occur at localised areas at ground level, across Gillender Street, at the southern corner of the proposed development, in the channel to its south-west and at podium level. Although, the report goes on to say that with the introduction of cumulative buildings, the suitability of wind conditions in terms of both pedestrian safety and comfort remain as per the within the existing surrounding scenario, further mitigation measures would be required via condition to sensitive areas in order to make the areas suitable for the intended purposes.
- 9.256 The wind conditions within the recreational area to the south of the Proposed Development area are anticipated to be suitable for standing during summer months. A single exception to this persists, at the main entrance to site where despite being significantly improved through introduction of landscaping; wind conditions would exceed the pedestrian safety threshold for usage by the general public. The report outlines and recommends suitable wind mitigation measures and therefore this can be achieved via condition if permitted.
- 9.257 Overall, with the introduction of the soft landscaping scheme and wind mitigation measures, wind conditions at all locations in and around the Proposed Development are suitable in terms of both pedestrian safety and comfort for their intended usage.
- 9.258 Mitigation measures are required to achieve suitable conditions. These measures are included within the landscaping plans for approval, and a condition will be attached to the decision notice to ensure that the necessary measures are implemented.

SUDS

- 9.259 As part of the proposed flood risk assessment the applicant has submitted details of how SUDS (Sustainable Urban Drainage) features could be incorporated into the development. The Councils Highways engineer has reviewed the proposals and considered the details submitted to be inadequate, further details to be achieved via recommended conditions by the officer to comply with relevant policy relating to SUDS.

Conclusion

- 9.260 Officers consider that the proposal is acceptable in archaeology, air quality, biodiversity, contaminated land, flood risk, microclimate, SUDS, television and radio reception terms, and also in terms of its impact on trees. The proposal can thus be considered to be in accordance with the relevant policies of the London Plan (2016), Core Strategy (2010) and Managing Development Document (2013) as set out within the policy context section of this chapter.

Environmental Impact Assessment

9.261 The planning application does not constitute EIA Development under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (from this point referred to as the '2011 EIA Regulations') as confirmed by the Council by a way of decision under PA/17/01161 dated 8 June 2017. Therefore, the application was submitted in February 2018 with no Environmental Statement (ES).

Impact upon local infrastructure/ facilities

9.262 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 how these impacts can be assessed along with appropriate mitigation measures.

9.263 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.

9.264 Regulation 122 of the Community Infrastructure Levy Regulations (CIL) (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.

9.265 Securing necessary planning contributions is further supported Core Strategy Policy SP13 'Planning obligations' which seek to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development. This is explained in the Council's Draft Planning Obligations SPD that sets out the borough's key priorities:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Education

9.266 If permitted and implemented, the proposal would also be subject to the Council's community infrastructure levy.

9.267 The proposed development would place additional demands on local infrastructure and facilities, including local schools, health facilities, idea stores and libraries, leisure and sport facilities, transport facilities, public open space and the public realm and streetscene. Should planning permission be granted, the LBTH CIL contribution is estimated at £680,749.

9.268 In addition the development would be liable to the London Mayor's CIL estimated at £823,694. The development does not sit within 1km of a proposed Crossrail station and thus would not attract the Mayor's Crossrail levy.

9.269 The applicant has also offered 46% affordable housing by habitable room with a tenure split of 67% in favour of Social/Affordable rented accommodation (50 at Social Rent and 50 Tower Hamlets Living Rent)Ownership) and 67%/33% shared ownership housing. This offer has been independently viability tested and the information submitted is considered to be comprehensive and robust. The maximum level of affordable housing has been secured in accordance relevant development plan policy. A development viability review clause to identify and secure any uplift of affordable housing if the development has not been implemented within 48 months from the grant of permission (with the definition of ‘implementation’ to be agreed as part of the S.106 negotiations) would also be secured should permission be granted.

9.270 Should permission be granted, several non-financial contributions would be secured via section 106 agreement.

9.271 The financial contributions required are summarised in the following table:

| Planning Obligation | Financial Contribution |
|--|-------------------------------|
| Employment, skills, training and enterprise during the construction phase | £338,232 |
| Employment, skills and training to access employment within the final development. | £256,377 |
| Zero Carbon offsetting | £310,525 |
| Monitoring | £6,500 |
| Total | £911,634 |

Figure 42- financial contributions

9.272 These obligations are considered to meet the tests set out in guidance and the CIL regulations.

Other Local Finance Considerations

9.273 Section 70(2) of the Planning Act 1990 provides that in dealing with a planning application a local planning 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.

9.274 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.

9.275 In this context “grants” include the New Homes Bonus Scheme (NHB).

9.276 NHB was introduced by the Government in 2010 as an incentive to local authorities to encourage housing development. The initiative provides un-

ring-fenced finance to support local infrastructure development. The NHB is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. The grant matches the additional council tax raised by the Council for each new house built for each of the six years after that house is built. This is irrespective of whether planning permission is granted by the Council, the Mayor of London, the Planning Inspectorate or the Secretary of State.

9.277 Using the DCLG's New Homes Bonus Calculator, this development, if approved, would generate in the region of £468,226 in the first year and a total payment of £2,809,354 over 6 years.

Human Rights Act 1998

9.278 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:

9.279 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 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".

9.280 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.

9.281 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.

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

9.283 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.

Equality Act 2010

9.284 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 and sex 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. The Committee must be mindful of this duty when determining all planning applications and representations to the Mayor. In particular, the Committee must pay due regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and,
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.285 It is considered the proposed development would not conflict with any of the above considerations. It is also considered that any impact in terms of fostering relations and advancing equality with regard to sex, race, religion and belief would be positive. In particular, it should be noted that the development includes access routes and buildings that would be accessible to persons with a disability requiring use of a wheelchair or persons with less mobility.

9.286 Given that the proposals deliver the much needed housing, and affordable housing in particular, with the retention and extension of the Locally Listed (Magnolia House) building for a mix of functions in the area: enhanced connections through to the waterway and improvements to the Grade II listed wall of the former Dowgate Wharf building located adjacent to the site, the proposals would continue to enhance and preserve the character and appearance of the Limehouse Conservation Area while not impacting on amenity of surrounding neighbours

10.0 CONCLUSION

10.1 All relevant policies and considerations have been taken into account. Planning Permission and Listed Building Consent should be **GRANTED** for the reasons set out in the MATERIAL PLANNING CONSIDERATIONS section of this report and the details set out in the RECOMMENDATIONS at the beginning of this report.

Drawings and Documents: Site Plans:

- 16252_07_001 Site Location Plan
- 16252_07_002 Site Plan Proposed
- 16252_07_003 Existing Plan
- 16252_07_004 Demolition Plan
- 16252_07_005 Existing Elevations Industrial Units
- 16252_07_006 Magnolia House Existing Drawings
- 16252_07_007 Listed Wall Existing Plans and Elevations

Layouts Plans:

- 16252_07_100_P2 Ground Floor Plan
- 16252_07_100M Mezzanine Floor Plan
- 16252_07_101_P2 First Floor Plan
- 16252_07_102 Second Floor Plan
- 16252_07_103 Third Floor Plan
- 16252_07_104 Fourth Floor Plan
- 16252_07_105 Fifth Floor Plan
- 16252_07_106 Sixth Floor Plan
- 16252_07_107 Seventh Floor Plan
- 16252_07_108 Eighth Floor Plan
- 16252_07_109 Ninth Floor Plan
- 16252_07_110 Tenth Floor Plan
- 16252_07_111 Eleventh Floor Plan
- 16252_07_112 Twelfth Floor Plan
- 16252_07_113 Thirteenth Floor Plan
- 16252_07_114 Fourteenth Floor Plan
- 16252_07_115 Fifteenth Floor Plan
- 16252_07_116 Sixteenth Floor Plan
- 16252_07_117 Seventeenth Floor Plan
- 16252_07_118 Eighteenth Floor Plan
- 16252_07_119 Nineteenth Floor Plan
- 16252_07_121 Roof Plan

Use and Tenure Plans

- 16252_07_150 Ground Floor Use and Tenure Plan
- 16252_07_150M Mezzanine Floor Use and Tenure Plan
- 16252_07_151_P2 First Floor Use and Tenure Plan
- 16252_07_152 Second Floor Use and Tenure Plan
- 16252_07_153 Third Floor Use and Tenure Plan
- 16252_07_154 Fourth Floor Use and Tenure Plan
- 16252_07_155 Fifth Floor Use and Tenure Plan
- 16252_07_156 Sixth Floor Use and Tenure Plan
- 16252_07_157 Seventh Floor Use and Tenure Plan
- 16252_07_158 Eighth Floor Use and Tenure Plan
- 16252_07_159 Ninth Floor Use and Tenure Plan

| | |
|--------------|--|
| 16252_07_160 | Tenth Floor Use and Tenure Plan |
| 16252_07_161 | Eleventh Floor Use and Tenure Plan |
| 16252_07_162 | Twelfth Floor Use and Tenure Plan |
| 16252_07_163 | Thirteenth Floor Use and Tenure Plan |
| 16252_07_164 | Fourteenth Floor Plan Use and Tenure Plan |
| 16252_07_165 | Fifteenth Floor Plan Use and Tenure Plan |
| 16252_07_166 | Sixteenth Floor Plan Use and Tenure Plan |
| 16252_07_167 | Seventeenth Floor Plan Use and Tenure Plan |
| 16252_07_168 | Eighteenth Floor Plan Use and Tenure Plan |
| 16252_07_169 | Nineteenth Floor Plan Use and Tenure Plan |

Building Elevations

| | |
|-----------------|---|
| 16252_07_200 | East Elevation |
| 16252_07_201 | West Elevation |
| 16252_07_202 | North Elevation |
| 16252_07_203 | South Elevation |
| 16252_07_204_P2 | West Internal Elevation |
| 16252_07_205_P2 | East Internal Elevation |
| 16252_07_206_P2 | North West Internal Elevation |
| 16252_07_207 | South East Internal Elevation |
| 16252_07_210 | Magnolia House – East and West Elevations |
| 16252_07_211 A1 | Magnolia House – North and South Elevations |
| 16252_07_212 A1 | Key alterations to Magnolia House South Elevation |

Contextual Elevations

| | |
|--------------|--------------------------------|
| 16252_07_250 | East & West Context Elevations |
|--------------|--------------------------------|

Sections

| | |
|--------------|-------------|
| 16252_07_300 | Section A-A |
| 16252_07_301 | Section B-B |

Bay Study

| | |
|--------------|----------------|
| 16252_07_400 | Bay Study – 01 |
| 16252_07_401 | Bay Study – 02 |
| 16252_07_402 | Bay Study – 03 |
| 16252_07_403 | Bay Study – 04 |
| 16252_07_404 | Bay Study – 05 |
| 16252_07_405 | Bay Study – 06 |

Unit Layouts

| | |
|--------------|---|
| 16252_07_500 | Studio Plan Private M4 (2) Adaptable |
| 16252_07_501 | 1 Bedroom Plan Private M4 (2) Adaptable |
| 16252_07_502 | 2 Bedroom Plan Affordable Intermediate M4 (2) Adaptable |
| 16252_07_503 | 3 Bedroom Plan Affordable Intermediate M4 (2) Adaptable |
| 16252_07_504 | 2 Bedroom Plan Affordable Rented M4 (2) Adaptable |
| 16252_07_505 | 3 Bedroom Plan Affordable Rented M4 (2) Adaptable |
| 16252_07_506 | 4 Bedroom Plan Affordable Rented M4 (2) Adaptable |
| 16252_07_507 | 1 Bedroom Plan Private M4 (3) Adaptable |
| 16252_07_508 | 3 Bedroom Plan Private M4 (3) Adaptable |
| 16252_07_509 | 2 Bedroom Plan Affordable Intermediate M4 (3) Adaptable |
| 16252_07_510 | 3 Bedroom Plan Affordable Rented M4 (3) Adaptable |

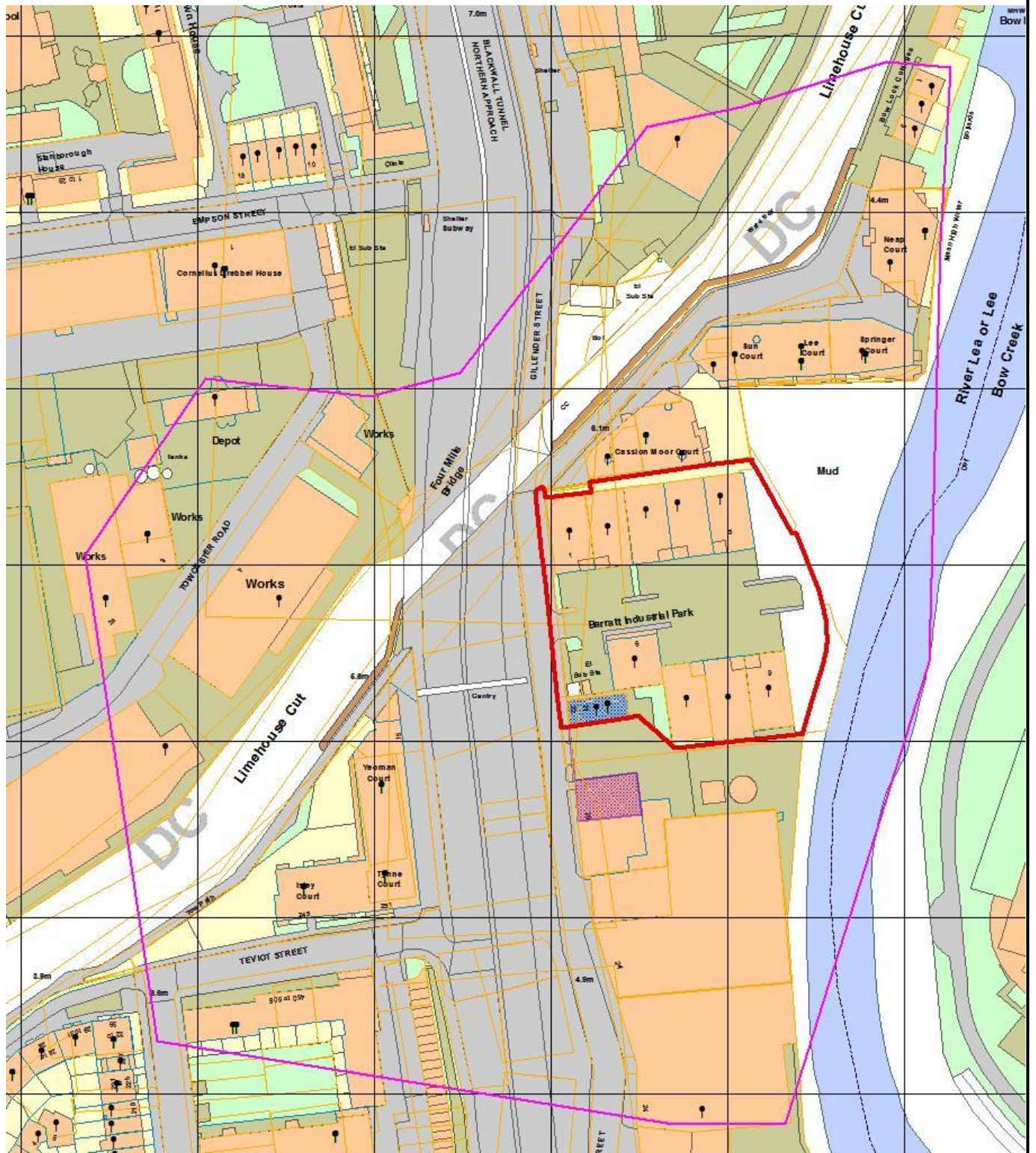
Landscape Plans:

6690_LUC_LD_PLN_001_P4
6690_LUC_LD_PLN_002-P7
6690_LUC_LD_PLN_003-P6
6690_LUC_LD_PLN_004-P5
6690_LUC_LD_PLN_010-P2
6690_LUC_LD_PLN_010-P3

Supporting Documents:

Design and Access Statement, February 2018
Supporting Structural Statement on the Grade II listed wall, February 2018
Landscaping Statement inclusive of Play Space Strategy and landscape drawings, February 2018
Planning Statement, February 2018
Heritage, Townscape and Visual Impact Assessment (including Verified Views)
Economic / Commercial Statement / Employment Study, April 2017
Statement of Community Involvement, February 2018
Energy and Sustainability Strategy, February 2018
Overheating Assessment, February 2018
Tree Survey + Arboricultural Method Statement, February 2018

Air Quality Assessment, 12 February 2018
Archaeological Desk Based Assessment, February 2018
Acoustic report, 14 February 2018
Ecology Phase 1 Study, February 2018
Flood Risk Assessment and Drainage Strategy – doc ref
1196, February 2018
Daylight / Sunlight Assessment, February 2018
Ground Investigation Report, February 2018
Transport Statement, February 2018
Framework Travel Plan, February 2018
Utilities Assessment, February 2018
Pedestrian Level Wind Microclimate Assessment, 20
February 2018
Report on raising the existing River Wall, February 2018
River Wall summary report , February 2018
Thames Water letter dated 21 March 2018
Supplementary Landscape Design Information dated 20
August 2018.



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

Planning Applications Site Map

PA/18/00528

PA/18/00520

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



London Borough
of Tower Hamlets

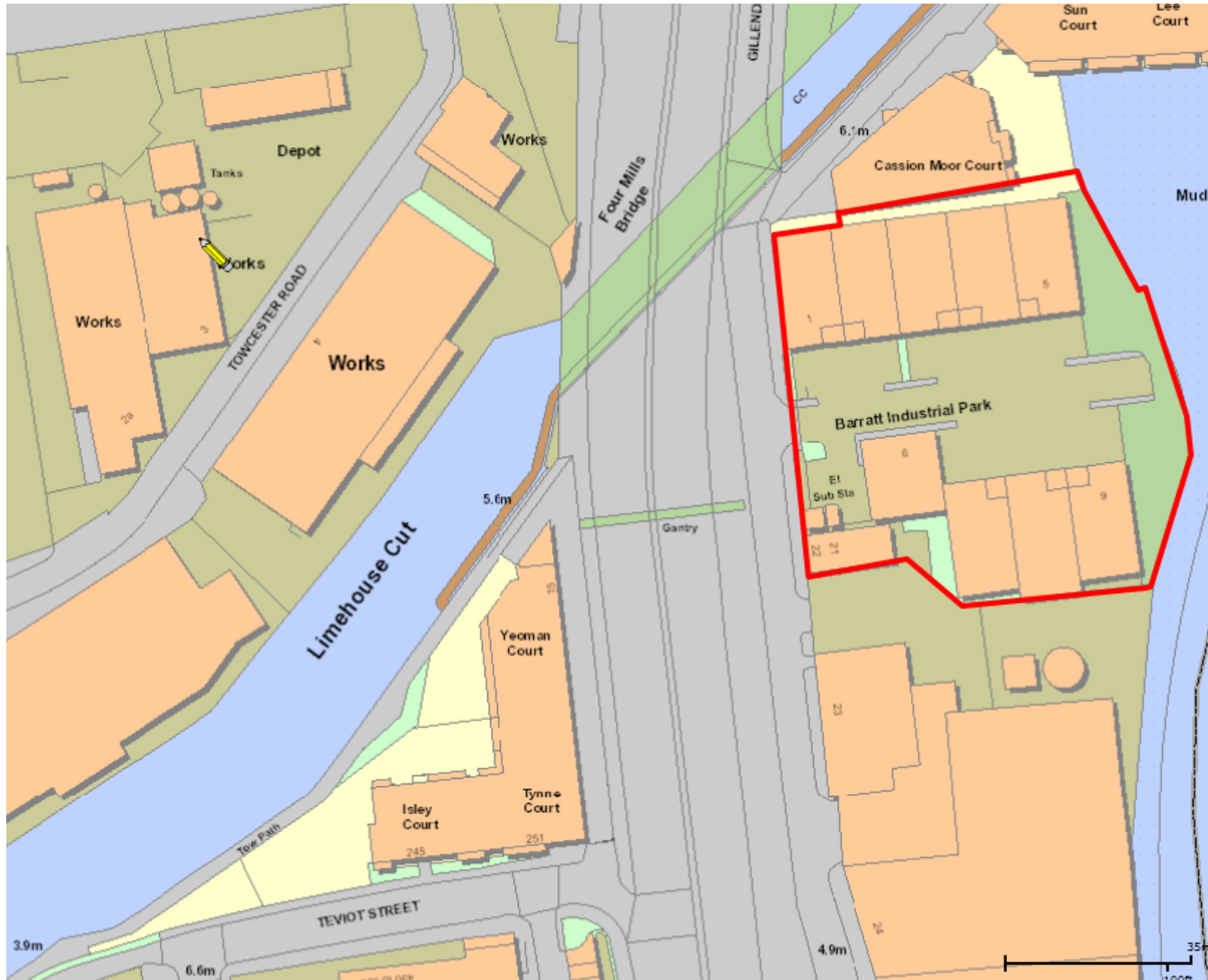
Scale : 50m grid squares

Date: 11 September 2018

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Barratt Industrial Estate, 20-22 Gillender Street, London – Appendix 2

Site Location Plan



Page 235

Aerial view of site and view of some of the existing industrial units on site



Photo of industrial units existing on site from Gillender Street.



Ground floor layout showing proposed uses and access to the River



Ground floor diagrams showing active frontages and routes to the river

- Residential
- Commercial
- Cafe

First floor podium level



Proposed view from A12



Proposed view of site from the south in relation with Gillender 1



Proposed view of site across river Lea.



View of Concierge entrance from Gillender Street



View of the proposed yard from Gillender Street



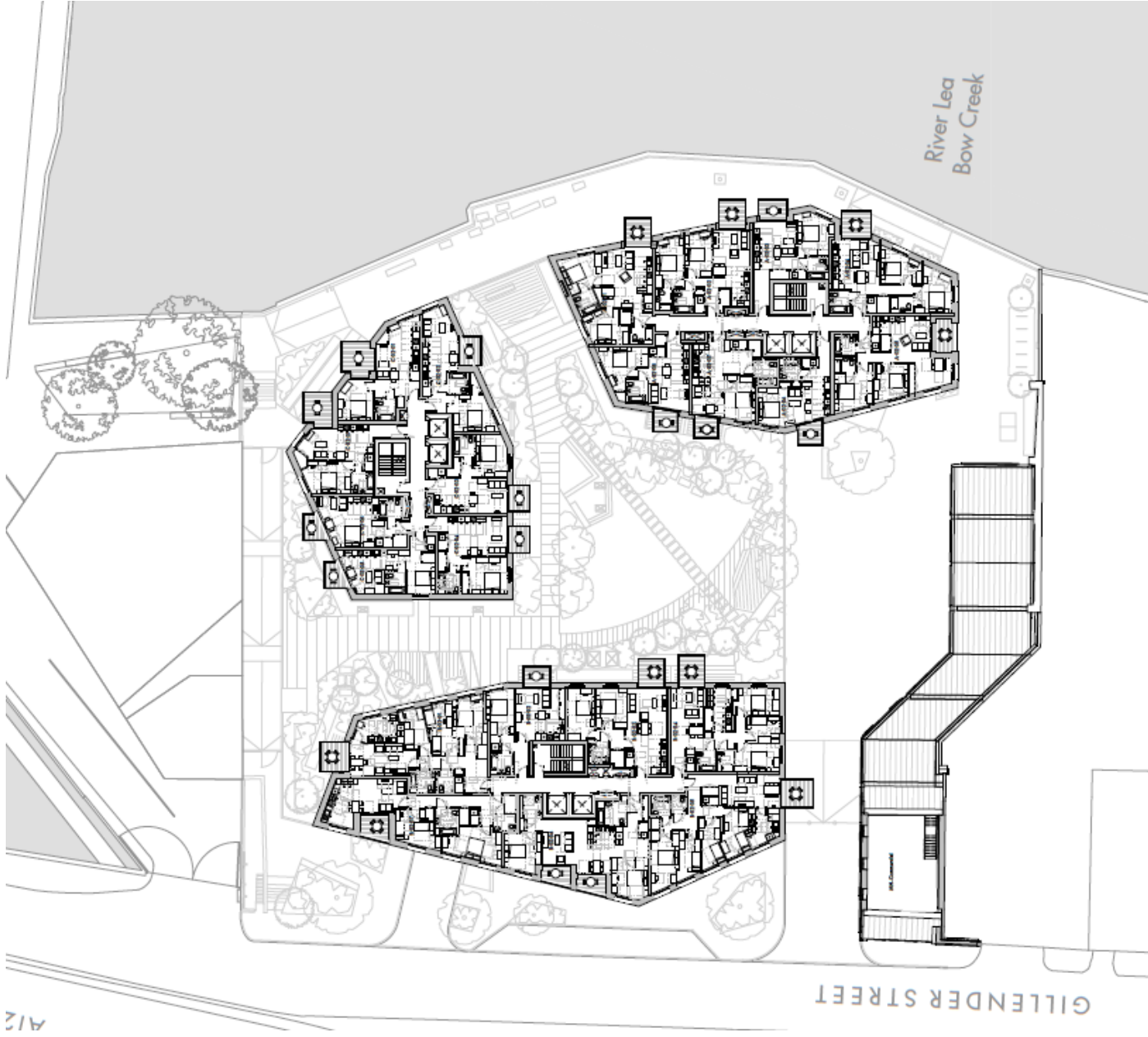
View the first floor podium



GROUND FLOOR PLAN



TYPICAL FLOOR PLAN



ELEVATIONS

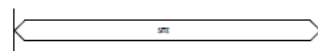


East Context Elevation

WEST ELEVATION



LINE HOUSE CUT

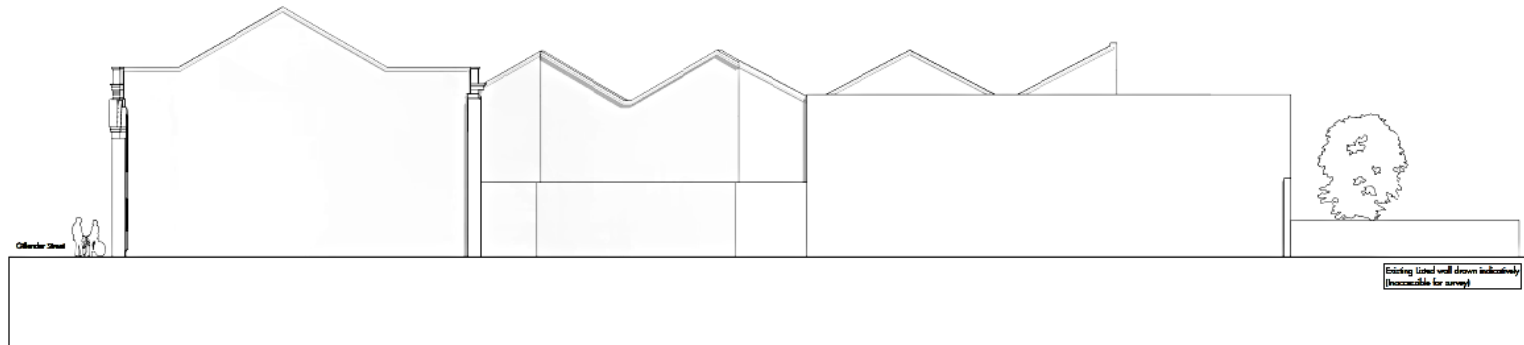


West Context Elevation

MAGNOLIA ELEVATIONS – NORTH & SOUTH



NORTH ELEVATION
LMB



SOUTH ELEVATION
LMB