

Committee: Strategic Development	Date: 30 th November 2017	Classification: Unrestricted	Agenda Item Number:
---	---	--	----------------------------

Report of: Director of Place	Title: Application for Planning Permission
Case Officer: Kate Harrison	Ref No: PA/16/02692
	Ward: Lansbury

1.0 APPLICATION DETAILS

Location: Ailsa Wharf, Ailsa Street, London

Existing Use: 811sqm of storage (use class B8) and 20,148sqm of external storage, scrap yards, waste disposal, breaking down of vehicle parts (Use Class Sui Generis).

Proposal: Demolition of existing structures/buildings and the redevelopment of the site for a mixed use scheme providing 785 residential units (C3) and 2,954 sqm GIA commercial floorspace (A1/A3/B1/D2) within a series of thirteen building blocks varying between 3 and 17 storeys (Maximum AOD height of 59.5m); the creation of a new access road and the realignment of Ailsa Street; the provision of safeguarded land for a bridge landing; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works.

Drawings and Documents: *Location Plans and Existing Site Plans:*

List of Drawings to be approved
 3334_PL(90)01 Rev A Site Location Plan
 3334_PL(90)02 Rev A Topographical Survey plan
 3334_PL(90)03 Rev A Plan as existing
 3334_PL(90)04 Rev A Elevations as existing

Proposed Floor Plans:

3334_PL(20)100 Rev D Basement plan
 3334_PL(20)101 Rev F Ground floor plan and landscape
 3334_PL(20)102 Rev F Ground floor plan
 3334_PL(20)103 Rev E First floor plan
 3334_PL(20)104 Rev E Second floor plan
 3334_PL(20)105 Rev E Third floor plan
 3334_PL(20)106 Rev E Fourth floor plan
 3334_PL(20)107 Rev E Fifth floor plan
 3334_PL(20)108 Rev E Sixth floor plan
 3334_PL(20)109 Rev E Seventh floor plan

3334_PL(20)110 Rev D Eighth floor plan
 3334_PL(20)111 Rev D Ninth floor plan
 3334_PL(20)112 Rev D Tenth floor plan
 3334_PL(20)113 Rev D Eleventh floor plan
 3334_PL(20)114 Rev D Twelfth floor plan
 3334_PL(20)115 Rev D Thirteenth floor plan
 3334_PL(20)116 Rev D Fourteenth floor plan
 3334_PL(20)117 Rev D Fifteenth floor plan
 3334_PL(20)118 Rev D Sixteenth Floor Plan
 3334_PL(20)119 Rev D Roof plan landscape
 3334_PL(20)120 Rev D Basement plan A
 3334_PL(20)121 Rev D Basement plan B
 3334_PL(20)122 Rev F Ground floor plan A
 3334_PL(20)123 Rev F Ground floor plan B
 3334_PL(20)124 Rev E First floor plan A
 3334_PL(20)125 Rev E First floor plan B
 3334_PL(20)126 Rev E Second floor plan A
 3334_PL(20)127 Rev E Second floor plan B
 3334_PL(20)128 Rev E Third floor plan A
 3334_PL(20)129 Rev E Third floor plan B
 3334_PL(20)130 Rev E Fourth floor plan A
 3334_PL(20)131 Rev E Fourth floor plan B
 3334_PL(20)132 Rev E Fifth floor plan A
 3334_PL(20)133 Rev E Fifth floor plan B
 3334_PL(20)134 Rev E Sixth floor plan A
 3334_PL(20)135 Rev E Sixth floor plan B
 3334_PL(20)136 Rev E Seventh floor plan A
 3334_PL(20)137 Rev E Seventh floor plan B
 3334_PL(20)138 Rev D Eighth floor plan A
 3334_PL(20)139 Rev D Eighth floor plan B
 3334_PL(20)140 Rev D Ninth floor plan A
 3334_PL(20)141 Rev D Ninth floor plan B
 3334_PL(20)142 Rev D Tenth floor plan A
 3334_PL(20)143 Rev D Tenth floor plan B
 3334_PL(20)144 Rev D Eleventh floor plan B
 3334_PL(20)145 Rev D Twelfth floor plan B
 3334_PL(20)146 Rev D Thirteenth floor plan B
 3334_PL(20)147 Rev D Fourteenth floor plan B
 3334_PL(20)148 Rev D Fifteenth floor plan B
 3334_PL(20)149 Rev D Sixteenth floor plan B
 3334_PL (20)119 Rev D Roof plan landscape

Sections and Elevations:

3334_PL(20)300 Rev E Sections EW01 and NS01
 3334_PL(20)301 Rev D Sections EW02 and NS02
 3334_PL(20)302 Rev E Sections EW03 and NS03
 3334_PL(20)303 Rev E Sections EW04 and NS04
 3334_PL(20)304 Rev E Sections EW05 and NS05
 3334_PL(20)305 Rev E Sections EW06 and NS06
 3334_PL(20)306 Rev E Sections EW07 and NS07
 3334_PL(20)307 Rev E Sections EW08 and NS08
 3334_PL(20)308 Rev E Sections NS09 and R01
 3334_PL(20)400 Rev E Block A/B/C Detailed elevation and section

3334_PL(20)401 Rev D Block D Detailed elevation and section
 3334_PL(20)402 Rev D Block EFG / IJK Detailed elevation and section
 3334_PL(20)403 Rev E Block EFG Detailed elevation and section
 3334_PL(20)404 Rev D Block IJK Detailed elevation and section
 3334_PL(20)405 Rev D Block M Detailed elevation and section
 3334_PL(20)420 Rev C Block A South and East elevations
 3334_PL(20)421 Rev C Block A North and West elevations
 3334_PL(20)422 Rev C Block B South and East elevations
 3334_PL(20)423 Rev C Block B North and West elevations
 3334_PL(20)424 Rev C Block C South and East elevations
 3334_PL(20)425 Rev C Block C North and West elevations
 3334_PL(20)426 Rev C Block D South elevation
 3334_PL(20)427 Rev C Block D East elevation
 3334_PL(20)428 Rev C Block D North elevation
 3334_PL(20)429 Rev C Block D West elevation
 3334_PL(20)430 Rev C Block EFG South elevation
 3334_PL(20)431 Rev C Blocks EFG East elevation
 3334_PL(20)432 Rev C Blocks EFG North elevation
 3334_PL(20)433 Rev C Blocks EFG West elevation
 3334_PL(20)438 Rev C Blocks IJK South elevation
 3334_PL(20)439 Rev C Blocks IJK East elevation
 3334_PL(20)440 Rev C Blocks IJK North elevation
 3334_PL(20)441 Rev C Blocks IJK West elevation
 3334_PL(20)446 Rev C Block M South elevation
 3334_PL(20)447 Rev C Block M East elevation
 3334_PL(20)448 Rev C Block M North elevation
 3334_PL(20)449 Rev C Block M West elevation

Wheelchair unit schedules/ drawings:

3334_PL(70)00 Rev C Wheelchair Accommodation Summary
 3334_PL(70)01 Rev C Block A&C Wheelchair unit Type A Pre-adaption
 3334_PL(70)02 Rev C Block A&C Wheelchair unit Type A Post-adaption
 3334_PL(70)03 Rev C Block B Wheelchair unit Type B.02 Pre-adaption
 3334_PL(70)04 Rev C Block B Wheelchair unit Type B.02 Post-adaption
 3334_PL(70)05 Rev B Block D Wheelchair unit Type D.02 Pre & Post-adaptation
 3334_PL(70)06 Rev C Block E Wheelchair unit Type E.04

3334_PL(70)07 Rev C Block E Wheelchair unit Type E.08
3334_PL(70)08 Rev B Block G Wheelchair unit Type G.01 Pre-adaption
3334_PL(70)09 Rev B Block G Wheelchair unit Type G.01 Post-adaption
3334_PL(70)10 Rev C Block G Wheelchair unit Type G.06
3334_PL(70)11 Rev B Block I Wheelchair unit Type I.09 Pre & post -adaption
3334_PL(70)12 Rev B Block K Wheelchair unit Type K.05 Pre & post -adaption
3334_PL(70)13 Rev C Block K Wheelchair unit Type K.09 Pre & post -adaption
3334_PL(70)14 Rev C Block M Wheelchair unit Type M.02 Pre & post -adaption

Landscape Plans:

SLD – UD67- LM1 Rev C – Landscape Master Plan
SLD – UD67- LP1 Landscape Planting Plan

Additional Plans:

Stockwool Drawings:

SK01: Indicative Zone of River Wall works
SK02 Rev D: Highways for Adoption
SK05, Rev A: Ground Floor Plan Indicative Phase 1 Relationship Park Space
SK06: Accessible route through the podium spaces
SK07: Lochnagar Street (east) Refuse Collection Strategy
SK08: Basement Cycle Storage Arrangements
SK09: Site wide Cycle parking distribution
SK11: Wheelchair accessible communal amenity space
SK12: Tenure plans
SK15 Rev A: Intertidal Terraces
SK16 Rev A: Safeguarded Ares for the future footbridge
SK17 Rev A: Local cycle and pedestrian routes
SK19 Rev A: Existing Development Area

Standerwick Drawings:

Ailsa Street – Intended use of site
Ailsa Street – Intended use of site with GLA Recommended playspace provision and comfort ratings

Supporting Documents:

Planning Statement (July 2017)
Design Statement Second Addendum (July 2017)
Summary of Facade Revisions (October 2017)
Revised Accommodation Schedules, dated 6 July

2017
 Tenure Plan (Rev 7), 27 October 2017
 Landscape Design Statement Rev C (June 2017)
 Lighting Strategy Revision A (February 2017)
 Transport Assessment (July 2017) and Transport
 Assessment Amended Scheme Technical Addendum
 (November 2017)
 Draft Framework Travel Plan (July 2017)
 1Energy Statement (September 2016), Energy
 Statement Addendum (July 2017) and SAP and SBEM
 Worksheets;
 1Overheating Assessment (July 2017)
 Sustainability Statement (September 2016) and
 Sustainability Addendum (July 2017);
 River Wall Condition Survey (July 2017)
 Water Freight Feasibility Assessment (August 2017)
 Utilities Assessment (September 2016)
 Environmental Statement (September 2016),
 Supplementary Environmental Statement (April 2017)
 and Supplementary Environmental Statement (July
 2017);
 Non-Technical Environmental Statement (July 2017);
 and
 Supplementary Daylight and Sunlight Analysis dated
 13 October 2017 and Appendices
 Operational and Construction Waste Management
 Strategy (November 2017)
 Economic Statement (September 2016)
 Viability Assessment (September 2016)
 Statement of Community Involvement (September
 2016)
 Response to consultation comments received on
 September 2016 Scheme, April 2017 Scheme and
 July 2017 Scheme.
 XCO2 note on Mitigation Impacts and Residual Effects
 (October 2017)
 Daylight Sunlight Assessment (November 2017)

Applicant:	Ailsa Wharf Developments
Ownership:	Paul Howard Thornton Julian Marks Daniel Rumbol Glassex Holdings Limited Terrence Welley Denise Patricia Perry Lisa Jane Swaile London Borough of Tower Hamlets
Historic Building:	None within red line boundary
Conservation Area:	None within red line boundary

2.0 EXECUTIVE SUMMARY

- 2.1 The council has considered the particular circumstances of 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 The report considers an application for the demolition of the existing buildings on site and the erection of thirteen building blocks varying between 3 and 17 storeys (Maximum AOD height of 59.5). The redevelopment of the site would provide for a mixed use scheme providing 785 residential units (C3) and 2,954 sqm GIA commercial floorspace (A1/A3/B1//D2); the creation of a new access road and the realignment of Ailsa Street; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works. The proposal also safeguards land for a future pedestrian bridge that would be subject to a separate planning application.
- 2.3 The application site falls within the Lower Lea Valley Opportunity Area and within a Regeneration Area, as designated by the Greater London Authority within the London Plan (2016). The site also falls within a Housing Zone defined within the Mayors Draft Housing Strategy (2017). The application site forms part of the wider Ailsa Street Site Allocation (Site Allocation 11) as set out in the Council's Managing Development Document (2013). It is considered that the introduction of a residential-led mixed use development with supporting commercial uses is acceptable within the context of the site allocation and opportunity area.
- 2.4 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. As such, it is concluded that the application is acceptable in design terms.
- 2.5 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. Therefore, the proposed development can be seen to be in accordance with relevant policy and thus acceptable in amenity terms.
- 2.6 The proposal would not have an adverse impact upon the local highway and public transport network and would provide suitable parking arrangements and servicing arrangements. The proposal is therefore acceptable in transport and highways terms.
- 2.7 The proposed refuse strategy for the site has been designed to accord with the council's waste management hierarchy of reduce, reuse and recycle, in accordance with relevant policy.
- 2.8 A strategy for minimising carbon dioxide emissions from the development has been proposed in compliance with the London Plan energy hierarchy and the proposal meets the policy targets for reduction in carbon emissions

levels. The non-residential elements of the scheme have been designed to be BREEAM 'Excellent'. The proposal is thus acceptable in energy and sustainability terms.

- 2.9 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, public realm and transport and highways matters.
- 2.10 Subject to the recommended conditions and obligations, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material 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 £215,005 towards employment, skills, training and enterprise during the construction stage;
- b) A contribution of £69,382 towards employment skills and training to access employment in the commercial uses within the final development (end user phase);
- c) A contribution of £28,000 towards wayfinding signage;
- d) A contribution of £6,500 (£500 per head of term) towards monitoring compliance with the legal agreement.

Total financial contributions: £318,887

3.3 Non- financial contributions:

- a) Delivery of 35% Affordable Housing comprising of 81 intermediate units, and 152 rented units;
- b) Viability review mechanism (pre-commencement and late stage to apply to both phases) with reasonable endeavours being made to secure grant;
- c) 40 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) Code of Construction Practice;
- h) S.278 highways and public realm improvement works including tree planting on the a12;
- i) Additional highways to be adopted by LBTH;

- j) The securing of public access routes and areas of public realm on site (within phase 1) including maintenance of these areas (to include keeping Bromley Hall Road open for vehicular/ pedestrian and cycle access);
 - k) Safeguarded bridge landing area;
- 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 informatics on the planning permission to secure the following matters:
- 3.6 Conditions:

Prior to commencement:

1. Construction Environmental Management Plan including air quality measures;
2. Ground contamination site investigation;
3. Archaeological scheme of investigation;
4. Details of proposed craneage and scaffolding in consultation with London City Airport;
5. Piling method statement;
6. Television and radio reception survey;
7. Precautionary emergence survey (birds), if development takes place between April-August;
8. Thames water capacity study;
9. Details of the removal of Japanese knotweed;
10. Details of proposed route for site heat network;
11. Details of how the flood defence will improve in consultation with the Environment Agency;

Prior to Superstructure Works Conditions:

12. Details of proposed wheelchair accessible residential units;
13. Mechanical ventilation details for residential and commercial units where mitigation is required;
14. Full details of biodiversity mitigation and enhancements;
15. Details and specification of all external facing materials;
16. Details and specification of all soft and hard landscaping, including details of communal amenity space and child play space and cycle docking station in accordance with the wind study approved within the Environment Statement;
17. Surface water drainage scheme;
18. Details of proposed cycle parking and associated facilities including cycle docking station;
19. Details of wayfinding signage;
20. Secure by Design accreditation;
21. Details and specification of external glazing and balustrading;
22. Details of all external CCTV and lighting;
23. Details of extraction and ventilation for Class A3 use;

Prior to Occupation Conditions:

24. Confirmation of as built CO2 emissions;
25. Delivery of BREEAM 'Excellent' for non-residential elements of scheme;
26. Ground contamination verification report;
27. Car parking management plan;
28. Full delivery and servicing plan;
29. Waste management plan;
30. Details and specification of all commercial unit shop fronts and signage;
31. Details of electric vehicle charging points;
32. Confirmation that all proposed plant complies with noise level limits;
33. Management plan and proposed hours of operation for A3 and D2 use classes;

Compliance Conditions:

34. Permission valid for 3 years;
35. Development in accordance with approved plans;
36. Hours of construction;
37. Refuse storage to be provided prior to occupation and retained in perpetuity;
38. Cycle storage to be provided prior to occupation and retained in perpetuity.
39. Lighting Strategy including low level lighting to mitigate impact on bats to be retained in perpetuity

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.

4.0 LOCATION DETAILS, PROPOSAL and DESIGNATIONS

- 4.1 The application site is located within the east of the borough and falls within the electoral ward of Lansbury. The site is positioned between the A12 Blackwall Tunnel Northern Approach and the River Lee as shown in Figure 1 below.

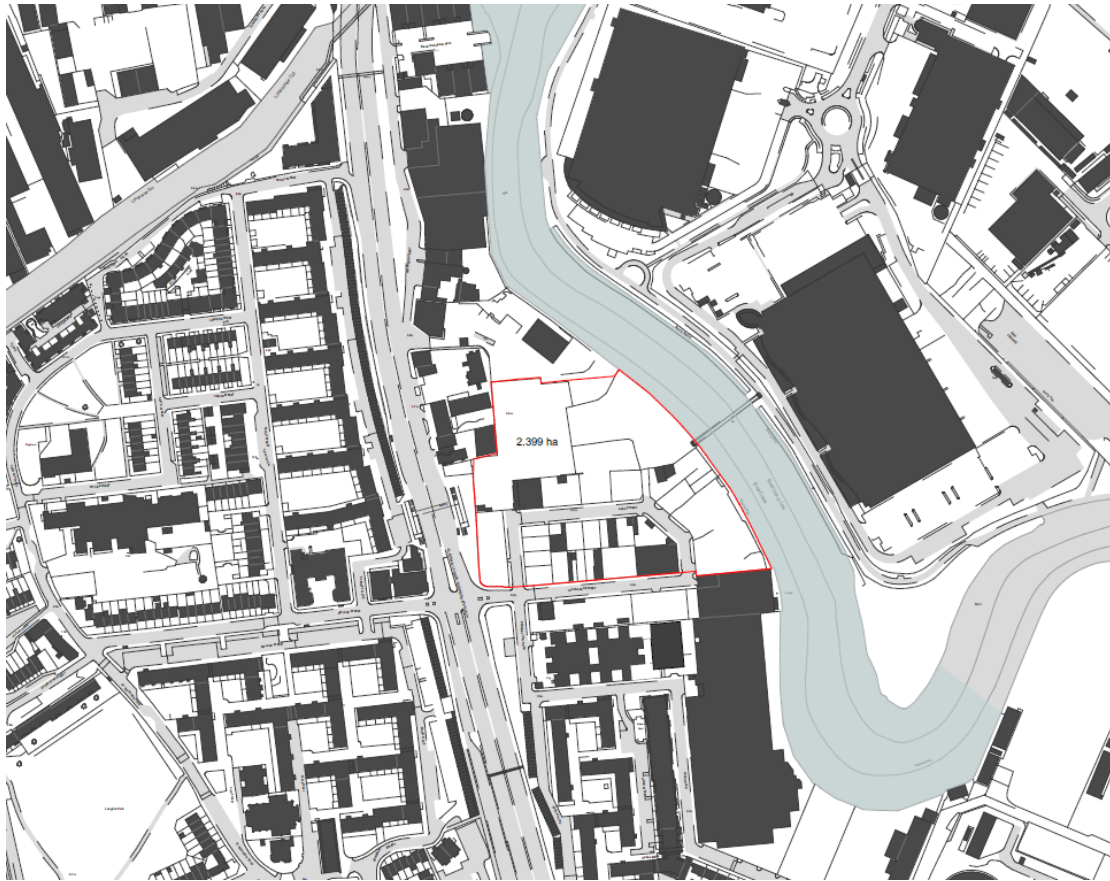


Figure 1- Application Site

- 4.2 The application site is approximately 2.39 hectares in size and is occupied by various industrial activities including car breaking, vehicle salvage, waste transfer and open storage and scrap yards (Sui Generis Use Class) as well as approximately 811sqm of warehouse and storage space (Use Class B8). Most of the accommodation is of a temporary nature and the submission documents inform that most of the premises are occupied on short term flexible rents. It is estimated that the site currently employs between 25-30 people. A significant proportion of the site is open storage but there is a large single storey brick warehouse building to the south east of the site in a poor state of repair. There are some smaller 1-2 storey structures across the site that are also in a poor state of repair and constructed predominantly of brick or corrugated metal.
- 4.3 To the north, the application adjoins a safeguarded waste site which is currently vacant. To the north west the site backs on to: residential properties on Wellspring Close; the Grade II Listed Building at 45 Gillender Street; the Grade II* Listed Bromley Hall and the office block to the rear and; the Grade II Listed former fire station at 25-37 Gillender Street.
- 4.4 Beyond this to the north is industrial land although this area is changing with a residential led, mixed use scheme at Gillender Street complete, Bow School completed and there is currently a live application for a mixed use scheme on the Barratt Industrial Estate (see 'Planning History' section of report).

- 4.5 Immediately west of the application site, on the opposite side of the A12, the predominant land use is housing. Beyond this to the northwest are the Limehouse Cut and the Empson Street industrial site.
- 4.6 To the south there is a mix of housing and industrial uses including 1-4 storey residential properties and garages between Abbott Road and Leven Road and industrial premises at Islay Wharf and on Leven Road. The Grade II Listed Bromley Hall School is immediately south of the application site on the southern side of Lochnagar Street.
- 4.7 To the east, the site is bound by the River Lea. There is a high voltage cable within a container bridge that crosses the River Lea and then at the boundary of the application site, goes underground beneath the site towards Lochnagar road and the junction with the A12.

Designations

- 4.8 The application site falls within the Lower Lea Valley Opportunity Area, and within a Regeneration Area as designated by the Greater London Authority within the London Plan (2016).
- 4.9 The site falls within the Poplar Riverside Housing Zone as defined within the Mayor's Draft Housing Strategy (2017). 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.
- 4.10 The application site forms part of a wider site allocation as set out in the Council's Managing Development Document (2013) that extends from the north at 40 Gillender Street southwards and eastwards to the boundary of the old Bus Garage on Leven Road, as shown in Figure 2 below.

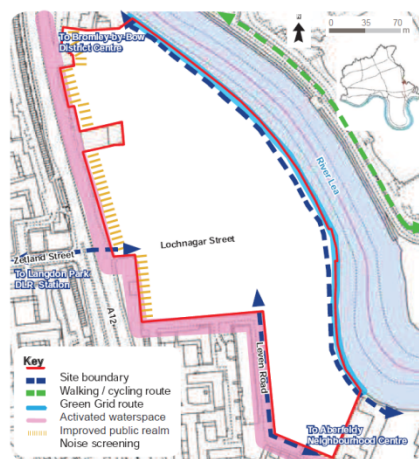


Figure 2- Site Allocation 11- Ailsa Street



Figure 3- Image from MDD showing Safeguarded Waste Site within site allocation

- 4.11 As shown within Figure 3 there is a safeguarded waste site within the Ailsa Street site allocation. The red line boundary of the current planning application does not extend to include the waste site.

- 4.12 The application site itself does not fall within a Conservation Area or contain any Listed Buildings. However, the Limehouse Cut Conservation Area lies to the north west of the site and the Balfron Tower Conservation Area and Langdon Park Conservation Area lie further away to the south. There are several surrounding Listed Buildings as shown in Figure 4 below. The nearest Listed Buildings are the Grade II Listed Bromley Hall School on the opposite side of Lochnagar Street, the Grade II Listed Old Poplar Library at 45 Gillender Street, the Grade II* Listed Bromley Hall and the Grade II Listed former fire station at 25-37 Gillender Street. The site also falls within an Archaeological Priority Area.

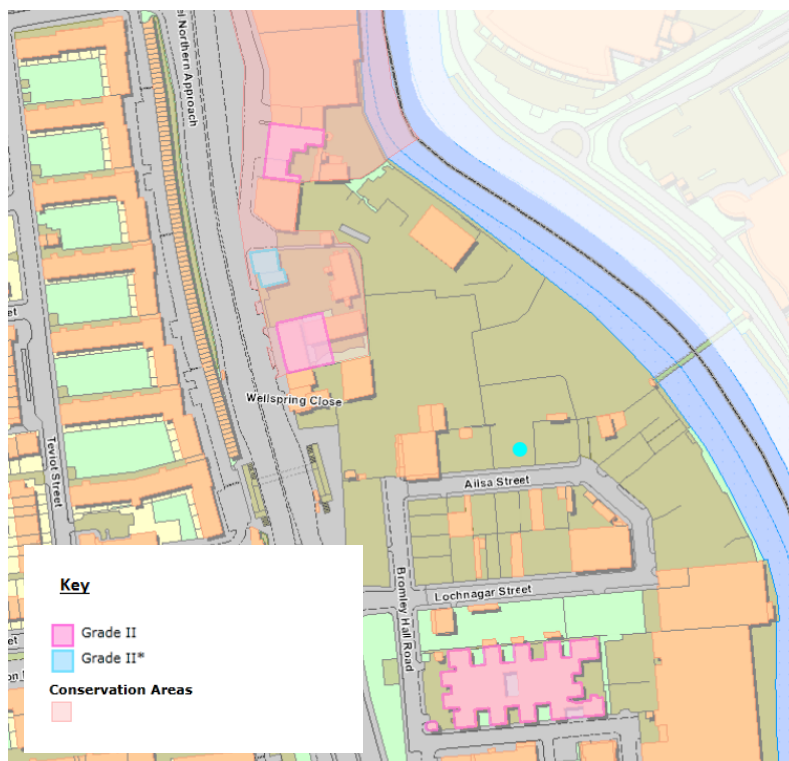


Figure 4- Map showing surrounding Listed Buildings and Conservation Areas

- 4.13 The Environment Agency's flood map shows that the site falls within Flood Zone 3. The River Lea and Bow Creek form the eastern boundary of the application site and are designated as a Site of Important Nature Conservation with Metropolitan importance and also fall within the Council's Blue Ribbon network.
- 4.14 The whole of the borough falls within an Air Quality Management Area and within the London City Airport Safeguarding Zone.

Proposal

- 4.15 As shown in Figure 5 below, the proposed scheme comprises a series of thirteen blocks of residential and mixed use development ranging from 3-17 storeys in height. The three riverside buildings will increase in height from north to south starting with 13 storeys (Block C); 15 storeys (Block B) to 17 storeys (Block A). There is also a part 7, part 8, part 10 storey building (Block M) which fronts on to the A12.

- 4.16 Two courtyard blocks ranging from 3-8 storeys are positioned in the centre of the site, the most northerly contains blocks E, F and G and the southerly contains blocks I, J and K. The southern element of each of these courtyard blocks comprises a row of 3 storey terrace houses. A further residential block is positioned to the south of the site fronting Lochnager Street (Block D) and this would be part 6 storeys, part 8 storeys in height.

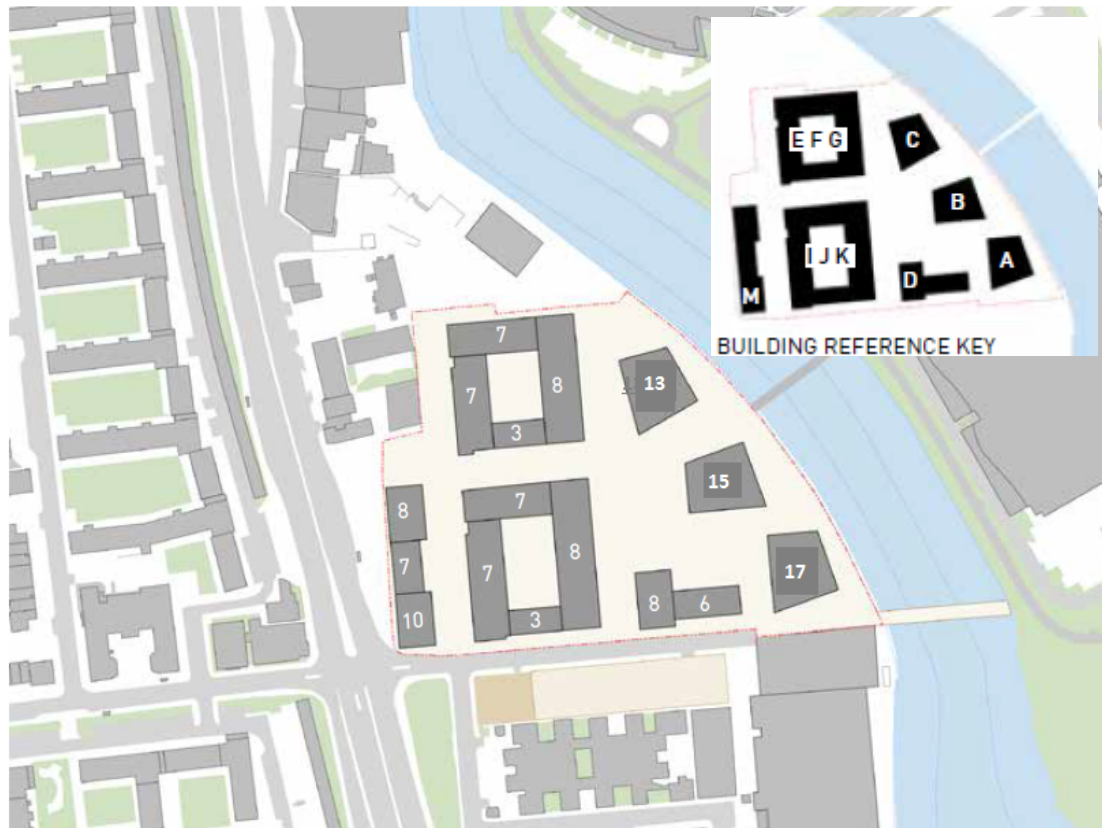


Figure 5- Map showing proposed buildings and respective heights



Figure 6- Aerial view of scheme in context

4.17 The applicant updated the original scheme to increase the commercial offer and the active frontage along the riverside walkway. In total, the scheme now provides 2,954 sqm of commercial floor space generating a total of 83 employees:

- Building M provides 1445 sqm of office (B1) floorspace over ground and first floor levels.
- Buildings A, B and C provide 1037 sqm of B1 (office) space at ground floor level.
- Building C would have 225 sqm D2 (gym) space and 175sqm A3 (café) space over ground and first floor level.
- Block I includes a small 72sqm A1 (retail) unit at ground floor level.

4.18 In total the scheme proposes 785 residential units, 35% of which are affordable by habitable room. The 233 affordable units are split 65/35% in favour of affordable rent (50% Tower Hamlets Living Rent and 50% London Affordable Rent) with the remaining being intermediate sale units. This equates to 152 affordable rented units and 81 intermediate units. The table below show the proposed housing mix by tenure and unit size:

	Studio	1	2	3	4	Total
Affordable rent	-	39	58	39	16	152
Intermediate	-	39	22	19	1	81
Private	72	212	189	75	4	552
Total	72	290	269	133	21	785

- 4.19 Key pedestrian and cycle routes are located throughout the site (west- east and north-south) with key links along Lochnager Street to the riverside walkway. At the end of Lochnager Street, there is also an area of land safeguarded for a landing area for a potential pedestrian footbridge that would be subjected to a separate application.

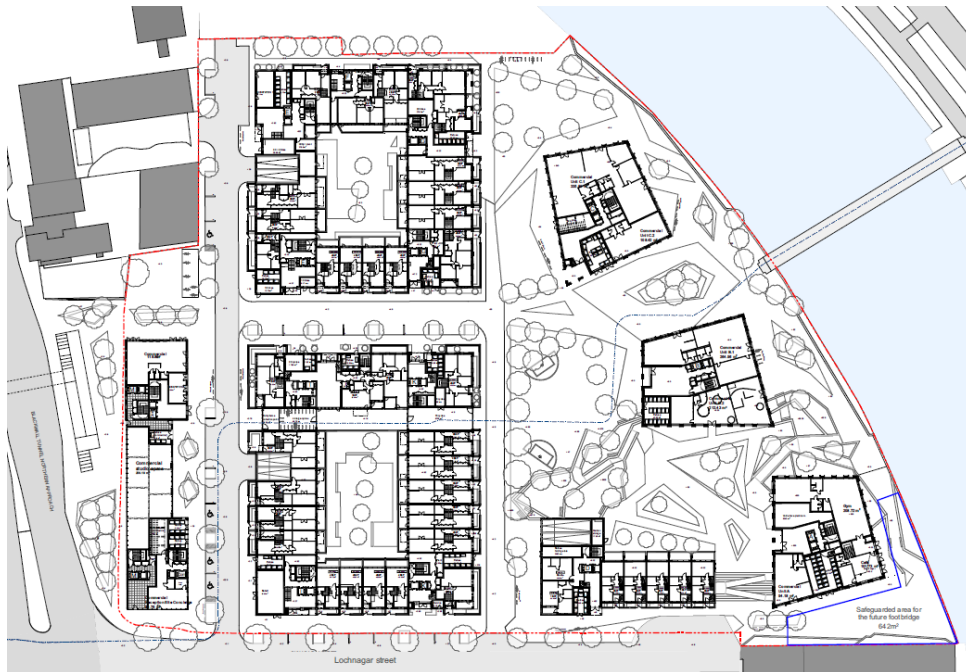


Figure 7- Map showing 642sqm safeguarded bridge landing area marked in blue.

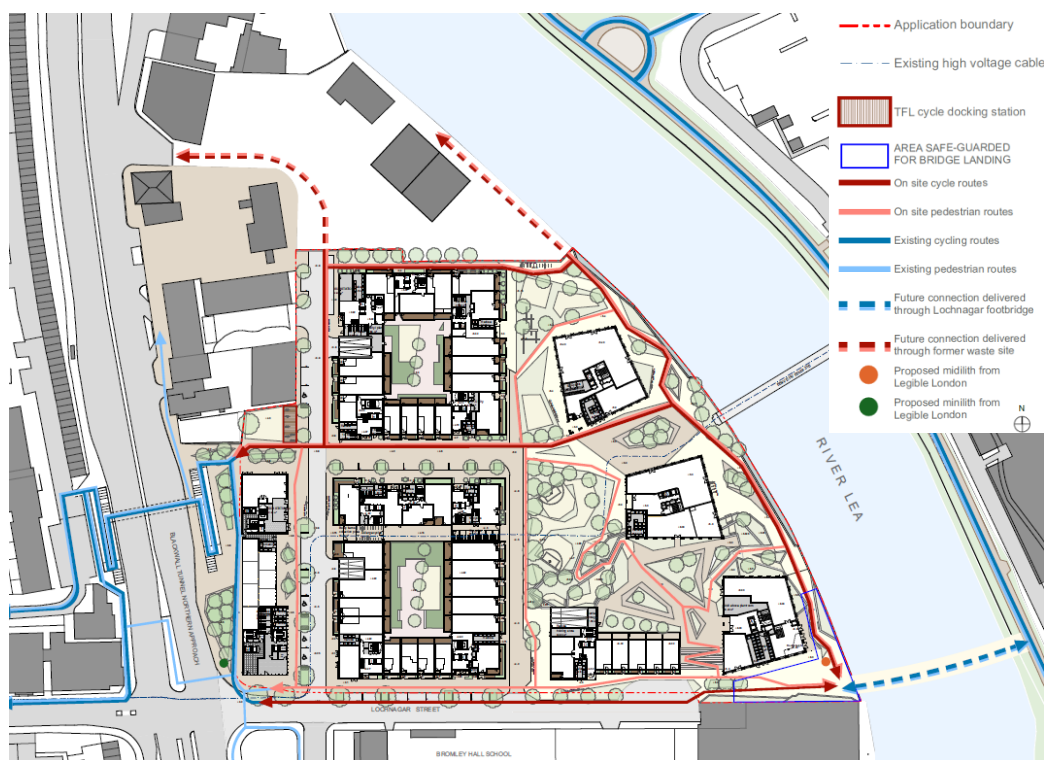


Figure 8- Map showing existing and proposed pedestrian/ cycle links

- 4.20 The proposal comprises three significant areas of public open space; the riverside walkway, a central park and a pocket park adjacent to Block M. This amounts to a significant area totalling 6,725 sqm in public open space. The scheme provides 2668 sqm of child play space which meets the

requirements for all age groups and exceeds the overall requirement. Playspace is provided predominantly in central park but the courtyard blocks and block M which generate the highest child yields also have external areas of 0-5 door step play within the respective blocks. In total 3720sqm of communal amenity space is provided within courtyard spaces and at roof level.



Figure 9- Map showing proposed open spaces including child play space, private communal space, private individual communal space and public open space.

- 4.21 The proposal includes 205 car parking spaces in the basement, 79 of these would be for blue badge holders. 1420 cycle spaces for the residential and commercial uses including short stay spaces for visitors are included at basement and at ground floor level.

5.0 RELEVANT PLANNING HISTORY

5.1 Application Site

Applications relating to whole/ most of site are:

PL/90/00039- Installation of pit-mounted concrete or steel deck weighbridge 15m long and 3m wide.

Permitted 03/02/1992

PA/87/00762- Use as a waste transfer station.

Permitted 18/09/1987

PA/86/00772- Installation of a mobile crushing unit.

Refuse 22/10/1986

PA/85/00660- Use as a transfer station for skip waste.

Permit 22/08/1985

PA/72/00537- Installation and retention of oil pipelines between Brunswick Wharf and St Leonards Wharf, Tower Hamlets.

Permit 03/05/1973

Applications relating to smaller areas within the application site:

PA/12/02194- Temporary change of use for a period of 5 years from vacant industrial site to the breaking of motor vehicles and associated salvage, storage and distribution works (Sui Generis)

Article 36- 13/08-2014

PA/11/02242- Temporary change of use for a period of 3 years from vacant industrial to mixed use comprising open storage (use class B8).

Article 36- 24/07/2014

PA/13/01008- Certificate of Lawfulness in respect of the existing use of St Leonards Wharf, Ailsa Street, as a business dealing with the dismantling of vehicles, waste storage, scrap yard, exporting of the sales of parts and loading/unloading as necessary.

Permit 13/06/2013

PA/11/03667- Application for lawful development certificate for existing use as demolition and reclamation materials storage purposes (sui generis use class).

Permit 23/02/2012

PA/11//02437- Application for lawful development certificate for existing use as breaking motor vehicles and associated salvage, storage and distribution works (sui generis use class).

Permit 03/11/2011

PA/00/00449- Temporary change of use (5 years) from vacant industrial to use as open storage B8 use with ancillary parking for the use of Poplar Library Business Centre.

Permit 29/09/2000

5.2 Surrounding sites

Former Northern Part of St Leonards Wharf, Gillender E14 (Now referred to as Safeguarded Waste Site as of site designations)

PA/09/00779

Retention of existing waste transfer station together with associated workshop/depot, two temporary cabin units, weighbridge, ancillary offices and use of land for related purposes including open storage and parking for a temporary period of three years.

Withdrawn 24/08/2009

PL/88/00030

Continuation of use as a waste transfer station, including buildings, riverside, walkway and other works.

Permit 15/08/1989

PA/88/00608

Continuation of use as a waste transfer station, including buildings, riverside walkway and other works.

Permit 15/08/1989

PA/88/00609

Temporary continuation of use as a waste transfer station for up to 3 years.

Refuse 06/04/1988

Bromley Hall School

PA/16/00884- Expansion of existing school to provide 2 FE Primary school and associated nursery, including partial demolition of existing building.

Permit 18/11/2016

PA/16/00885- Expansion of existing school to provide 2 FE Primary school and associated nursery, including partial demolition of existing building.

Permit 18/11/2016

A12 Garages

PA/17/00662 - Full planning application for the partial demolition and change of use, conversion and roof extensions of 101 existing domestic garages and a redundant boiler house to create a Fashion and Makery Creative Workspace Hub (total floorspace 2,136.8 sq.m. GIA) including 883.3 sq.m. of business units (Use Class B1), 237.8 sq.m. of garment production space (Use Class B1), a 132.9 sq.m. training space (Use Class D1), and a 159.6 sq.m. reception and cafe (Use Class A3) on Abbott Road, and a 614.3 sq.m. 'Makery' (Use Class B1) on Teviot Street. The scheme will also include landscape improvements to an existing community garden and growing area, cycle and vehicular parking.

Awaiting decision at time of writing report.

Barratt Industrial Estate and Riverside Industrial Estate

PA/11/03549

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.

Permit 28/09/2012

PA/14/03315

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 sqm of commercial floorspace (Use Class B1) and 100 sqm of retail floorspace (Use Class A1/A3) together with associated car parking, open space and landscaping.

Still being considered at the time of writing.

6.0 POLICY FRAMEWORK

6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise.

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

6.3 Government Planning Policy

National Planning Policy Framework (March 2012) (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
- 3.16 Protection and enhancement of social infrastructure
- 3.18 Education facilities
- 4.1 Developing London's economy
- 4.2 Offices
- 4.3 Mixed use development and offices
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 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 April 2013

- DM0 Delivering Sustainable Development
- DM1 Development within the town centre hierarchy
- DM3 Delivering Homes
- DM4 Housing standards and amenity space
- DM8 Community infrastructure
- DM9 Improving air quality
- DM10 Delivering open space
- DM11 Living buildings and biodiversity
- 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 will close 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 been 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 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)
London View Management Framework SPG (March 2012)
London's World Heritage Sites - Guidance on Settings SPG (March 2012)
Lower Lea Valley Opportunity Area Planning Framework SPG (January 2007)
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)
Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012)
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)
Tower Hamlets CIL Charging Schedule (April 2015)
Town Centres SPG (July 2014)

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:

Internal Responses:

LBTH Arboriculture

- 7.2 No objections raised subject to a condition to secure tree replanting.

LBTH Employment and Enterprise

- 7.3 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).
- 7.4 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.
- 7.5 The Council will seek to secure a financial contribution of £215,005.20 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.
- 7.6 Proposed employment/enterprise contributions at end-use phase: The council seeks a monetary contribution of £69,362.89 towards the training and development of unemployed residents in Tower Hamlets to access either:
i) Jobs within the uses A1 B1 D2 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.

LBTH Environmental Health- Air Quality

- 7.7 No objections subject to conditions securing the following: Operational Phase: The Air Quality section of the ES shows that the proposed development lies in an area of poor air quality, exceeding the annual NO2 objective. Therefore mitigation is required to reduce the pollution levels for the future residents, at all facades where the air quality objective is exceeded. Mechanical ventilation has been proposed to provide the residents with cleaner air. Details of the mitigation should be submitted to us for approval including the location of the air inlets, which should be located in an area of less polluted air (i.e the roof & away from the CHP flue).
- 7.8 All energy plant used must meet the emissions standards set out in the GLA's 'Sustainable Design and Construction SPG'.
- 7.9 Construction phase: The demolition/construction assessment is accepted provided the mitigation measures stated in the report are instigated at the development throughout the duration of construction. Please can the

developer submit a construction/demolition environmental management plan detailing 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.'

- 7.10 All Non Road Mobile Machinery (NRMM) must comply with the GLA's NRMM emission limits as set out in The GLA's 'Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance 2014'.

LBTH Environmental Health Contaminated Land

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 Sustainable Urban Drainage (SUDs)

- 7.11 No objections subject to the inclusion of conditions securing a surface water drainage scheme.

LBTH Transportation and Highways

- 7.12 No objections subject to conditions securing transport strategy.

LBTH Waste Policy and Development

- 7.13 No objections subject to conditions securing waste management strategy.

External Responses:

Canal and River Trust

- 7.14 No objections subject to the inclusion of conditions for surface water drainage, contamination, water borne freight and landscaping.

Crime Prevention Officer

- 7.15 No objections. A list of design recommendations for the landscaped areas are included to help the design achieve a secure by design accreditation should the scheme be approved.

Environment Agency

- 7.16 No objections in principle subject to condition. The submission documents confirm that a new river wall will be built inside the line of the existing wall with an offset of up to 2m. The EA are satisfied that the details relating to the design of the new river wall and intertidal terraces can be conditioned and their previous objection removed.
- 7.17 Agree with the recommendations set out in the river wall condition survey by Meinhardt to further investigate the extent of corrosion on the sheet pile wall and the installation of new sheet piled walls to replace the concrete walls. The

EA note that details of the remediation of the river wall to improve the standard to the required condition grade are still very limited, however the EA are satisfied that the applicant has revised their proposals to ensure that no encroachment into the river will occur and the design detailing can be secured by condition.

Greater London Authority

7.18 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: to ensure affordable housing has been maximised;
- Climate change: further information to verify the 45% co2 emissions savings.
- Transport: Revisions to cycle parking and landscaping are required. A draft deliveries and service management plan and construction logistics plan are required.

Officer note: Additional information has been submitted to the GLA to address these comments. No further comments have been raised by the GLA.

Historic England

7.19 This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Historic England Archaeology

7.20 No objections subject to the inclusion of relevant conditions.

Lea Valley Regional Park Authority

7.21 No comments received to date.

London Borough of Newham

7.22 No comments received to date.

London Bus Services Ltd

7.23 No comments received to date.

London City Airport

7.24 No objection subject to inclusion of condition.

London Fire and Emergency Planning Authority

7.25 Pump appliance access and water supplies for the fire service appear adequate. In other respects this proposal should conform to the requirements.

London Legacy Development Corporation

7.26 No comments received to date.

National Air Traffic Services Ltd

- 7.27 No objections.

Natural England

- 7.28 No objection. The site is unlikely to affect any statutorily protected sites. Consideration should be given to the adjacent Thames Pathway National Trail and Natural England's standing advice on protected species. Measures to improve biodiversity should be taken in to account.

Port of London Authority

- 7.29 No in principle objections, but the following comments are made:
- The construction works and proposed lighting should be mitigated to ensure that the impact on ecology is kept to a minimum.
 - Further consideration should be given to the use of the river bus.
 - Further consideration of the role the river could play in the transport of construction and waste materials to and from the site.
 - The likelihood of repairs to the river wall and intertidal terraces is noted but not objected to.

Officer comment: With regards to the use of the river to transport construction and waste materials, the applicant submitted a report demonstrating that this would not be possible on technical and viability grounds.

Thames Water Authority

Waste Comments

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

Water Comments

- 7.31 The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend a condition requesting impact studies of the existing water supply. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. No objections subject to inclusion of conditions and informatives.

Supplementary Comments

- 7.32 Surface water should be addressed in accordance with the London Plan and we expect a significant reduction from current peak discharge rates. As site is closer to the river Lea we expect all surface water to be discharged in the river.

Transport for London

- 7.33 No objections subject to conditions and s106 items.

8.0 LOCAL REPRESENTATION

Applicant's Consultation

- 8.1 The Statement of Community Involvement confirms that two public exhibitions took place from 4.00pm to 8.00pm on 30 March at the Teviot Centre, Wyvis Street, E14 6QD and from 3.30pm to 7.30pm on 31 March at Leaside Business Centre, 45 Gillender Street, E14 6RN. In total, 30 people attended the exhibitions. Approximately 1,500 leaflets were distributed to homes and businesses in the local area and an advert was published in a local newspaper.
- 8.2 The Statement of Community Involvement also informs that a number of key stakeholders, including local councillors and residents associations, were also contacted with the offer of individual briefings on the proposals in the event that they could not attend the exhibitions.

Statutory Representations

- 8.3 A total of 1853 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 amendments a further round of consultation took place.
- 8.4 In total, 7 representations were submitted; 4 in support and 3 in objection.
- 8.5 The following issues/ queries were raised in objection to the proposal:
1. The area around Bromley Hall School and the land to the west of this should be cleaned up;
 2. Abbott Road should be resurfaced;
 3. Not enough affordable housing in the borough, should provide affordable homes for local people;
 4. Building construction noise and dust should be considered;
 5. Quality of accommodation should be a good standard with adequate unit sizes and;
 6. Proposed buildings are too tall.
 7. The area needs more cafes, bars and restaurants.
 8. Would have preferred waste site to be developed to avoid noise and smell.

Officer note: With regards to points 1 and 2, the area referred to does not fall within the red line boundary of the planning application and is not within the applicant's ownership. As detailed within the design and highways sections of the report, Lochnager Street, Ailsa Street and the A12 will have a series of road, planting and public realm improvements to be secured through a Section 278 agreement. Points 3-8 will be considered under the 'Material Planning Considerations' section of the report.

- 8.6 In terms of the letters of support for the scheme, it was stated in most of the letters that the redevelopment of the site was welcomed because the area needs regenerating.

9.0 MATERIAL PLANNING CONSIDERATIONS

Land Use

- 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 2.13 of the London Plan (2016) seeks to ensure that developments within Opportunity Areas *"support the strategic policy directions for the Opportunity Area"* and *"seek to optimise residential and non-residential output and densities"*.
- 9.5 Site Allocation 11 (Ailsa Street) which the site forms a part of seeks to deliver *'A comprehensive mixed use scheme to provide a strategic housing development, a primary school and other compatible uses including employment floor space. The existing waste management site is required to be safeguarded in accordance with DM14.'*
- 9.6 Paragraph 4.207 of the Lower Lea Valley Opportunity Area Planning Framework SPG states that 'Development in the sub-area should include, or contribute towards strategic and local interventions to provide:
- Part of the southern portion of the fifth major park space in the LLV open space network, a new Bow Creek cross river open space to provide a significant open space area for potential adjoining new housing and the neighbouring Aberfeldy Estate;

- A new bridge over the River Lea at Lonchnagar Street, linking the two parts of the park; and
- New open space links along the river edge to the north and south of the new open space, connecting the new park space north to the Greater Three Mills Park, and south to the park spaces at Lea Mouth where this has no negative impact on the navigation flood flow capacity of the waterways.

Loss of Existing Floor Space

- 9.7 The site currently comprises 811sqm of internal warehouse and storage space (B8 Use Class) and circa 20,148sqm external space is used predominantly for the breaking down car vehicle parts, storage and distribution (Sui Generis Use Class). There are currently 25 employees generated by the existing uses.
- 9.8 Whilst the majority of the site is classed as Sui Generis use class, this is predominantly because the individual sites within the application boundary have a range of B class (employment) uses occurring within spaces which together form a Sui Generis use class. Policy DM15 in the Managing Development Document seeks to protect existing employment uses. However, the supporting text states that this policy does not apply to developments within the borough's designated site allocations.
- 9.9 The Ailsa Street Site Allocation in the Managing Development Document (2013) sets out that employment uses should be included in the redeveloped site. The proposed scheme would create 2474sqm of B1 (office) floor space in total and would generate an additional 58 employees, creating 83 employees in total. As detailed within the 'principle of commercial uses' section of the report below, officers consider the amount and layout of B1 space proposed is proportionate to the position of the site and scale of development.
- 9.10 For the reasons outlined above, it is considered that the loss of the existing use on site is acceptable as the proposal accords with the aspirations of the Ailsa Street Site Allocation to include employment floor space.

Principle of Residential Uses

- 9.11 The proposed development is located within the Lower Lea Valley Opportunity Area and within an Area for Regeneration. London Plan Policies 2.13 and 2.14 direct large scale residential developments to such areas and the Ailsa Street Site Allocation within the Tower Hamlets Managing Development Document (2013) also seeks strategic housing development on the site.
- 9.12 The site is also 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.

- 9.13 The proposal would result in the creation of 785 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.

Principle of Commercial Uses

- 9.14 The Ailsa Street Site Allocation within the Managing Development Document (2013) seeks a comprehensive mixed use scheme on the site including employment and other compatible uses. The proposed development would provide 2481sqm of B1 (office), 72sqm A1 (retail), 225sqm D2 (gym) and 176sqm A3 (café) floorspace.
- 9.15 Whilst Policy DM1 in the Managing Development Document (2013) directs non-residential uses to town centres, the site allocation requires employment uses and other compatible uses on site to support the strategic housing development.
- 9.16 The 2481sqm of office floor space would contribute to an increase of 58 extra employees on site (the scheme would generate 83 employees in total). The sizes of the units are varied and flexible in design and layout so that the space would appeal to a range of businesses including Small to Medium sized Enterprises (SME's). Overall the amount of floorspace is considered to be proportionate to the amount of development proposed within this site allocation designation.
- 9.17 The other proposed uses (A1 retail, A3 café and D2 gym) would serve the needs of the future occupants of the building and the wider community. The proposed quantum and scale of the commercial uses are considered acceptable in relation to the sites location and the amount of development proposed. As such, the proposed A1, A3, B1 and D2 uses are considered compatible uses in accordance with the Site Allocation.

School

- 9.18 It is noted that the site allocation requires a primary school on the site. However, the application boundary does not extend as far as the Bromley Hall School as this is in separate ownership. As detailed within the 'Planning History' section of the report, a separate planning application for the extension of the existing school has been granted planning permission. The proposed development has been designed in a way to allow for the operation of the existing school should it come back in to use or a larger school on the site should the school permission be implemented. As such, the proposal is acceptable in this regard.

Safeguarded area for bridge landing

- 9.19 The proposal also safeguards approximately 642sqm of land that would facilitate a potential pedestrian / cycle footbridge in the future. This accords with the aspirations of the Lower Lea Valley Supplementary Planning Guidance which requires a pedestrian/ cycle footbridge at Lochnager Street that would cross the river to the London borough of Newham. The OAPF seeks riverside walkways along the eastern and western sides of the River Lea within the boroughs of Tower Hamlets and Newham respectively. The proposed scheme provides a landscaped and activated frontage along the

western side of the River Lea and provides the land for a future bridge landing subject to a separate planning application. This would facilitate a link between the riverside walkways and open space in the future in line with the aspirations of the OAPF as well as Policy SP12 in the Core Strategy (2010) and Policy DM23 in the Managing Development Document (2013) which seek to improve permeability, legibility and pedestrian and cycling connectivity within a well-designed public realm.

Conclusion

- 9.20 The loss of the existing employment floor space to facilitate the redevelopment of a residential led mixed use scheme that would reprovide employment space with supporting commercial uses and a safeguarded bridge landing area accords with both the area's designations (in regional and local spatial planning documents) and relevant planning policy and is thus is considered acceptable.

Density

Policy Context

- 9.21 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. The London Plan Housing SPG (2016) states that the density matrix contained within the London Plan (2016) should be applied flexibly rather than mechanistically.
- 9.22 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

- 9.23 The application site is approximately 742m walk (via the A12 and St Leonards Road) from Chrisp Street District Centre and as such can be classified to fall within an 'urban' setting. The site has a PTAL (Public Transport Accessibility Location) rating ranging from 1 to 3 out of 6 across the site indicating a 'very poor to average' accessibility level to public transport infrastructure.
- 9.24 Given the above the London Plan recommends that a suitable sustainable density range for such a site is 200-450 habitable rooms per hectare (hr/ha). However, it is noted that the London Plan (paragraph 2.39) and associated guidance within the Mayor's Housing SPG acknowledges the potential for large development sites to in Opportunity Areas to define their own character.
- 9.25 The application site has a site area of 2.39ha and seeks to provide 2133 habitable rooms. In line with the Housing SPG methodology, the density is calculated as follows:

Total GIA: 76,184sqm
Of which is residential 73,234sqm (96%)
No of habitable rooms (2133)/ 96% of site area (2.29ha)

= Residential density (931 hr/ha)

- 9.26 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.
- 9.27 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 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).
- 9.28 Furthermore it should be noted that this site sits within an 'Opportunity Area,' 'Regeneration Area,' and within a Site Allocation targeting strategic residential led development; these are all locations where it is recognised that there is scope for higher density developments. Given the sites designations and the changing nature of the area, combined with the design quality and maintenance of neighbouring amenity, officers are content that the proposed density of this development is appropriate.

Housing

Policy Context

- 9.29 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"*.
- 9.30 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"*.

- 9.31 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"*.
- 9.32 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.

Affordable Housing

- 9.33 The proposal seeks to provide 35% affordable housing by habitable rooms, providing 152 social/affordable rent units (521 habitable rooms) and 81 intermediate units (225 habitable rooms). This represents a 65%/35% split in favour of social/affordable rented accommodation which is broadly in line with the Council's preferred 70%/30% split in favour of social/affordable rented accommodation.

Tenure	Units	As a %	Habitable Rooms	As a %
Affordable rent	152	19.4%	521	24%
Intermediate	81	10.3%	225	11%
Private	552	70.3%	1387	65%
Total	785	100%	2133	100%

- 9.34 The applicant's viability report has been reviewed by an independent viability consultant instructed by the Council and it was concluded that the amount of affordable housing proposed would be over and above the maximum reasonable amount that could viably be supported by the development. However, the applicant has taken a commercial decision to commit to the 35% affordable housing.
- 9.35 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 grant funding for the affordable units in order to increase the overall affordable housing offer from 35% to 40%. This testing however concluded that even with the inclusion of grant funding, a 40% affordable housing scheme would result in a greater deficit than the currently proposed 35% affordable housing scheme and would thus not be viable for the applicant to pursue. If approved, the section 106 would require reasonable endeavours to secure grant funding at each review mechanism stage.
- 9.36 The original affordable housing offer put forward by the applicant in September 2016 (when the application was submitted) 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 the new London Affordable Rent and Tower Hamlets Living Rent (meaning that the applicant has further increased their loss and deficit on the scheme). The 152 social/ affordable rented units are split 50%/50% between these rent levels.

9.37 The scheme is split across 2 phases as shown in the map below:

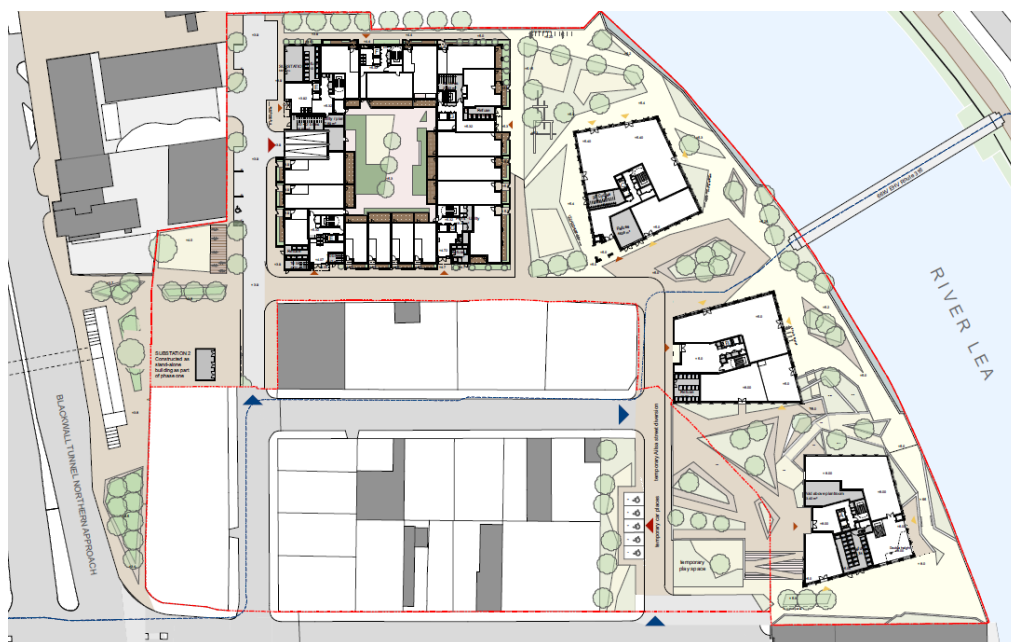


Figure 10- Map showing phase 1 buildings and landscaping

9.38 The affordable housing is spread equally across both phases so that there is 35% in each scenario, broadly complying with the required 70%/30% split between social/ affordable rent and intermediate. Furthermore, as shown above, the delivery of open space is essentially nearly all provided in phase 1 so that residents of the first phase would still have sufficient open space provision if phase 2 was not developed or came at a later stage.

9.39 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 S.106 agreement in the event that planning permission was to be granted.

9.40 In addition to the above, a late stage review mechanism (upon 75% sale of units) will be required and this would also be secured via the S.106 agreement.

9.41 To conclude, the proposed development would secure the maximum viable amount of affordable housing on site; the scheme is policy compliant in terms of tenure split across both phases and; securing review mechanisms will allow for additional affordable housing to be secured at fixed points if the viability position changes in the future. As such, the scheme complies with the relevant policy and is acceptable in terms of affordable housing.

Housing Mix

- 9.42 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:

		Affordable Housing						Market Housing		
		Social/Affordable Rented			Intermediate					
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studio	72	/	/	/	/	/	/	72	13%	/
1 Bed	290	39	26%	30%	39	48%	25%	212	38%	50%
2 Bed	269	58	38%	25%	22	27%	50%	189	34%	30%
3 Bed	133	39	26%	30%	19	23%	25%	75	14%	20%
4 Bed	21	16	10%	15%	1	1%	0%	4	1%	
Total	785	152	100%	100%	81	100%	100%	552	100%	100%

- 9.43 Policy DM3 does not set out a need for studio units, but 13% of the market housing would be formed of studios. There is a slight under provision of 1-bedroom units that are effectively replaced by the studio units. Whilst this is not strictly compliant, these are within the market sector where there is more choice for buyers and the development would still provide a significant number of 1-bedroom units. The number of 2-bedroom units in the market housing is broadly compliant with policy and the number of 3-beds is slightly below the preferred unit mix.
- 9.44 Within the intermediate tenure, there is an overprovision of 1-bedroom units and an under provision of 2-bedroom units. The number of 3 and 4 bedroom units is broadly in keeping with the preferred unit mix.
- 9.45 Within the social/ affordable sector, the mix of units is broadly compliant with a slight over provision of 1 and 2-beds and a slight under provision of 3 and 4 bedroom units.
- 9.46 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

- 9.47 The proposed development seeks to provide a total of 78 wheelchair accessible units (designed in accordance with Part M4(3) of the Building Regulations 2015), which equates to 10% of the total number of residential units being proposed (785). The remaining 707 units will be designed to be adaptable (in accordance with Part M4(2) of the Building Regulations 2015).

- 9.48 The following table outlines the mix of wheelchair units proposed. 55 of the wheelchair accessible units are to be in the form of market units (55x 2-bed), 8 are to be in the form of intermediate units (8 x 2 bed), and 15 are to be in the form of social/affordable rented units (10 x 2 bed and 5 x 3 bed). Ideally there would have been provision of some 4-bedroom wheelchair units and whilst there are no 1-bedroom units, it is recognised there is little demand for 1-bedroom units.
- 9.49 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	-	55	-	-	55	10%
Intermediate	-	8	-	-	8	10%
Social/Affordable Rented	-	10	5	-	15	10%

- 9.50 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 707 units within the development must be designed in accordance with Part M4(2) of the Building Regulations 2015. Subject to this condition officers are therefore content that the proposed residential accommodation is acceptable in accessibility terms.

Housing Quality

- 9.51 The Mayors Housing SPG (2016) sets out a series of design guidance standards. Standard 12 relates to shared circulation and states that each core should be accessible to generally no more than eight units on each floor. The scheme does have some instances of 9 units per core but the general access and design layout avoids convoluted routes and allows for a sense of ownership. All entrances have access to 2 cores with the exception of Block J which has one lift but does not include any wheelchair units and only goes up to sixth floor level. As such, the scheme is broadly compliant with the design guidance and the access arrangements are considered to be acceptable.
- 9.52 Throughout the development over half of units are dual aspect and there are no single aspect north-facing units, which is welcomed. Minimum floor to ceiling heights of 2.5m throughout the development are also proposed which conforms with the standards set out in the Mayor's Housing SPG.
- 9.53 With respect to both the internal floor area and private external amenity area of the proposed units, all 785 proposed units either meet or exceed the standards set out both with the London Plan (2016) and the Tower Hamlets Managing Development Document (2013).
- 9.54 Given the above officers consider the residential quality of the scheme to be high and thus policy compliant.

Daylight and Sunlight Levels for the Development

- 9.55 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.
- 9.56 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.
- 9.57 The applicant has submitted an internal daylight and sunlight assessment which assesses the levels of daylight and sunlight that will be afforded to the development. This report has also been reviewed by an independent daylight and sunlight specialist instructed by the Council.
- 9.58 The applicant's report advises that within the proposed development, 90% of the habitable rooms will meet the BRE criteria for ADF, which equates to 1910 out of the 2126 proposed habitable rooms. Furthermore 93% of properties have a living area meeting or in excess of the 1.5% ADF target for living rooms. In the instances where the guidelines are not met, this is predominantly due to balconies on the upper floors or insets to allow for balconies and in such circumstances, the need for well-lit units is balanced against the need for amenity space.
- 9.59 Based on the above, available daylight within the proposed development can be considered to be very good and broadly compliant with relevant policy.
- 9.60 With respect to sunlight levels within the proposed development, 46% of the windows which face south will meet the BRE criteria for APSH and 59% meet the APSH during winter months. In the instances where rooms do not meet this criteria it should be noted that the majority of the affected rooms feature balconies above the windows. Given that the overall lighting levels are good several of the instances below the BRE criteria are marginal and in those cases where they are below, this is predominantly due to balcony provision, 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.

9.61 The proposed development includes 10 external amenity spaces:

- 1) Riverside walkway (public open space)
- 2) Northern side of central park (public open space inc 0-5 play space)
- 3) Southern side of central park (public open space inc 5-11 and 12+ play space)
- 4) Rooftop space in block D (private communal space)
- 5) Courtyard space in blocks E,F,G (private communal space inc 0-5 play space)
- 6) Rooftop space in blocks E,F,G (private communal space)
- 7) Courtyard space in block I,J, K (private communal space inc 0-5 play space)
- 8) Rooftop space in blocks I,J,K (private communal space)
- 9) Rooftop space in block M (private communal space inc 0-5 play)
- 10) Pocket park north of block M (public open space)



Figure 11- Map showing proposed open spaces including child play space, private communal space, private individual communal space and public open space.

9.62 All of the external amenity areas at ground floor level will experience 2 hours or more of direct sunlight across more than 50% of their area on the 21st March thus meeting the BRE guidelines. Given the above officers are content the proposed external amenity spaces can be considered to benefit from acceptable levels of direct sunlight.

Communal Amenity Space

9.63 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 785 residential units, a minimum of 825sqm of communal space is thus required.

- 9.64 As shown within Figure 8 above, Blocks D, E, F, G, I, J, K and M have 3720sqm of private communal amenity space in the forms of rooftop space and courtyard space. The three tower blocks A, B and C do not have private communal amenity space within the block but are surrounded by the riverside walkway and parks which provide 6,725sqm of open space. Given that the blocks further away from the main park space all have access to private communal amenity space significantly in excess of the policy requirement and that Blocks A, B and C will be surrounded by a very large park in excess of the communal amenity space requirements, this arrangement is considered acceptable.
- 9.65 Officers are content that the location, scale and layout of the proposed communal amenity spaces are acceptable, and further details of these spaces, including the landscaping to the rooftop communal amenity space, will be requested and secured by condition.

Child Play Space

- 9.66 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.

Age Group	Child Yield	Minimum Requirement (sqm)	Proposed Play Space (sqm)
Under 5 Years	107	1070	1100
5-11 Years	86	860	878
Over 12 Years	59	590	590
Total	252	2520	2568

- 9.67 For all age groups and overall the proposed quantum of child play space exceeds the minimum requirements set by the 'Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012)' which is welcomed by officers.
- 9.68 As shown in figure 6 above, the majority of the child play space is at grade level within the main open park in the centre of the site. However, some door step play for 0-5 year olds is provided within block M as well as within courtyard blocks E,F,G and I,J,K which generate the highest child yields. All of this play space is to be provided externally and will be embedded into the landscaping of the relevant part of the site.
- 9.69 The proposed scheme would meet the quantum for all child play space including for older children and would also deliver a generous park and riverside walkway surrounding these spaces. This, along with the location of the doorstep play has been carefully considered and officers are satisfied with

quantum, location and design. Indicative designs for the proposed play spaces have been included on the submitted plans which indicate a wide range of play equipment and surfaces; however a condition requiring full details of the proposed child play spaces will be imposed to ensure that these spaces are of a high standard.

Conclusion

- 9.70 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 be considered acceptable in housing terms.

Design

Policy Context

- 9.71 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”*.
- 9.72 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”*. 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).
- 9.73 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 placemaking through *“ensuring development proposals recognise their role and function in helping to deliver the vision, priorities and principles for each place”*.
- 9.74 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

- 9.75 The application site is located between the A12 and the River Lea. Its southern boundary is formed by Lochnager Street and the north of the site adjoins the allocated waste site. The site allocation identifies key walking/cycling routes along Lochnager Street and the riverside walkway. The position of the commercial frontage along the riverside walkway, at the entrance to the site within block M and along Lochnager Street within block I

further reinforce these routes creating active frontages along the main walkways. As detailed in the highways section, way finding signage would be secured through a section 106 to further establish walking and cycling routes.

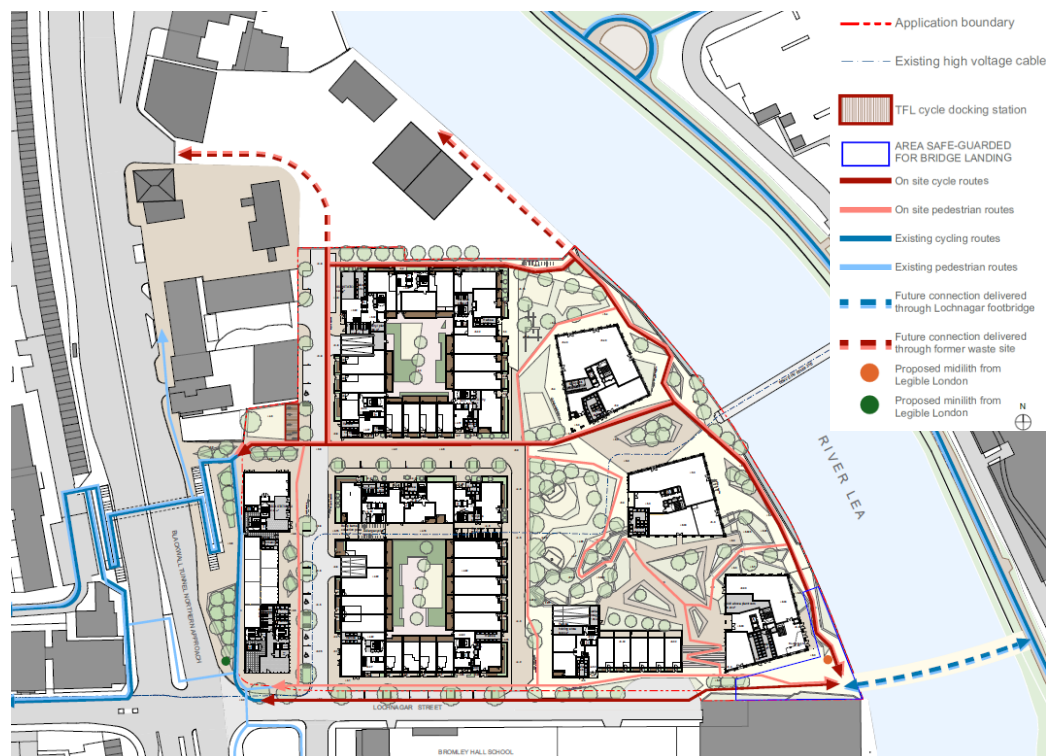


Figure 12- Map showing existing and proposed pedestrian/ cycle links

- 9.76 The building positions have been informed by the key routes, the need to provide a riverside walkway and a substantial area of open space as well as the need to maximise east- west facing units to optimise daylight/ sunlight.
- 9.77 Lochnager Street and the south west corner of the site forms the entrance to the site and the Design Statement informs that as a result, a more distinctive building has been designed to mark the route along Lochnager Street and to the park via the more northerly east-west route.
- 9.78 Buildings within the centre of the site establish the 'shoulder' height for development with mid-rise buildings arranged in a more formal pattern of streets and squares that also frame the park to the east.
- 9.79 The riverside environment provides an opportunity for activating the waterfront and providing more height where there is likely to be less amenity impact. The buildings rise in height from north to south to mark the significance of the potential pedestrian/ river crossing at the end of Lochnager Street, which this application safeguards the landing for (but the bridge itself would be subject to a separate planning application).
- 9.80 Officers consider that the proposed site layout as well as the layout of buildings is successful in the way that the building responds to the existing and proposed context, enhances movement through the site, and also provides a development which maximises residential quality for its future occupants.

Height, Scale and Massing

- 9.81 As shown in Figure 5 below, the proposed scheme comprises a series of thirteen blocks of residential and mixed use development ranging from 3-17 storeys in height. The three riverside buildings will increase in height from north to south starting with 13 storeys (Block C); 15 storeys (Block B) to 17 storeys (Block A). There is also a part 7, part 8, part 10 storey building (Block M) which fronts on to the A12.
- 9.82 Two courtyard blocks ranging from 3-8 storeys are positioned in the centre of the site, the most northerly contains blocks E, F and G and the southerly contains blocks I, J and K. The southern element of each of these blocks comprises a row of 3 storey terrace houses. A further residential block is positioned to the south of the site fronting Lochnager Street (Block D) and this would be part 6 storeys, part 8 storeys in height.

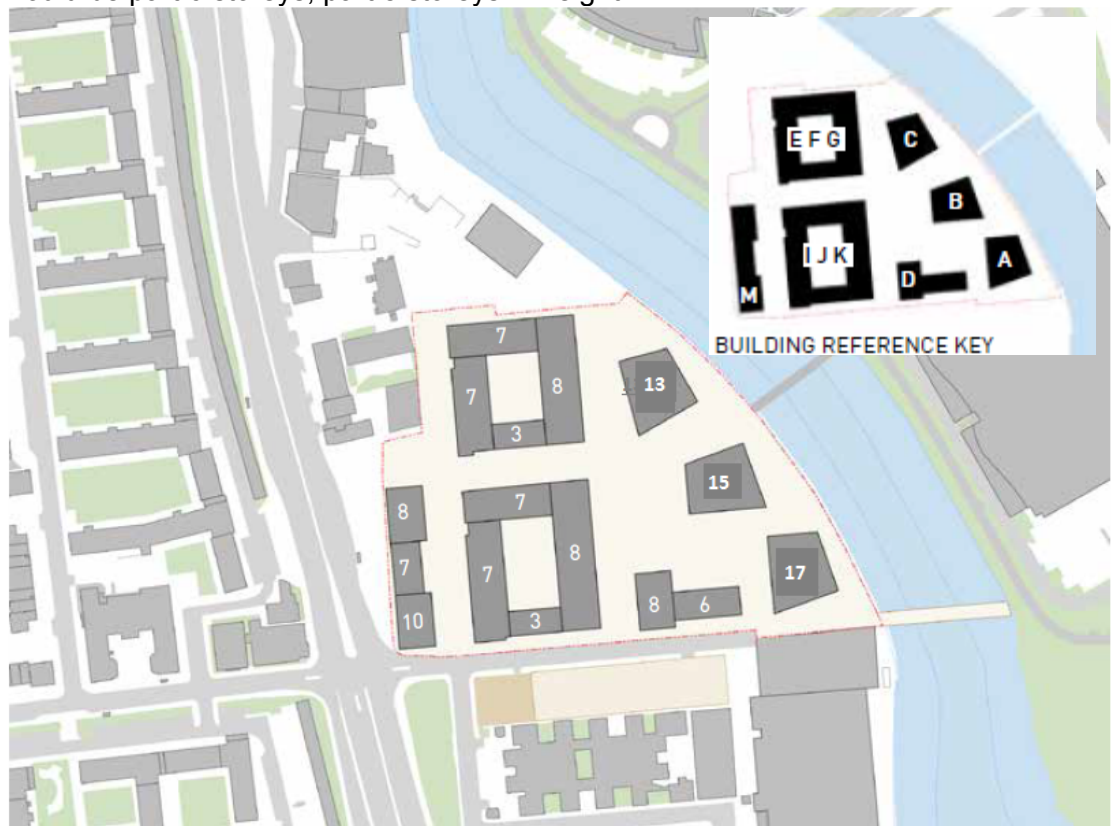


Figure 13- Map showing proposed buildings and respective height

- 9.83 In terms of the appropriateness of the proposed height and scale for this location, Policy DM26, sets out that buildings 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.
- 9.84 Whilst the site is not positioned within one of the boroughs activity areas or town centre designations, the site is positioned within an opportunity area and within a mixed-use, housing led strategic site allocation. By virtue of the size of the site, the site itself sets its own context and there is a hierarchy of heights within the site; the towers are located to the east ascending in height to mark the potential bridge location; the 3-8 storey courtyard blocks are positioned centrally adjacent to the park and backing on to the 2-6 storey buildings at Gillender Street and; the entrance to the site at the south west corner is marked by the 10 storey block M.
- 9.85 Whilst the prevailing heights in the surrounding area are predominantly 2-4 storeys there are examples of tall buildings, Lime Key and the Lockkeepers site at 18 Gillender Street (both to the north) are 13 storeys in height. Furthermore, Leven Road, Devon Wharf and Leven Wharf are 8, 11 and 10 storeys respectively.
- 9.86 Given the large size of the site and the vast areas of open space surrounding the tall buildings, the high quality of residential units, the fact that the scheme does not give rise to any material harm to the amenity of existing surrounding properties (see 'amenity' section of report), combined with the fact that the proposal would mark the entrance to the site and the river walkway, the proposed mass and height is considered to be acceptable. Furthermore, the submitted views assessment illustrates a number of key views taken from points within the site's immediate surroundings and it is considered that these views demonstrate that the proposed development does not have an adverse impact on the character of the local area (see 'heritage considerations' section below).
- 9.87 London City Airport and National Air Traffic Services have reviewed the submission and neither raised safeguarding objections to the proposal. Given the above officers are content that the proposed development can be seen to be acceptable in terms of its height, scale and massing.

Appearance and Materials

- 9.88 Given the size of the site and the need to respond to specific conditions arising at areas within the site, a series of façade treatments have been utilised.
- 9.89 Building M, located adjacent to the A12 is constructed predominantly of brick on the north, south and east elevations to tie in with the rest of the development. However, the western façade has a specific design to respond to the main road. The layouts have been arranged so that the majority of the space fronting on the A12 is access cores and corridors. In front of the corridors, there is a secondary layer of glazing that, along with the mechanical ventilation system and tree planting along the street, will moderate noise and pollution of the main road. The distinctive terracotta framed screen with aluminium fin treatment will add a design feature, providing a marker for the entrance to the site and will also maintain privacy for future occupants. The verticality of the screen unites the commercial floors with the residential uses

on the upper floors whilst maintaining a distinct separation between the two uses.



Figure 14- Image showing eastern elevation of Block M

- 9.90 The mid-rise courtyard buildings in the centre of the site will comprise solid brickwork with simple detailing and a less formal arrangement of “punched” openings for windows. Initially officers raised concerns with the level of simplicity as it was considered the elevations may appear blank and hostile. In response, the drawings have been updated with areas of patterned brickwork, additional windows or recessed brickwork and the tops of buildings and entrances have been designed with frames or patterned brickwork to add visual interest. On external facades, balconies are inset so as not to clutter street facades whereas within the courtyards they are external to maximise views beyond the development. Within block I which sits within the southern courtyard block, there is a small retail unit marked with a fascia and floor length glazing. The commercial character is defined, yet is incorporated to the wider building and would provide a valuable local amenity for future residents along the key route on Lochnager Street.
- 9.91 The three storey maisonettes on the southern row of each courtyard block are subtly differentiated with contrasting brickwork, reading as a plinth and this emphasises the relationship with the public realm and creates a more human scale at street level.



Figure 15- Image showing southern elevation of Block IJK

- 9.92 Building D is similar in design and appearance to the courtyard blocks, with maisonettes forming the lower floors and flats on the upper floors marked with a setback building line. The eastern elevation is vertically emphasised with long narrow windows and patterned brickwork visible along the key walking route from the riverside walkway / potential pedestrian bridge, westwards along Lochnager Street.



Figure 16- Image showing southern elevation of Block D

- 9.93 The proposed towers referenced as buildings A (17 storeys), B (15 storeys) and C (13 storeys) are constructed on charcoal grey brickwork with contrasting lighter and darker tones, complimented by textured, reconstituted stone side panels. Floors are identified by alternate treatments of recessed brick panels and white ceramic panels. The double height treatment at ground floor level emphasised by the contrasting colours accentuates the reading of verticality.
- 9.94 The top 4 floors of each building will be constructed of a lighter grey brick and will terminate with a ceramic panel frame which acts as a cornice and also wraps around the corner of each building.

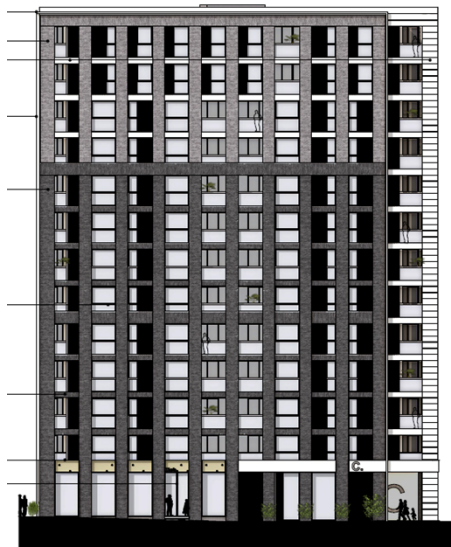


Figure 17- Image showing western elevation of Block C

- 9.95 It is considered that given the employment of high quality and durable materials such as brick and pre-cast panels, along with well-considered design details, the proposed appearance of the scheme can be deemed to be acceptable. Officers have reviewed physical sample panels of the proposed materials and are satisfied that these will result in a high quality finish. However, given that the precise specification will depend on sourcing at the time of construction, a condition requiring the submission of material samples and detailed technical drawings of key junctions will be included.

Landscaping

- 9.96 The proposed development seeks to provide extensive areas of new landscaping and public realm, including 6725sqm of public open space that would comprise a large park in the centre of the site, a riverside walkway and a pocket park to the north of block M.
- 9.97 The central park integrates changes in land level through the use of steps and seats in the landscape whilst also maintaining a clear 1:20 gradient route for wheelchair users. The space includes sculptures, seating, planting and green terraces that accommodate the land level change. A range of play equipment is also incorporated including a half basketball pitch, table tennis tables, swings, a climbing wall and play circles and squares. The accompanying landscape statement shows examples of the equipment to be installed.
- 9.98 The riverside walkway includes a range of planting and living river walls. Seating overlooking the river is incorporated in to a series of raised planters that run the extent of the walkway.

The pocket park to the north of block M will include a cycle hire docking station and an area of seating and soft landscaping including planting.

- 9.99 Surface materials will define the key routes throughout the site and also denote the vehicular routes from the pedestrian routes. Lochnager Street will be repaved to mark the entrance in to the site and to further strengthen the routes in to and within the site. Details of paving materials are included within the site but the final materials and detailing will be secured via condition and the section 278 agreement for works to Lochnager Street and the A12.
- 9.100 In light of the above and subject to the necessary conditions requiring further details of both the hard and soft landscaping materials, officers consider that the landscaping proposals are acceptable as they will significantly improve the pedestrian environment of the site, and result in a significant improvement to Lochnager Street and connecting routes.

Secure by Design

- 9.101 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 commencement of the development.

Heritage Considerations

- 9.102 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. A similar duty is placed with respect to the appearance and character of conservation areas by Section 72 of the aforementioned Act.
- 9.103 The application site itself does not fall within a conservation area or contain any listed buildings nor does the building fall within any strategic viewpoints. However, the Limehouse Cut Conservation Area is positioned closest to the north west of the site with the Balfron Tower Conservation Area and Langdon Park Conservation Area further away to the south. The nearest Listed Buildings are the Grade II Listed Bromley Hall School on the opposite side of Lochnager Street, the Grade II Listed Old Poplar Library at 45 Gillender Street, the Grade II* Listed Bromley Hall and the Grade II Listed former fire station at 25-37 Gillender Street. The site also falls within an Archaeological Priority Area.
- 9.104 In terms of the impact on the character of the Limehouse Cut Conservation Area, whilst the proposed scheme would be visible in views from the A12, looking across the south-east corner of the Conservation Area, the scheme would be most prominent in the conservation area in views south from the Grade II listed Twelvetrees Crescent Bridge which overlooks the Limehouse Cut Conservation Area to the south. From here the three tall buildings would be clearly visible, as would the upper parts of Blocks G (8 storeys), F (7storeys) and the 8 and 10 storey elements of Block M. The proposed brick buildings, with the courtyard buildings taking a more solid traditional approach in terms of their facades, will be a high quality addition to the view. The frames of the taller buildings will become more slender and 'lighter' towards the top of the buildings. Whilst the grade II listed Carradale House will be screened from view, the Grade II* Listed Balfron Tower will remain visible beyond the proposed scheme.
- 9.105 The southern boundary of the conservation area and the listed buildings including the Grade II* Listed Bromley Hall in the vicinity of the scheme abuts the north-western edge of the site. The proposed scheme will be seen as part of the settings of these buildings within the conservation area and would represent an enhancement to their settings in comparison to the existing low-grade townscape of the site.
- 9.106 Specifically in relation to the Grade II* Listed Bromley Hall building as well as the Grade II Listed former fire station and Old Poplar Library, a number of taller buildings will be visible in the setting of these assets, particularly when looking north and south along the A12. The scheme has been designed to respond to the more sensitive elements of their context, stepping up towards the River Lea and down towards the buildings on Gillender Street. Block M is separated from Bromley Hall by Old Poplar Library and the new build to its south. Block M has been carefully designed to relate to the adjacent buildings – its north façade being constructed of brick – whilst providing a townscape timber-clad marker to the new residential development behind at the corner location on Lochnagar Street. Overall it is considered the scheme will be a sensitive addition to the setting of these Listed Buildings.

- 9.107 Similarly, in relation to the Grade II Listed Bromley Hall School, whilst a significant piece of new development is introduced on the opposite (northern) side of Lochnagar Street, it is recognised that the school is well enclosed by its high boundary wall and is inward looking. The changes within the setting are substantial enhancement in comparison to the existing low grade townscape of the site. The scheme provides good quality street frontage to Lochnagar Street and buildings of an appropriate scale are positive new elements within the wider area.
- 9.108 In terms of impacts on the Balfron Tower Conservation Area and Listed Buildings within in, the proposed scheme would be visible together with Balfron tower and to a lesser extent it would be seen with Carradale House and Glenkerry House. From the A12, adjacent to the Balfron Tower conservation area looking north, and from Jolly's Green looking north-east the majority of the blocks would be visible.
- 9.109 The taller residential blocks have been designed to step down and are substantially lower (at a maximum of 17 storeys) than Balfron Tower (27 storeys). The scheme would not compete with the skyline interest of the tower. Furthermore, there are numerous tall buildings within the setting of the conservation area, including at Canary Wharf. Given this existing context, the proposed development would introduce a low nature of change to the setting of the Balfron Tower conservation area.
- 9.110 In terms of the impact on the Langdon Park Conservation area, the upper elements of Blocks B and M would be visible from Langdon Park with just the very corners of Block A visible beyond the pitched roof of the church. These would be seen beyond intervening development and trees and in the context of St. Michael's Church. The careful consideration given to their orientation and effect as a group of Blocks A, B and M ensures the proposal is a high quality new addition to the view. The introduction of the scheme within the varied setting of the conservation area would be acceptable. There would be a low nature of change to the settings of the Conservation Area and the Listed Building within it.
- 9.111 To conclude, the proposal would not have an adverse impact upon the setting of the adjacent Conservation Areas or Listed Buildings and this is supported by the GLA and Historic England.

Conclusion

- 9.112 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.

Amenity

Policy Context

- 9.113 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.

- 9.114 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”*.
- 9.115 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)”*.
- 9.116 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

- 9.117 The closest residential properties are those at 45 Gillender Street and Katharine Court to the northwest corner of the site. With the exception of one east facing window on the 45 Gillender Street development, none of the windows would look on to the site. The single window is approximately 16m from the building line of block E within the courtyard block, ideally this would be 18m but given that there is just one window and there is still a substantial distance, this would be acceptable. The next closest facing windows are those on the eastern elevation of Katharine Court some 35m from block E. Block M is set back eastwards from Katharine court and thus there would be no windows facing one another. Given the significant distance from neighbouring properties, there would be no material harm caused in terms of overlooking, loss of privacy and/ or sense of enclosure.
- 9.118 Within the development itself, there is a minimum of 18m distance between courtyard blocks that back on to each other and this distance is maintained between all blocks within the site. Blocks D and A are approximately 16m apart but the eastern elevation of block D has been designed with long thin glazing that lets light in but restricts outlook, relying on the windows in the north and south elevations for outlook. Therefore, given the 16m distance and restricted outlook, it is not considered this would give rise to any material harm in terms of overlooking / privacy nor sense of enclosure.

Daylight and Sunlight Impacts for Neighbours

- 9.119 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 (NSC) 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.

9.120 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 NSC criteria, upon completion of the development it should retain at least 80% of its existing NSC 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.

9.121 As part of the submitted Environmental Statement 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 and located on Fig.23. This report has also been reviewed by an independent daylight and sunlight specialist instructed by the Council.

Surrounding properties:

- Katherine Court
- 45 Gillender Street
- 2-22 (even) Leven Road
- 40 Leven Road
- 90-152 Teviot Street
- 164-224 Teviot Street

NB: There are no neighbouring gardens or areas of amenity space which require assessment in terms of sunlight on ground.

9.122 The table below summarises the number of windows tested within each property and how many of these meet the BRE guidelines for daylight (ie being 0.8 times the former value of the existing VSC level).

	No of windows tested	No of windows that comply with BRE guidelines for daylight
Katherine Court	32	21
45 Gillender Street	16	13
2-22 (even) Leven Road	28	28
40 Leven Road	4	4
90-152 Teviot Street	36	32
164-224 Teviot Street	16	12

9.123 For Katharine Court, 11 windows do not meet the guidelines but 8 of the resulting VSC levels are just marginally outside the guidelines and would still

be fairly typical within an urban context. The remaining 3 windows that see moderate loss of light are caused by virtue of balconies within the Katharine Court development.

9.124 Similarly, for the 3 windows at Gillender Street, 4 windows at 90-152 Teviot Street and 4 windows at 164-224 Teviot Street, the resultant VSC levels are just marginally outside the guidelines and are considered acceptable in this urban location.

9.125 The table below summarises the number of windows (within 90 degrees due south) tested for sunlight within each property and how many of these meet the guidelines for Annual Probable Sunlight Hours (APSH) annually and during winter months.

	No of windows tested	No of windows that comply with BRE (Annual APSH)	No of windows that comply with BRE (Winter APSH)
Katherine Court	28	27	28
45 Gillender Street	15	15	15
2-22 (even) Leven Road	0	-	-
40 Leven Road	0	-	-
90-152 Teviot Street	0	-	-
164-224 Teviot Street	0	-	-

9.126 The results of the sunlight assessment again demonstrate that 42 of the 43 windows serving neighbouring residential properties which require assessment will comply with the BRE guide levels for annual sunlight with the development in place (97.7% compliance). All of these windows will achieve the guide levels for winter sunlight. A single window serving Katherine court will experience a marginal breach of the guidance for annual sunlight. This is an isolated impact and can be defined as a minor adverse effect.

Noise Impact

9.127 A noise assessment accompanies the application which takes in to account the impacts of the A12 and also takes in to account the potential for activity on the safeguarded waste site. The submitted reports conclude that through the provision of appropriate glazing and ventilation, suitable levels of noise for the proposed residential uses would be achieved.

9.128 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.

9.129 In terms of hours of operation, the applicant would be required to submit a management plan detailing the required hours of operation for the A3 and D2 elements of the scheme. With the inclusion of a condition requesting this

information, it is not considered that that the commercial elements would give rise to unacceptable levels of noise/ disturbance.

Construction Impacts

- 9.130 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 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

- 9.131 Officers consider that as 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

- 9.132 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.
- 9.133 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.
- 9.134 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”.
- 9.135 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”.

Trip generation

Vehicle Trips	Weekday AM Peak (0800-0900)			Weekday PM Peak (1700-1800)		
	Arr	Dep	Tot	Arr	Dep	Tot
Existing Site	13	18	31	6	21	27
Proposed Development	11	64	74	37	23	58
Net Change	-2	+46	+43	+31	+2	+33

9.136 As can be seen from the table above, the data indicates that the proposed development will result in an additional 43 and 33 two-way vehicle trips during the AM and PM peak periods respectively. The impacts on the junction of the A12/ Lochnager Street/ Zetland Street have been tested and the level of development traffic is shown to have a minimal impact on the operation of the junction. Highways have stated that the junction at Bromley Hall Road/ Ailsa Street should be open between the hours of 08.30- 09.30 and 15:00-16:00 Monday- Friday to prevent any dangerous manoeuvres on Lochanger Street/ the southern side of Bromley Hall Road should Bromley Hall School come back in to use, resulting in school drop offs/ pickups. This would be secured through section 106 should planning permission be granted.

9.137 In terms of the impact on public transport, the Transport Assessment data show that there will be a maximum of 9 additional passengers per bus during the AM peak. As such, the impact of the proposed development is considered to be negligible. The Transport Assessment also shows that for both the London Underground and the DLR, there are anticipated to be an additional 167 two-way trips during the AM peak and an additional 138 during the PM peak. When these are distributed across the peak hours, this equates to between 1 and 4 additional passengers per train. As such, it is considered that the impact of the proposed development on the LUL network and DLR is negligible.

Alterations to highway

9.138 The proposed development includes alterations to the public highway to allow for a new vehicular route on Ailsa Street and to widen Lochanger Street so it can connect to the potential future bridge link. Vehicular traffic will enter the site via Lochnagar Street. Lochnagar Street will continue to operate with two-way traffic but Ailsa Street will be accessed in a one-way northbound direction (from near the junction with the A12) to reduce queuing on to Lochnagar Street near its junction with A12. These changes along with new dropped kerbs, resurfacing and public realm works along Ailsa Street, Lochnager Street and the A12 will be the subject of a Section 278 agreement.

9.139 The council would adopt a wider area of Lochnager Street so that the secured bridge landing would connect to highways adopted road. This would also allow the council to adopt the wider footway on Lochnager Street. This arrangement would be secured via the 106 agreement. A separate stopping

up order outside of the planning process would take place for the developer to adopt Ailsa Street and the part of Bromley Hall Road within the site boundary.

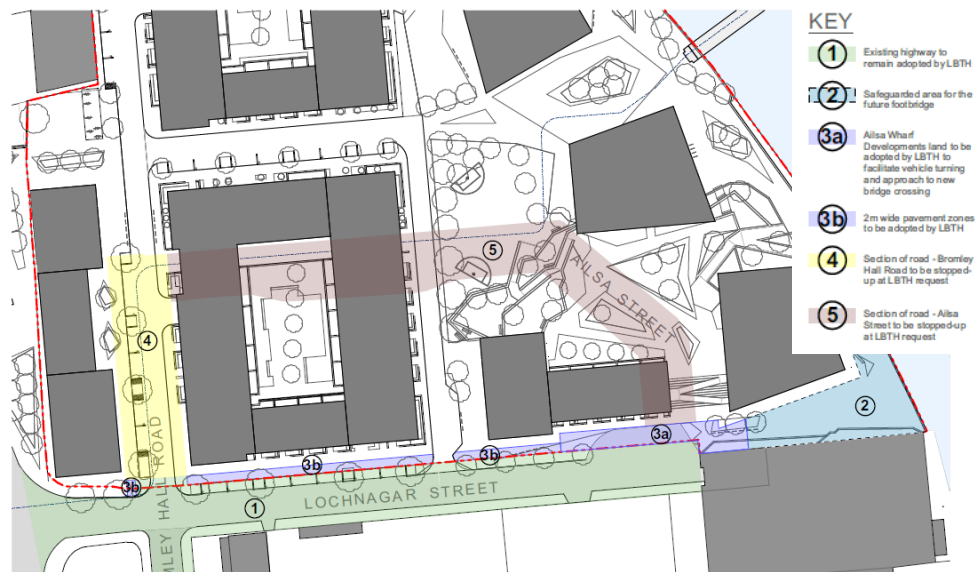


Figure 18- Plan showing highways to be adopted/ stopped up and safeguarded bridge landing area

9.140 As outlined within the 'site layout' section of the report, the proposal seeks to establish key pedestrian/ cycle links throughout the site and beyond this. Figure 16 below highlights the permeability through the site for pedestrians and cyclists and emphasises key north-south and east-west links that could be established should the pedestrian bridge or sites to the north and south come forward for development.

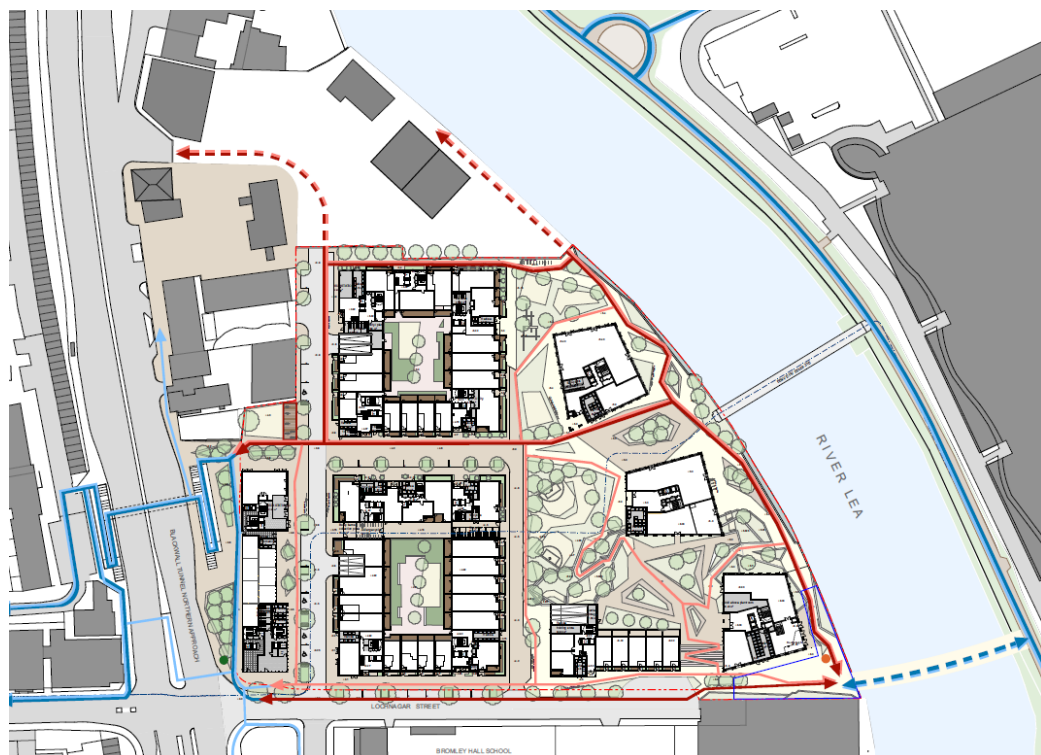


Figure 19- Map showing existing and proposed pedestrian/ cycle links

9.141 The applicant has also agreed to pay a financial contribution to Legible London wayfinding signage to be installed by Transport for London. Indicative

locations for the signage have been agreed with TfL as shown in Figure 17 below. The new routes and signage would increase legibility and permeability for pedestrians and cyclists.

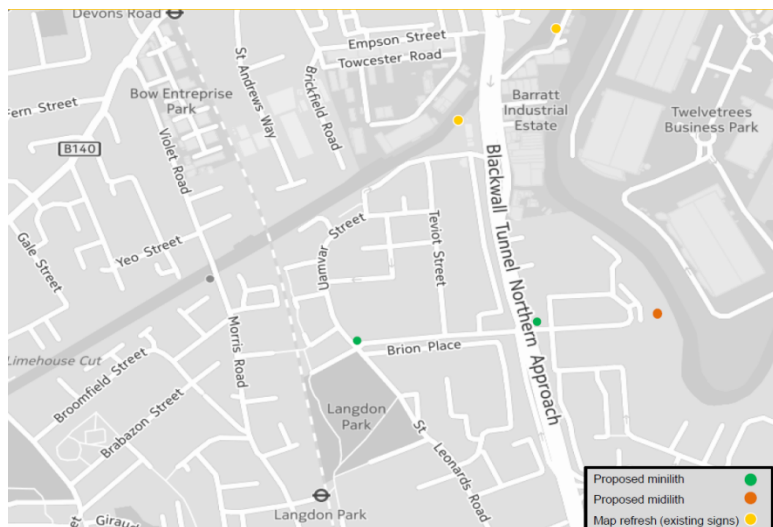


Figure 20- Map showing indicative locations for legible London signage

- 9.142 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

- 9.143 The proposal will result in 205 residential car parking spaces which is below the maximum level of car parking set out in the London Plan standards for an area with a Public Transport Accessibility Location (PTAL) of 1-3. 79 of the 205 spaces will be blue badge spaces for wheelchair users.
- 9.144 Electric vehicle charging points (EVCPs) will be provided in accordance with the London plan standards (20% active EVCPs and 20% passive EVCPs will be provided).

Cycle parking

- 9.145 The development proposes to provide a total of 1,322 spaces for residents at basement and ground floor level in a number of secure cycle stores, which is above London Plan requirements. A total of 58 external short-stay spaces are provided for resident visitors.
- 9.146 The development proposes to provide 42 internal long-stay cycle spaces for staff and 56 external short-stay cycle spaces for visitors of the commercial uses. In total the scheme would comprise 1420 cycle spaces (1,306 internal long-stay spaces and 114 external short-stay spaces) will be provided, which is significantly more than what is required. Details of the design of the layout and design of cycle storage would be subject to condition.

9.147 In addition to the above, the applicant has also agreed to install a cycle docking station to the north west of the site within the pocket park area. This would accommodate up to 20 cycles.

Use	London Plan Requirement			Proposed		
	Long-Stay	Short-Stay	Total	Long-Stay	Short-Stay	Total
Residential	1208	20	1228	1264	58	1322
Commercial	22	11	33	42	56	98
Total	1230	31	1261	1306	114	1420

Deliveries and Servicing

9.148 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 refuse collection vehicle to turn within the site, ensuring that the vehicle does not have to reverse along internal roads.

9.149 Servicing and loading will be undertaken from the following four key locations within the proposed development site:

- Lochnagar Street – One loading bay to be located adjacent to residential units situated within the southeast corner of the site.
- Bromley Hall Road – Two loading bays serving the commercial/retail plot to the southwest of corner of the site and the residential units/refuse areas towards the northwest corner of the site respectively.
- Adjacent to River Lea – A loading area will be located towards the eastern perimeter of the site serving Phase 1 of the development.

9.150 All loading bays will be appropriately signed to ensure they are only used by service /delivery vehicles.

Conclusion

9.151 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.

Waste

Policy Context

9.152 Policy 5.17 of the London Plan (2016) states that development proposals should be “minimising waste and achieving high reuse and recycling performance”.

9.153 The Council’s Core Strategy policy SP05 (1) states that development should “implement the waste management hierarchy of reduce, reuse and recycle”.

- 9.154 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

- 9.155 The Council's current minimum waste requirements for new residential units are as follows:

Unit Size	Refuse (litres)	Dry Recyclables (litres)	Food Waste (litres)
1 Bed	70	50	23
2 Bed	120	80	23
3 Bed	165	110	23
4 Bed	215	140	23

- 9.156 The following table outlines the minimum required waste storage requirements for this development and the levels of waste storage being proposed:

Waste Stream	Required Storage (litres)	Proposed Storage (litres)
Refuse	97,000	166,100
Dry Recyclables	50,600	
Food Waste	17,600	
Total	165,200	

The submitted documents demonstrate that the bin storage areas can accommodate 151 1100L bins. The breakdown of the waste and the layouts of the bin storage areas would be agreed via a condition requesting a waste management strategy. Subject to the inclusion of this condition, 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

- 9.157 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.

- 9.158 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”*.
- 9.159 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”*.
- 9.160 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

- 9.161 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.
- 9.162 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 and thus the proposal is compliant with policy. 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.
- 9.163 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.

- 9.164 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.
- 9.165 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

- 9.166 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"*.
- 9.167 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"*.
- 9.168 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.
- 9.169 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”.

- 9.170 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”.*

Archaeology

- 9.171 The application site is located within an Archaeological Priority Area and as such intrusive ground works during the demolition and construction works could disturb any archaeological heritage that has survived historical development. The Greater London Archaeological Advisory Service (GLAAS), has requested a condition securing a targeted programme of archaeological investigation and evaluation that would determine a detailed mitigation strategy to be implemented in advance of intrusive ground works. A condition securing this arrangement will be imposed in the event that planning permission is granted, and with the inclusion of this condition, the proposal can be considered to comply with relevant policy.

Air Quality

- 9.172 The Air Quality section of the ES shows that the proposed development lies in an area of poor air quality, exceeding the annual NO₂ objective. Therefore mitigation is required to reduce the pollution levels for the future residents, at all facades where the air quality objective is exceeded. Mechanical ventilation has been proposed to provide the residents with cleaner air. In line with the Environmental Health officers comments, 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 (at roof level and away from the CHP flue).
- 9.173 Furthermore, a condition would also be attached to ensure all energy plant used would meet the emissions standards set out in the GLA’s ‘Sustainable Design and Construction SPG’.
- 9.174 With regard to the construction phase, the submitted demolition/construction assessment is considered accepted providing that the mitigation measures stated in the report are instigated at the development throughout the duration of 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

- 9.175 The application site is immediately adjacent to the River Lea, a Site of Metropolitan Importance for Nature Conservation. The site is of value for water birds and foraging bats, which could be adversely affected by the development. Birds could be affected by noise, both during construction and operation of the development, and by the presence of people adjacent to the river. Bats would be adversely impacted by any increase in lighting levels on the river.
- 9.176 The biodiversity officer has noted the existing buildings on site have the potential to support nesting birds possibly including black redstarts. Given that these are a schedule 1 species, a condition requesting a survey to be carried out if demolition is in nesting season (April-August) will be attached
- 9.177 In relation to bats, riverside trees would represent a significant enhancement of foraging habitat for bats, but not if they are to be illuminated, and no illumination should be directed at treelines near the river. The Lighting Strategy states that the riverside walk will have low-level, directional lighting. This will avoid adverse impacts on bats and other wildlife using the creek and the strategy would be secured by condition.
- 9.178 The invasive Japanese knotweed occurs on the site. A strategy for safe and legal eradication and disposal of Japanese knotweed would be secured by condition.
- 9.179 Overall, the proposals include numerous features which would enhance biodiversity and contribute to Local Biodiversity Action Plan (LBAP) targets. The landscaping is designed with biodiversity as one of the main drivers. Ground-level landscaping includes new wetland planting, meadows, native shrubs and native trees, as well as nectar-rich ornamental planting, all of which will benefit wildlife and many of which will contribute to LBAP targets. Two types of biodiverse green roofs are proposed over large parts of the roof area. Nest boxes and bat boxes are also proposed. The detail of all biodiversity enhancements would be subject to a condition should planning permission be granted.
- 9.180 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.

Contaminated Land

- 9.181 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

- 9.182 The application site falls within Flood Risk Zone 3 of the Environment Agency (EA) map, where the annual probability of fluvial flooding is classified as greater than 1 in 100 and the annual probability of tidal flooding is classified as greater than 1 in 200.
- 9.183 The submitted Flood Risk Assessment details that the flood defences on site are condition grade 3. This is below the target condition grade of 2 for the tidal extent of the Thames in London. A scheme of remedial works including an indicative design of the new river wall and intertidal terraces has been agreed with the Environment Agency and detailed information would be secured by condition. With this in place, the flood defences would be sufficient for the proposed development.
- 9.184 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 have reviewed the submitted flood risk assessment and have not objected to the proposals due to the fact that whilst there is no safe means of access and/or egress in the event of flooding to an area wholly outside of the floodplain (due to the low lying nature), safe refuge of building occupants could take place within the higher floors of the development in the event of a flood. In light of the above officers consider that the proposed development is acceptable in flood risk terms.

Microclimate

- 9.185 A Wind Microclimate Assessment has been submitted as part of the ES including wind tunnel results of the proposed scheme in the context of existing surrounding environment and a cumulative scenario. The results are presented in terms of the Lawson Comfort Criteria which identifies comfort categories suitable for different activities, as well as in terms of the likely occurrence of strong gusts of wind which could be a threat to safety.
- 9.186 With respect to safety, based on annual safety ratings, all locations are safe for all users. With respect to comfort, generally leisure walking is desired on pedestrian routes during the windiest season, standing/entrance conditions at main entrances and drop off areas throughout the year and sitting conditions at outdoor sitting and amenity areas during the summer season when these areas are likely to be used the most often.
- 9.187 Entrance locations have been amended during the planning application, to ensure that they are positioned in locations with appropriate wind conditions. In the summer seasons, the results show that the majority of the site is suitable for 'long term sitting' or 'short term sitting'. This is considered to be acceptable.
- 9.188 There are a small number of ground floor locations where these conditions slightly windier than desired. As such, a planning condition is included that will ensure that no formal seating is positioned in these locations. Mitigation measures are required to achieve suitable conditions. These measures are included within the approved plans, which will ensure their implementation. Subject to the inclusion of these conditions, the scheme complies with the relevant policy.

SUDS

- 9.189 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. These measures would reduce the surface water discharge rate to the sewers by 50%, compared to the existing situation.
- 9.190 Subject to a condition requiring the submission of a detailed surface water drainage scheme for the site based on sustainable drainage principles prior to the commencement of any superstructure works, the proposal can be considered to comply with relevant policy relating to SUDS.

Television and Radio Reception

- 9.191 Given the scale of the proposed development, it is not expected that the proposed development would give rise to any notable radio and television signal interference for surrounding properties. Nonetheless in the event that planning permission was to be granted a condition requiring the submission of such an assessment, along with any mitigation measures necessary (in the event that any adverse impacts are identified) prior to the commencement of development will be imposed.

Trees

- 9.192 Overall the number of trees being planted far exceeds those lost. On this basis, the arboricultural officer considers that the landscaping proposals mitigate for loss in 'tree cover'. The number, location and type of the proposed trees are considered to be suitable.
- 9.193 Officers have requested additional tree planting along the A12 to help mitigate pollution impacts and thus improve residential quality for the occupants of block M. This land is owned by TfL but indicative plans have been produced and tree planting in the location and along Lochager Street will be secured through a Section 278 agreement.

Conclusion

- 9.194 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

- 9.195 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 September 2016 accompanied by an Environmental Statement (ES) produced by Nathaniel Lichfield and Partners.

- 9.196 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 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) 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 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).
- 9.197 The ES assesses the environmental effects of the development under the following topics:
- Townscape and Visual Effects;
 - Ground Conditions and Contamination;
 - Water Environment;
 - Transport;
 - Noise and Vibration;
 - Air Quality;
 - Socio-Economics;
 - Daylight and Sunlight;
 - Micro-climate and Wind;
 - Archaeology;
 - Heritage;
 - Ecology; and
 - Cumulative Effects.
- 9.198 In addition, the Applicant submitted 'further information' under Regulation 22 of the 2011 EIA Regulations, which was processed as required under the regulations.
- 9.199 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.
- 9.200 LBTH'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 and internal environmental specialists.
- 9.201 The EIA consultants and EIA Officer have confirmed that, in their professional opinion, the ES is compliant with the requirements of the EIA Regulations.
- 9.202 LBTH, 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.

Consideration of Impact of safeguarded waste site

- 9.203 The Council requested that the Safeguarded Wharf site to the north of the Ailsa Wharf be assessed within the EIA. Whilst the site is currently vacant, it is important to understand these effects, given that this land is safeguarded for this use in both the Council's current Local Plan and the draft Local Plan currently out for consultation.
- 9.204 The assessment was therefore based on reasonable assumptions on what could be developed on this site. The basis of this assessment was reviewed by the Council's waste consultants, who confirmed that the assumptions made were reasonable.
- 9.205 With respect to transport, the assessment concluded that the level of trips required would be spread throughout the day and the level of traffic impact in the peak periods would be minimal. This would have no significant impact upon the operation of the local highways network.
- 9.206 The assessment acknowledges that there is the potential for adverse noise effects on the proposed development, although the level of activity is unlikely to significantly increase the ambient noise levels at the proposed receptors within the new development. The assessment recommends that appropriate mitigation measures are secured to ensure that new residents are adequately protected, such as uprated acoustic glazing and alternative means of ventilation.
- 9.207 A suitably worded planning condition is therefore proposed to be attached to the decision notice requiring further assessment to ascertain the specification of the building fabric of the proposed residential development.
- 9.208 Air quality was scoped out of the assessment on the basis of the minimal number of vehicles accessing the site, and the assumption that waste streams would be dealt with inside the building and there would be no external storage.

Impact upon local infrastructure/ facilities

- 9.209 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.
- 9.210 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.
- 9.211 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.

9.212 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

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

9.214 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 £1,993,708.

9.215 In addition the development would be liable to the London Mayor's CIL estimated at £2,387,485. The development does not sit within 1km of a proposed Crossrail station and thus would not attract the Mayor's Crossrail levy.

9.216 The applicant has also offered 35% affordable housing by habitable room with a tenure split of 65%/35% in favour of social/affordable rented accommodation (50% Tower Hamlets living rents and 50% London Affordable rents) and shared ownership housing, respectively. 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.

9.217 Should permission be granted, the developer would also be required to use reasonable endeavours to meet at least 20% local procurement of goods and services, 20% local labour in construction and 20% end phase local jobs, a car parking permit-free agreement (other than for those eligible for the Permit Transfer Scheme), a safeguarded area for the bridge landing, a S.278 agreement, a management plan to reduce on-site parking and a residential travel plan. The developer would also be required to provide and maintain public access through the site and within areas of public realm on site.

9.218 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	£215, 005
Employment, skills and training to access employment within the final development.	£69, 382
Wayfinding Signage	£28,000
Monitoring	£6,500
Total	£318,887

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

Other Local Finance Considerations

9.220 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.

9.221 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.

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

9.223 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.

9.224 Using the DCLG’s New Homes Bonus Calculator, this development, if approved, would generate in the region of £549, 176 in the first year and a total payment of £2,196,704 over 6 years.

Human Rights Act 1998

9.225 Section 6 of the Act prohibits the local planning authority from acting in a way which is incompatible with the European Convention on Human Rights parts of which were incorporated into English law under the Human Rights Act 1998.

- 9.226 Following statutory publicity, no objections have been raised on the ground that a grant of planning permission would result in any breach of rights under Article 8 of the European Convention on Human Rights and the Human Right Act 1998.

Equalities Act 2010

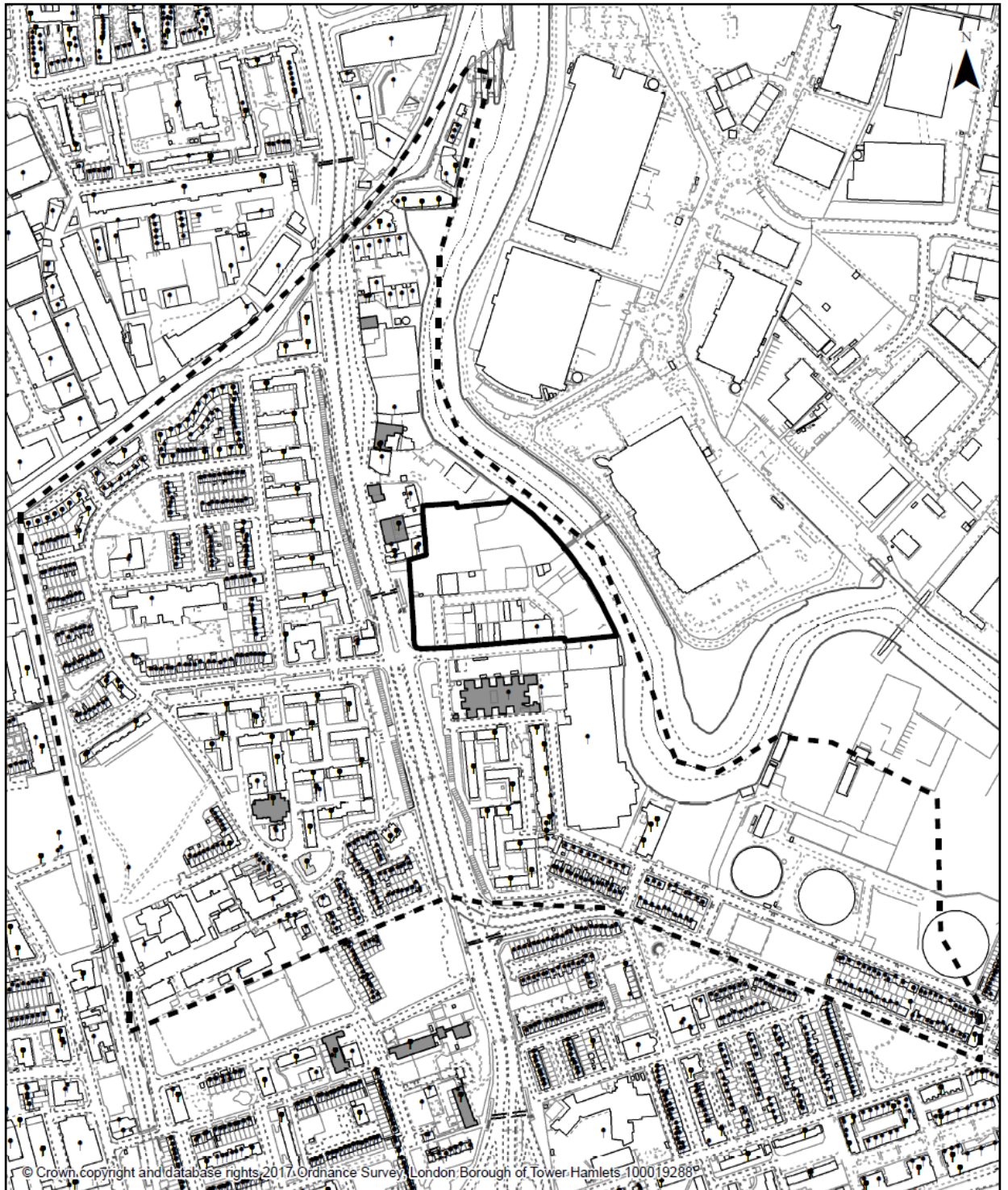
- 9.227 The Equalities Act provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard 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.

- 9.228 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.

10.0 CONCLUSION

- 10.1 All relevant policies and considerations have been taken into account. Planning Permission 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.



Consultation Area
 Planning Application Site Boundary
 Statutory Listed Buildings
 Locally Listed Buildings

Scale @ 1:5,000
 70 35 0 70 140 210 Meters

Planning Application Site Map PA/16/02692

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



GIS for
Place Directorate
 LONDON BOROUGH OF TOWER HAMLETS
 Date: 20/11/2017

