

Committee: Strategic	Date: 11 January 2018	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Place	Title: Application for Planning Permission
Case Officer: Elizabeth Donnelly	Ref No: PA/17/02217 - Full Planning Permission
	Ward: Whitechapel

1. APPLICATION DETAILS

Location: Land and Fieldgate Street and Whitechapel Road, Fieldgate Street, London.

Existing Use:

Proposal: Demolition of existing substation and construction of a 20 storey building, including 11,450 sqm of student accommodation totalling 375 rooms; 1,050 sqm of office (B1a) floorspace at ground/first floor level ;70 sqm of commercial floorspace (A3 use) at ground floor level; basement and new pedestrian link to the eastern boundary of the site.

Drawing and documents: See Appendix one

Applicant: Fieldgate Limited

Ownership:

Historic Building: None

Conservation Area: Myrdle Street Conservation Area (adjoining)

2. 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 proposed redevelopment of this site for a student accommodation led mix use development is considered to be unacceptable and contrary to planning policy.
- 2.3. The London Plan highlights an existing over-concentration of student accommodation within Tower Hamlets. Whilst the submission has gone some way to demonstrate that there is a need for student accommodation within the borough, it fails to robustly demonstrate that the scheme would deliver a reasonable percentage of affordable rented student accommodation in line with the Mayor of London's Housing SPG. Where a partnership arrangement with a local university is absent, the delivery of affordable student accommodation becomes key to the acceptability of the proposal. On this basis, officers are not in a position to support the proposed student accommodation.
- 2.4. The applicant has indicated that the proposed office space (1,050sqm) at ground and first floor level would be occupied by Business in the Community (BITC). The future occupier of the office space is not a material planning consideration and therefore cannot be given any weight in the determination of this application. Unfortunately, the application submission focuses on the merits of the occupier rather than the merits of the office space. Whilst the proposed B1 (a) floorspace is not considered to be objectionable in principle, the application submission does not seek to provide office space aimed at small and medium enterprises or provide affordable workspace, other than 'discounted office accommodation' for the sole use by BITC. The submission therefore fails to realise the opportunity to contribute to aspirations and objectives of the Whitechapel Vision Master Plan and the City Fringe/Tech City Opportunity Area Framework.
- 2.5. With the proposed pedestrian link, the scheme offers a potential enhancement to the public realm from a connectivity and pedestrian accessibility perspective. However, the application submission demonstrates that there would be a dog legged section at the centre of the route that would undermine the quality of this pedestrian link/ route from an accessibility and design out crime perspective. Despite the submission of further information, this remains unresolved.
- 2.6. The height, scale and massing of the proposed 20 storey development is objectionable. The proposal is significantly disproportionate to the scale of its surroundings, including the adjoining Myrdle Street Conservation Area. It is not considered that the application site can support a building of the proposed scale. The proposal would result in harm to the Myrdle Street Conservation Area, as well as a significant impact upon the character and appearance of the wider townscape. It is not considered that any of the perceived benefits associated with the scheme would outweigh this impact.
- 2.7. The scale and massing of the proposal would also give rise to significant and unacceptable impact upon the amenities of neighbouring residents by way of severe loss of daylight and sunlight, increased sense of enclosure, over bearing impact and loss of privacy with separation distances of approximately 8m at its closest point. The extent of the daylight and sunlight impact is considered to further demonstrate the inappropriateness of a building of the proposed scale on this site.

2.8. Officers also raise significant concerns surrounding the quality of the submission, especially in the context of the proposed scale of development and the complexity of the site constraints. The reasons for refusal and the other shortfalls discussed throughout the report, for example, the highways issues, will demonstrate this. Whilst the applicant team has sought to overcome some of these issues following feedback from officers, the GLA and TfL, the additional information submitted has not resolved the issues. Putting the fundamental objections to the scheme to one side, it is felt that a notable amount of further work would be required to overcome the issues identified and reach an end where the scheme would be deliverable to a high quality.

3. RECOMMENDATION

3.1. That the Committee resolve to **REFUSE** planning permission for the following reasons:

- 1) The application submission fails to demonstrate that the proposed development would provide a maximum reasonable amount of affordable rented student accommodation, that is both deliverable and retainable in perpetuity, contrary to Policy 3.8 Housing Choice of the London Plan (2016); Policy DM6 Student Accommodation of the Managing Development Document (2013) and the guidance set out in the Mayor of London's Housing SPG (2016),
- 2) The scale, height and massing of the proposed building would mark a departure from the scale of its surroundings and give rise to a disproportionate and overpowering addition to the surrounding existing built form and an unacceptable level of harm upon the setting of the Myrdle Street Conservation Area wider townscape contrary to Policies 7.4 Local character, 7.7 Location and design of tall and large buildings, 7.8 Heritage assets and archaeology of the London Plan (2016); Policy SP10 Creating distinct and durable places of the Core Strategy (2011); Policies DM24 Place sensitive design, DM26 Building heights, DM27 Heritage and the historic environment of the Managing Development Document (2013) and the Myrdle Street Conservation Area Appraisal.
- 3) Due to the excessive scale and massing of the building, the proposed development would result in an unacceptable level of harm upon neighbouring amenity by way of significantly reduced daylight and sunlight, overbearing impact, increased sense of enclosure, increased overlooking and loss of privacy contrary to Policy DM6 Student Accommodation and DM25 Amenity of the Management Development Document (2013).
- 4) The proposed development is unsatisfactory with regards to cycling, including the accessibility of the proposed cycle storage, the quantum of cycle parking spaces and the nature of the of the cycle storage, contrary to Policy 6.9 Cycling of the London Plan (2016); Policy SP09 Creating attractive and safe streets and spaces of the Core Strategy (2010); Policy DM20 Supporting a sustainable transport network and Annex 2 Standards (parking) of the Managing Development Document (2013).
- 5) The application submission is insufficient in demonstrating the acceptability of the proposed Blue Badge holder car parking arrangement (within the existing neighbouring basement) in relation to both its relationship with the proposed development and its impact upon the existing neighbouring development contrary to Policy 6.13 Parking, Parking Addendum to Chapter 6, Table 6.2 of the London Plan (2016) and Policy DM22 Parking and Annex 2 Standards (parking) of the Managing Development Document (2013).

- 6) In the absence of a legal agreement to secure agreed and policy compliant financial and non-financial contributions including for employment, skills, training and enterprise and transport matters the development fails to mitigate its impact on local services, amenities and infrastructure. The above would be contrary to the requirements of Policies SP02 and SP13 of the LBTH Core Strategy, Policies 8.2 of the London Plan (2016) and LBTH's Planning Obligations SPD (2016).

4. SITE DESCRIPTION AND PROPOSAL

- 4.1. The applicant is seeking planning permission for the demolition of the existing substation and the construction of a 20 storey building, including:

- 375 rooms of student-accommodation
- 1,050sqm of B1(a) office floorspace at ground and first floor levels
- 70sqm of A3 cafe floorspace at ground floor level
- Pedestrian link to the eastern boundary of the site

Proposed student accommodation

- 4.2. The proposed student accommodation would be located at the upper storeys from 2nd floor level upwards and would be accessed at ground floor level off Zabadne Way. The student accommodation would be served by three lift cores and a staircase.
- 4.3. The applicant has suggested that 10% of the proposed 375 rooms would be affordable although no details have been submitted in relation to the affordable provision in terms of rent levels and eligibility/ allocation criteria.
- 4.4. The proposed accommodation would have a mix of self-contained units and non-independent units with communal facilities.
- 4.5. The proposal also includes external amenity space at both the 9th floor and 19th floor to be used in conjunction with the student accommodation.
- 4.6. At 9th floor level, there would also be 132sqm of internal amenity space, referred to as 'sky lounge area' within the submission.

Proposed office floorspace

- 4.7. The proposed office floorspace would be located at ground and first floor levels and would be served by a designated lift and staircase. . The application submission makes reference to the provision of the office use at discounted rates but this has not been secured by way of a legal s106 agreement.
- 4.8. The office space would be accessed off Zabadne Way at ground floor level.

Proposed commercial floorspace

- 4.9. The proposed commercial unit would be located at ground floor level, fronting Fieldgate Street. The application form states that this would be in A3 café/restuarant use.

Proposed built form

- 4.10. The proposal seeks a 20 storey building, measuring 78m in height. The proposal includes a basement level where the cycle storage, refuse storage, laundry room and plant room are located.
- 4.11. The proposed building would also encase the existing entrance ramp to the basement associated with the existing building to the rear. As a result the proposed building would be constructed up to the far western boundary of the site.
- 4.12. The proposed building would front Fieldgate Street; the proposed building line would align with the existing building to the west, with the exception of the south-eastern corner of the building which is slightly chamfered. The building is also set back at 9th floor level, from both the south (front) and west (side) elevations, giving rise to a podium/tower relationship. The massing is set back by 2.5m from the southern elevation (front), reducing to a setback of 1.1m at the chamfered corner. It is set in by 7.1m from the western elevation.
- 4.13. The building includes a crown of 5.4m, behind which a stair enclosure and lift overrun that project to a maximum of 3.8m above roof level would be located. A BMU (Building Maintenance Unit) would also be located at roof level and project a further 2.3m above the lift overrun. The proposed scale and massing is illustrated in Figure 1.1 and 1.2 below.



Figure 1.1: The proposed building in its immediate context

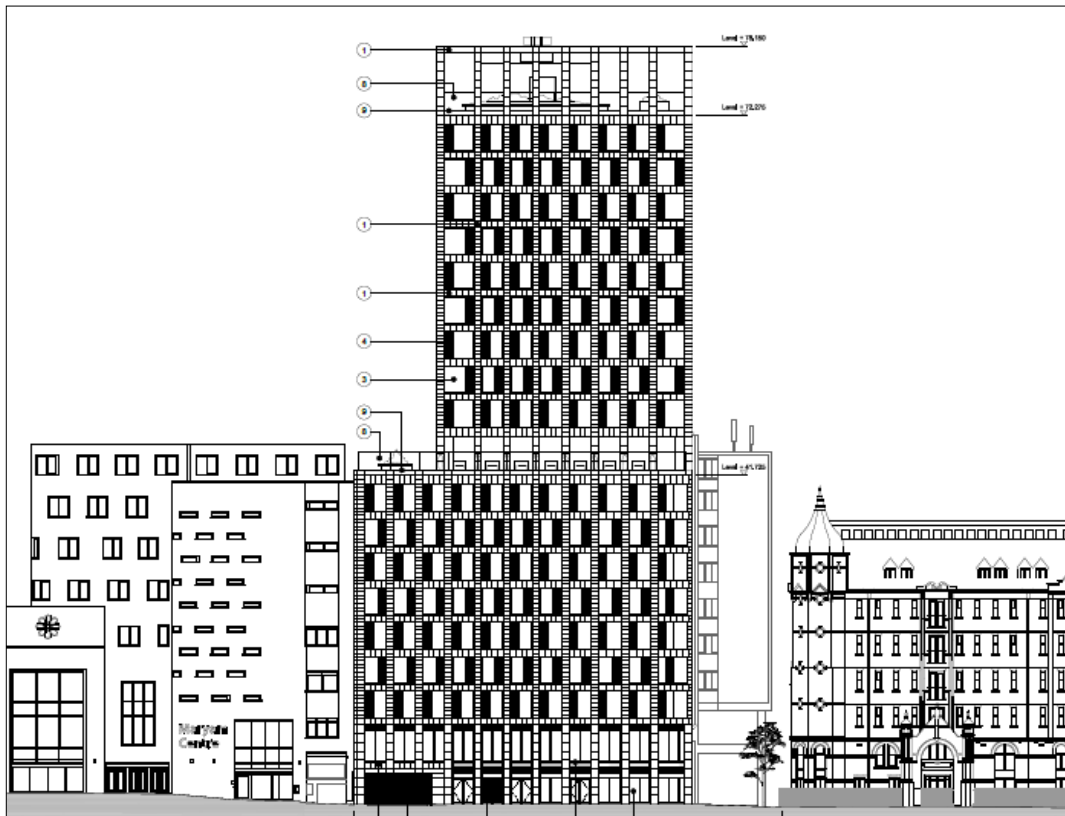


Figure 1.2: Fieldgate Street proposed elevation

- 4.14. In terms of architectural detailing and materiality, the building includes a regular fenestration pattern, comprising an arrangement of mullions, ventilation hatches, glazing and solids.
- 4.15. At ground floor and first floor level, the elevational treatment is mainly glazed with vertical piers running to ground level.

Proposed public realm works

- 4.16. The proposal includes the provision of a pedestrian route between Fieldgate Street and Whitechapel Road.
- 4.17. The proposed route would join up with the first part of the route approved under planning permission PA/15/03518 which relates to the site to the rear (100 Whitechapel Road). The pedestrian route is referred to as Zabadne Way throughout the application submission. Figure 1.3 shows the proposed pedestrian route and its relationship with the approved part of the link.



Figure 1.3: shows proposed pedestrian link together with the 'join' with approved section

5.0 Site and Surroundings

- 5.1 The site is located on the northern side of Fieldgate Road, opposite to the junction with Settles Street. To the rear (north) of the site lies the part 8 part 9 storey former Brunning House building (100 Whitechapel Road) which has now been converted to an Ibis hotel. To the west and north west of the site is the East London Mosque complex which is 8 storeys at its tallest part. The neighbouring building to the east of the site, Tower House, is a 7 storey residential building.
- 5.2 The application site itself is currently vacant and in temporary use as a contractor's compound in association with the redevelopment of the neighbouring site. Previous to this, the site comprised a two storey commercial building that was in use as a vehicle repair workshop. The building has now been demolished.
- 5.3 The western part of the site does however include a vehicular ramp that provides access to the basement of the neighbouring building located to the rear of the site (hotel development).
- 5.4 The Myrdle Street Conservation Area lies to the immediate east and west of the site, encompassing Tower House. Tower House is characterised by red brick, decorative entrances and turret book ends. Settles Street which is opposite to the site also lies within the Conservation Area and comprises terraced 3 storey residential properties. The below map demonstrates the proximity of the site to the Conservation Area (the red line/map are not to scale).

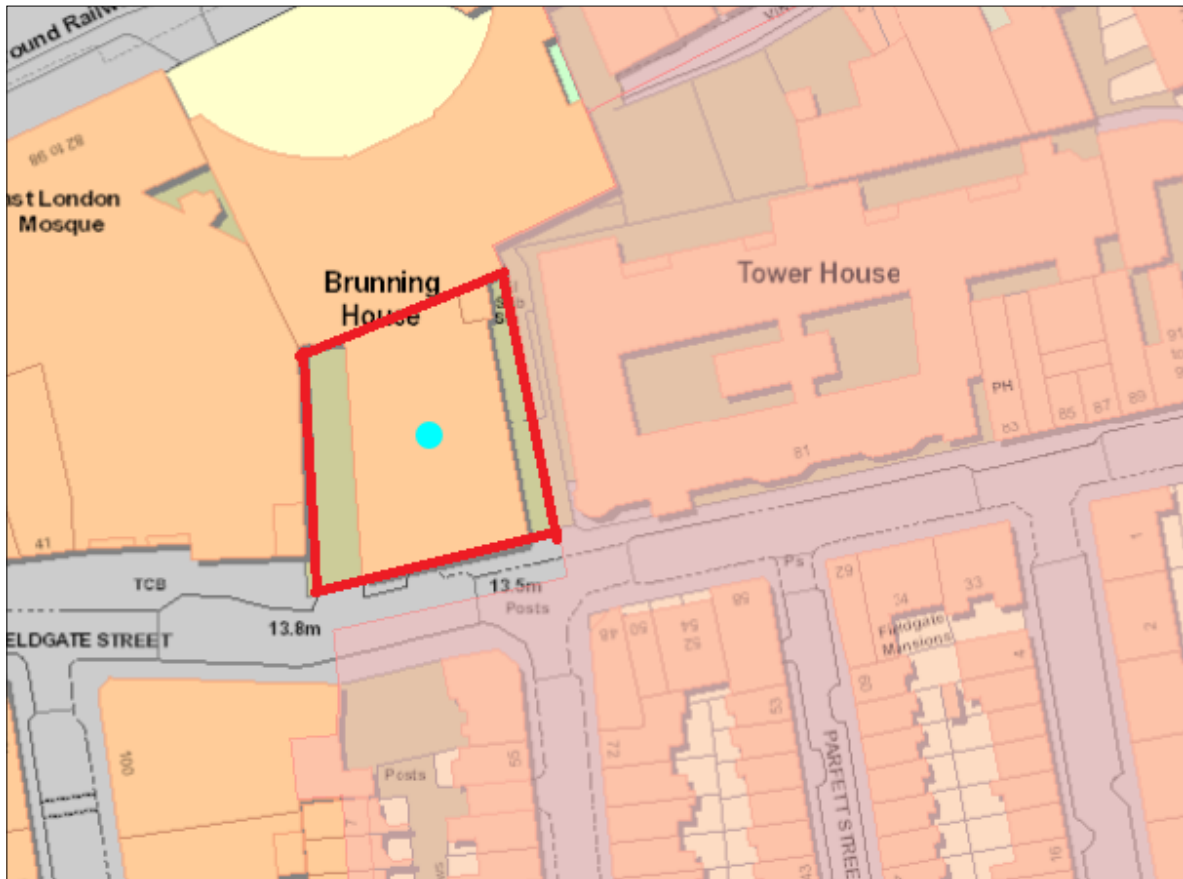


Figure 1.4: Map showing proximity of site to Myrdle Street Conservation Area

- 5.5 The site is located within the Whitechapel Masterplan boundary and forms part of an Archaeological Priorities Zone. The site is however just outside of the Central Activities Zone (CAZ), which lies to the west, and the Whitechapel District Centre, to the east.
- 5.6 Further to this, the site is located within the 'outer core' designation of the City Fringe 'core growth area' as identified by the City Fringe/Tech City Opportunity Area Framework (OAPF).
- 5.7 In terms of public transport and accessibility, the site has a PTAL rating of 6a.

6.0 Relevant Planning History

Application Site

6.1 PA/13/03049

On 2nd March 2015, an application for planning permission was withdrawn by the applicant. The application related to the land at No.100 Whitechapel Road, Fieldgate Street and Vine Court (including the current application site).

Previous to this, the application was recommended for approval by Planning Committee, but referred to the GLA at Stage 2 and was not supported by the Mayor. The proposal sought:

'The demolition of existing vehicle workshop and car showroom; erection of a residential development comprising a total of 185 dwellings (comprising 10 studios; 65 x 1 bed; 71 x

2 bed; 27 x 3 bed; 12 x 4 bed) in an 18 storey building facing Fieldgate Street; and 2 buildings ranging in height from 8-12 storey building facing Whitechapel Road and Vine Court, provision of ground floor retail, office and restaurant spaces (Class A1, A2 and A3), café (A3); 274.9 sqm extension to the prayer hall at the East London Mosque and provision of pedestrian link between Fieldgate Street and Whitechapel Road, extension to existing basement to provide 20 disabled car parking spaces, motorcycle spaces, 360 bicycle parking spaces and bin storage in basement, associated landscape and public realm works’.

PA/17/02395

On 31st October 2017, a request for a screening opinion as to whether an Environmental Impact Assessment is required for a proposed development (PA/17/02217) at Fieldgate Street was submitted. Upon review of the application, LBTH considered that the proposed development did not require an EIA to be undertaken to accompany the planning application.

Other relevant sites

6.2 PA/09/00159 (Land to the rear of the East London Mosque and Cultural Centre and 45 Fieldgate Street)

On 4th May 2010, planning permission was granted for:

‘The redevelopment of the site to the rear of the East London Mosque, including the construction of a part 6/ part 7 storey building and the provision of:

- *Car-parking and funeral facilities at basement level*
- *Mosque - new prayer hall, at ground floor, upper ground floor and first floor level (Use Class D1),*
- *Multi-purpose Hall (Use Class D1) and offices (Use Class B1) at second floor level,*
- *A new secondary school for girls (Use Class D1) at 3rd and 4th floor level,*
- *Women's Gym and associated facilities (Use Class D2) at fifth floor level, and;*
- *Ancillary residential accommodation for use by visitors and staff of the Mosque consisting of 2 x 3 bedroom flats at sixth floor level.’*

6.3 PA/10/01659 (100 Whitechapel Road)

On 22nd November 2010, planning permission was granted for:

‘The part change of existing office building (Use Class B1 - 4,059sqm) to 169 bedroom hotel (Use Class C1 - 4,181sqm), together with external refurbishment works, single storey side extension and excavation to provide basement lift access, erection of refuse store at first floor level together with refuse chute to ground floor level, erection of roof plant enclosure at first floor level, cycle, disabled and coach parking, and associated ancillary works.’

6.4 PA/13/01168 (100 Whitechapel Road)

On 11th November 2013, planning permission was granted for:

‘The extension and alteration of the existing hotel (C1) to provide 119 additional bedrooms, together with extension and change of use of part of existing ground floor car showroom to flexible retail and/or commercial uses (Classes A1, A2, A3).’

6.5 PA/15/01420 (100 Whitechapel Road)

On 19th June 2015, prior approval was given for:

'The demolition of the buildings on the site.'

6.6 PA/15/03518 (100 Whitechapel Road)

On 15th July 2016, planning permission was granted for:

'The demolition of the vehicle showroom and erection of an aparthotel (C1) with commercial uses (A1, A2, A3 and A5 to ground floor), including the first phase of a link between Whitechapel Road and Fieldgate Street.'

Pre-application/ background

- 6.7. To provide background, the applicant team underwent pre-application discussions with the Council. The applicant also sought the pre-application advice of the GLA. During this process, the applicant team were made aware of key issues surrounding the proposed development. These included the necessity to demonstrate the acceptability and justify the proposed land uses and the unacceptability of the proposed scale of development.
- 6.8. Officers also met with the applicant team during the planning application process and provided clear feedback surrounding the Council's position following the assessment of the scheme. At this meeting, officers were presented with 44 letters of support for the scheme. The letters of support are generic in nature and written on paper headed with 'Bamfords Trust Plc' (the applicant).
- 6.9. Following this meeting with the applicant team, officers were willing to enter into a PPA with the applicant with the purpose of addressing Council concerns and working positively and proactively towards a solution. Nevertheless, the applicant subsequently outlined in various letters/emails that they would only amend the scheme if officers would agree to a 17 storey scheme. This is not considered to reflect the spirit of a PPA and even so, a 17 storey scheme was not considered to provide a solution to the issues. On this basis, officers progressed to determine the application as submitted; the applicant team has however submitted additional information throughout the application process.

7.0 POLICY FRAMEWORK

- 7.1 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.
- 7.1.1 The list below is not an exhaustive list of policies, it contains some of the most relevant policies to the application:

7.2 Government Planning Policy Guidance/Statements

National Planning Policy Framework (March 2012) (NPPF)
National Planning Guidance Framework (March 2014) (NPPG)

7.3 Spatial Development Strategy for Greater London - London Plan 2016 (MALP)

Policies

- 2.1 London
- 2.13 Opportunity Areas
- 2.14 Areas for Regeneration
- 2.15 Town centres
- 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
- 3.8 Housing Choice
- 4.1 Developing London's economy
- 4.2 Offices
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.5 Decentralised energy networks
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.1 Strategic approach to transport
- 6.3 Assessing effects of development on transport capacity
- 6.4 Enhancing London's transport connectivity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.7 Location and design of tall and large buildings
- 7.8 Heritage assets and archaeology
- 7.10 World heritage sites
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 7.18 Protecting local open space and addressing local deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodland
- 7.26 Blue Ribbon network and freight
- 8.2 Planning obligations

8.3 Community Infrastructure Levy (CIL)

7.4 Tower Hamlets Core Strategy (adopted September 2010) (CS)

- 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
- SP13 Planning Obligations

7.5 Managing Development Document (adopted April 2013) (MDD)

- DM0 Delivering Sustainable Development
- DM1 Development within the town centre hierarchy
- DM6 Student accommodation
- DM9 Improving air quality
- DM10 Delivering open space
- DM11 Living buildings and biodiversity
- DM13 Sustainable drainage
- DM14 Managing Waste
- DM15 Local job creation and investment
- DM20 Supporting a Sustainable transport network
- DM21 Sustainable transportation of freight
- DM22 Parking
- DM23 Streets and the public realm
- DM24 Place sensitive design
- DM25 Amenity
- DM26 Building heights
- DM27 Heritage and the historic environments
- DM29 Achieving a zero-carbon borough and addressing climate change
- DM30 Contaminated Land
- Annex 2 Standards: Parking

7.6 Emerging Planning Policy

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

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

7.7 **Supplementary Planning Documents include**

Myrdle Street Conservation Area Character Appraisal and Management Guidelines, LBTH (2009)

London Housing SPG (Mayor of London 2016)

Planning Obligations SPD (LBTH September 2016)

London View Management Framework SPG (Mayor of London - March 2012)

SPG: Planning for Equality and Diversity in London (Mayor of London - October 2007)

SPG: Accessible London: Achieving an Inclusive Environment (Mayor of London - April 2004)

City Fringe / Tech City Opportunity Area Planning Framework (OAPF) adopted by the Mayor of London on 31 December 2015

8 **CONSULTATION RESPONSE**

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

8.2 The following were consulted regarding the application:

Internal Responses

LBTH Environmental Health – Food Safety

8.3 Environmental Health has provided comments in relation to the proposed food business. These include a list of requirements for kitchen and food handling facilities. They also outline that food businesses must be registered with the Environmental Health department at least 28 days before opening. It is also noted that floor plans showing layout, equipment and services must be submitted to the Food Safety Team for consideration.

LBTH Environmental Health - Air Quality

8.4 No response provided.

LBTH Enterprise and Employment

The LBTH Enterprise and Employment team have recommended the planning obligations that would be required to mitigate the impact of the development should the scheme be approved.

- At the construction phase

8.5 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce would be local residents of Tower Hamlets. To ensure that local

businesses benefit from this development, it is expected that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.

- 8.6 The Council would also seek to secure a financial contribution of £50,280 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.

- At the end-user phase

- 8.7 The Council would also seek a monetary contribution of £29,897 towards the training and development of unemployed residents in Tower Hamlets to access either: jobs within the B1 (a) and A1 parts of the development or; jobs or training within employment sectors relating to the final development.

LBTH Sustainability

- 8.8 Further information is required in order to assess the acceptability of the scheme in this regard.

- 8.9 The current proposals have sought to implement energy efficiency measures and a communal CHP system. The proposed CO2 emission reduction savings fall short of the policy requirements and the applicant should revisit the proposals to seek to delivery 45% reduction on site, including the integration of renewable energy technologies where feasible.

- 8.10 It is also important for the applicant to demonstrate that the proposed CHP is a suitable technology for this scale of development and provide thermal profiling that was undertaken during the decision making process. In addition to this, the application submission is lacking details of the plant room and a schematic of the proposed system demonstrating that it will serve all parts of the development.

LBTH Environmental Health – Noise and Vibration

- 8.11 No response

LBTH Refuse

- 8.12 It is proposed that the refuse storage that would be located at basement level is mixed with other services. This is not acceptable; waste should be stored separately from all other services.

- 8.13 With regards to the proposed waste collection service, the applicant should ensure that there is, or will be, a dropped kerb from bin store to collection point. It should also be demonstrated that the trolleying distance is no more than 10 metres from the bin store to proposed loading bay. The applicant is also required to demonstrate that tenants are not required to carry their waste more than 30 metres to the bin store.

- 8.14 It is also recommended that there is a dedicated storage area for bulky waste. This has not been included in the proposal.

LBTH Highways

- Car parking

8.15 The application should provide a minimum of two on-site parking spaces for Blue Badge holders (in line with the Local Plan); only one has been provided. Further to this, this space is not located within the red line boundary, nor is it shown on the plans. We are therefore not able to assess whether it is appropriately located.

- Cycle parking

8.16 Highways objects to the proposed level of cycle parking for students. The proposed 228 spaces are 147 spaces short of the minimum level specified in Appendix 2 of the Managing Development Document.

8.17 The proposed access to the student cycle store is unacceptable. The scheme should provide access to cycle parking that encourages its use by providing direct, unimpeded access to storage. The route at basement level between the lift and cycle store is unnecessarily circuitous and is likely to have the effect of suppressing cycle use.

8.18 TfL's comments in relation to the type of cycle parking are supported. The applicant should also provide a maximal provision of Sheffield stand (or similar) type cycle parking. Cycle parking that does not provide any of this type of cycle parking is not supported by Highways.

- Servicing

8.19 Servicing from Fieldgate Street is acceptable, subject to the following issues being resolved: the applicant has not set out how they would minimise the number of delivery trips generated by the site and how deliveries to individual students would be collected, stored and distributed within the development.

8.20 A Delivery and Service Plan should be secured to any permission by condition.

- Public realm

8.21 The applicant makes reference to servicing arrangements (and the necessary highway alterations to facilitate the proposed loading bay) that were agreed in relation to a previous proposal. This application submission does not include details of the proposed works in relation to the proposed development. Auto tracking diagrams would also be required in order to demonstrate that the largest vehicles to serve the site can access and egress the proposed loading bay without unduly affecting the safety and operation of Fieldgate Street.

8.22 The scale and location of the application would also necessitate a Construction Logistics Plan to be secured by condition.

LBTH Biodiversity Officer

8.23 The existing site has negligible biodiversity value; as a result, there would be no adverse impacts on biodiversity.

8.24 The proposed planting includes street trees (Robinia); these are invasive non-native species. They can also cause pavement damage and have a tendency to inherent structural weakness and poor defence to decay following pruning. Robinia is therefore not supported.

8.25 The proposed rain gardens and trees on the 9th and 19th floors would be of very little biodiversity value. The mixed shrub and herbaceous planting proposed for the podiums

would benefit bees and other pollinating insects and therefore contribute to a Local Biodiversity Action Plan (LBAP) target.

- 8.26 The Ecology Report recommends 4 x swift boxes as an ecological enhancement. These have not been included on the plans, but should be secured by condition.

Sustainable Urban Drainage (SUDS) officer

- 8.27 No response

External responses

London Underground

- 8.28 London Underground Infrastructure Protection had no comment to make on this planning application.

Historic England (Archaeology)

- 8.29 The site lies within an Archaeological Priority Area relating to the Roman Road to Colchester and the mediaeval and post-mediaeval development of Whitechapel. Historic England has not been able to find an archaeological desk-based assessment for the proposals in the submitted material. It is advised that the LPA require one to be submitted to inform a development decision, in keeping with the NPPF and Local Plan policies.

- 8.30 It is therefore recommended that further studies (desk based assessment) are undertaken and submitted.

Crime Prevention Office (Metropolitan Police)

- 8.31 The proposals include shared space with Ibis and Adagio hotels at basement level. This is not best practice; these spaces need to be robustly segregated.

- 8.32 Further information is required in relation to the access at basement level, including details of the gate.

- 8.33 The proposal for Zabadne Way must achieve the following to achieve legitimate use: be wide, open, well-illuminated and well-overlooked.

- 8.34 A planning condition, requiring Secure by Design accreditation should also be added.

Thames Water Utilities Ltd.

- 8.35 From the information provided within the application submission, Thames Water have been unable to determine the waste water needs of this application. Should the LPA look to approve the application ahead of further information being provided, Thames Water request that a Grampian style condition, concerning the submission of a drainage strategy, is added.

- 8.36 It is also recommended that a piling method statement is secured by condition and that an informative advising of the minimum pressure for water that they would be able to supply for future residents is added.

National Air Traffic Services Ltd (NATS safeguarding)

- 8.37 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS have no objection to the proposal.

Crossrail Ltd

- 8.38 The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction. The implications of the Crossrail proposals for the application have been considered and it is confirmed that Crossrail Ltd do not wish to make any comments on this application as submitted.

Greater London Authority/ Transport for London

- 8.39 The Mayor considered the application at Stage 1 on 30th October 2017.

- **Principle of development:** student accommodation is supported in principle; however affordable bedrooms must be provided in lieu of a partnership with an academic institution. A financial viability assessment is required which will be robustly assessed to determine an appropriate level of affordable accommodation. The affordable office floorspace is strongly supported, subject to information on proposed discount.
- **Urban Design:** further information is required on: the proposed public realm link; the ground level changes surrounding the site; and opportunities to provide windows in corridors at lower levels should be considered.
- **Energy:** details of the following are required: cooling demand; the site heat network and the combined heat and power network; and feasibility of renewable technologies.
- **Transport:** Existing car parking provision/basement details required; proposed location and access to cycle parking must be clarified; pedestrian environment review audit must be provided; Crossrail payment required; and delivery and servicing assessment and construction logistics plan required.
- **Summary:** *“That Tower Hamlets Council be advised that the application does not comply with the London Plan for the reasons set out; however the resolution of those issues could lead to the application becoming compliant with the London Plan”*

- 8.40 No comments received from the following consultees:

- London Ambulance Service NHS Trust
- London City Airport

9 LOCAL REPRESENTATION

- 9.1 A total of 1066 neighbouring properties were notified about the application and invited to comment. This is illustrated on the map appended to this report. The application has also been publicised on site, by way of a site notice and advertised in the local press (East London Life).
- 9.2 12 letters have been submitted in objection to the proposal. A further 44 letters of support have also been submitted. It should be noted that applicant team presented the 45 letters of support to officers at a meeting. 44 of the letters are on headed paper, titled ‘Bamfords Trust Plc’ and all made the following point:

"I write in support of the above application. I consider the proposals will generate significant benefits to the local area and community. I would hope that this scheme is supported and that the Council will grant consent without undue delay."

The further letter of support was received from the neighbouring East London Mosque. The letter outlines support for the pedestrian link, suggesting that it would benefit the public and help improve the area. It is also suggested that it would relieve a burden on the Mosque and Centre that is being used as a shortcut to go between Whitechapel Road and Fieldgate Street which is adding to security concerns.

9.3 The letters of objection raised the following concerns.

Land use

- There is already student accommodation nearby.

Design and heritage

- Inappropriate and massive over-development of sensitive site
- Out of scale with the surrounding streetscape
- Grossly overbearing and unsightly
- It should be no taller than the Ibis hotel development
- Far too tall for this location
- The architects have no knowledge of the area and no feel for the community
- It would ruin the fabric and character of this historic, low rise neighbourhood
- If a 20 storey high building is built it would ruin the classic looks of the conservation area.

Neighbouring Amenity

- Windows of units within Vine Court would face the tower; the only daylight and amenity enjoyed would be destroyed and most severely degraded
- It will block daylight from all buildings to the east of it

Local infrastructure

- The local infrastructure cannot cope with the existing numbers in the area; it would deprive the existing residents and business of the environmental amenity they are entitled to expect.
- No amenity space for such a huge number of additional people in this tiny, overcrowded neighbourhood already crammed with people.
- Will make the area more overcrowded, deprived and congested; there is no amenity space or proper facilities for these people.

- It does not offer any benefit to the local people.

Highways

- Travel congestion
- Existing refuse problem in local area associated with existing student accommodation; collection is very noisy and is disturbing in the narrow streets
- Where there are activities at the Mosque, the streets and pavements throughout the area are jammed; access for residents becomes nearly impossible.

10 MATERIAL PLANNING CONSIDERATIONS

10.1 The main planning issues raised by the application that the committee must consider are:

- Land use
- Design and heritage
- Neighbouring amenity
- Highways and transportation
- Energy and sustainability
- Biodiversity
- Air Quality
- Archaeology
- EIA
- Impact on Local Infrastructure and facilities, Local Finance Considerations, Human Rights Considerations and Equalities Act Considerations

Land use

General Principles

- 10.2 At a national level, the National Planning Policy Framework (NPPF 2012) promotes a presumption in favour of sustainable development, through the effective use of land driven by a plan-led system, to ensure the delivery of sustainable economic, social and environmental benefits. The NPPF 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. Local authorities are also expected to significantly boost the supply of housing and applications should be considered in the context of the presumption in favour of sustainable development.
- 10.3 The proposal seeks the redevelopment of the site and the introduction of student accommodation, B1 (a) office floorspace and an A3 commercial unit.
- 10.4 The site forms part of the City Fringe/ Tech City Opportunity Area Framework (OAPF) adopted by the Mayor of London on 31st December 2015. The OAPF identifies the site as part of the Outer Core Growth Area, where a significant amount of employment floorspace is expected as part of mixed use schemes.
- 10.5 The site is also located within the Whitechapel Vision Masterplan boundary. The Whitechapel Vision Masterplan SPD (2013) seeks to manage the expected growth in Whitechapel and create a place that secures the benefits of growth for the community.

The three guiding principles are to 1) Strengthen Whitechapel's District Centre, 2) Promote Sustainable Communities and 3) Deliver High Quality Places.

- 10.6 Fieldgate Street is located within the 'Cultural, Community and Creative Quarter' of Whitechapel which is recognised for its rich existing creative industry sector. In line with the principles set out in the aforementioned OAPF, the provision of flexible workspace for local Small and Medium Enterprises is therefore outlined as being particularly important in this location, as is the protection, enhancement and refurbishment of business space for new start-ups.
- 10.7 Further to this, the Whitechapel vision highlights the importance of the existing faith and charitable organisations within this quarter due to their role in promoting social cohesion and reducing social deprivation. On this basis, the Masterplan seeks to support and enhance their provision through infrastructure improvements.
- 10.8 The Whitechapel vision also proposes an open space and movement strategy which seeks to improve the arrival experience and significantly enhance public realm and connectivity through new proposed routes and public squares linking key activity hubs and open spaces to and around Whitechapel Road. The proposed, and partially approved, pedestrian link through from Fieldgate Street to Whitechapel Road is cited within the strategy as a 'proposed tertiary route'.

Loss of the existing use

- 10.9 The site is currently vacant, albeit used for the storage of construction materials associated with the redevelopment of a neighbouring development.
- 10.10 There is an existing substation on the site. The application submission does not provide any information relating to this substation, including what development it currently serves and whether it is proposed that it is reprovided as part of the proposed development. If otherwise acceptable, officers would have sought further information in this regard.

Proposed student accommodation

- 10.11 The proposed development seeks 375 rooms of student accommodation, spread over 17 floors of the proposed development.
- 10.12 London Plan (2016) Policy 3.8 'Housing Choice' identifies the significance of the contribution that London's universities make to the economy and labour market and states that it is important that their attractiveness and potential growth are not compromised by an inadequate provision of new student accommodation. It is also noted that new provision may also reduce pressure on other elements of the housing stock currently occupied by students, especially in the private rented sector.
- 10.13 It is however maintained that addressing such demands should not compromise capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. The London Plan further states that this may raise particular challenges locally, and especially in four central London boroughs, including Tower Hamlets, where 57% of provision for new student accommodation has been concentrated.
- 10.14 The Mayor seeks proactive partnership working, for example, between developers and relevant bodies, such as universities and the Mayor's Academic Forum, to ensure that proposals for student accommodation meet identified local and strategic need for student

accommodation and secure accommodation which is more affordable for the student body as whole.

- 10.15 On this basis, if a developer is not working in partnership with a university or other relevant body, the development should, subject to viability deliver an element of student accommodation that is affordable for students. The methodology for this is set out in the London Housing SPG.
- 10.16 Policy SP02 of the Core Strategy (2010) seeks to provide for the specialist housing needs of the borough with regards to student accommodation, but maintains that developers should work with the borough's universities to enable the appropriate provision of student accommodation that meets identified need. It also guides proposals for student accommodation to locations that are adjacent to existing university campuses and in areas of good public transport accessibility.
- 10.17 Policy DM6 of the Managing Development Document (2013) states that the provision of purpose-built student accommodation will only be supported in locations identified within the Core Strategy. It also sets out the requirement to contribute to the provision of affordable housing where the proposed accommodation is not exclusively for accredited colleges or universities.
- 10.18 In light of the above policy basis, the Council's assessment of the acceptability of the proposed student accommodation from a land use perspective will have regard to whether the proposed development responds to an identified need for student accommodation in the proposed location and whether the location is appropriate with regards to its proximity to a university and public accessibility.
- 10.19 Secondary to this, officers will have regard to whether the proposed development meets planning policy in terms of providing an appropriate contribution to affordable student housing.
 - Local need
- 10.20 As outlined above, developers are encouraged to work in partnership with the borough's universities to address identified need for student accommodation. In the absence of a partnership of this nature, officers expect proposals to be supported by robust evidence and justification that the proposed development meets an identified local need. This is considered to be especially important in the context of the existing over-concentration of student accommodation within Tower Hamlets as highlighted by the London Plan.
- 10.21 The application submission was originally submitted without any justification in this regard. Following discussions with the Council and the GLA surrounding the absence of this information, the applicant submitted a 'London market report on student accommodation', prepared by Knight Frank.
- 10.22 The report has regard to the London Student Market as a whole; comparing the amount of full time students in London to those currently living outside of university or purpose built student accommodation. It also has reference to the London Development Pipeline (July 2017) with regards to student accommodation.
- 10.23 This report has no regard to Tower Hamlets in isolation. Many of the comparable schemes that have been cited are however located within the Borough. Whilst this does not provide any information surrounding the demand for student accommodation in this location in the applicant's favour, it does work to demonstrate the amount of existing student accommodation within the local area and their proximity to the application site.

The majority of which are within half a mile of the application site which would suggest that there is a concentration of student accommodation within the local area surrounding the application site. The letters of objection submitted in relation the proposal also make reference to the existing amount of student accommodation nearby. This is illustrated in the table (table 1.1) below:

Scheme	Address	No. student beds	Proximity to application site (walking)
Liberty Plaza	65 Leman Street, E1 8EU	618	0.5 miles
The Curve	14 Fieldgate Street, E1 1ES	350	358 feet
Magenta House	5 Tyrian Place, E1 1DQ	187	0.2 miles
Pure Aldgate	60 Commercial Road, E1 1LP	417	0.5 miles
Chapter Aldgate	1-2 Education Square, E1 1FA	346	0.3 miles
Chapter Spitalfields	9 Frying Pan Alley, E1 7HS	1117	0.6 miles

Table 1.1: Existing student accommodation provision within the locality

- 10.24 At a later date, the applicant submitted a further report, titled ‘Central London Demand Study – Fieldgate Street – demand profile and market analysis’, also prepared by Knight Frank. This report has regard to the full time student population within a 2.5m radius of Fieldgate Street, the existing supply of student accommodation and the demand for further student accommodation within this radius.
- 10.25 The report provides some relevant data and suggests that within this 2.5m radius there is further demand for purpose built student accommodation. It also has regard to Queen Mary’s University which is located within Tower Hamlets and suggests that there are not enough capacity at present to accommodate Queen Mary’s students.
- 10.26 The Core Strategy requires proposals of this nature to respond to “an identified need for student accommodation”. With this in mind, it is considered that the aforementioned report goes some way to demonstrate a need for further student accommodation within a 2.5m radius of the site. It also highlights some need in relation to students that attend Queen Mary’s University. It is however acknowledged that without a partnership arrangement with Queen Mary’s, there is no security that the proposed provision would accommodate students from this University, especially given the proximity of the site to public transport.
- 10.27 Further to this, DM6 ‘Student Accommodation’ seeks to “ensure that the supply of student housing is managed to meet identified need without compromising the delivery of other important uses, in particular housing”.
- 10.28 It is acknowledged that the constraints of the site limit its potential to deliver a significant quantum of housing. The area is however identified by the Whitechapel Vision as a rich creative industry sector, where the further provision of flexible work space for Small and Medium Enterprises and new start ups are encouraged. The site is also located within

the Core Growth Area of the City Fringe/Tech City where the strategic objective is to deliver a significant amount of employment floorspace.

- 10.29 As the proposed quantum of student accommodation inhibits the opportunity to maximise the aforementioned uses on the site, further emphasis falls on the importance of providing robust justification surrounding the appropriateness and acceptability of the proposed student accommodation as a land use.
- 10.30 Whilst it is not felt that Council policy enables officers to object on this basis, it is not considered that robust conclusions, that fully consider site specific issues (for example, the localised concentration of student accommodation) have yet been drawn from the data provided.
- Affordability
- 10.31 The proposed development seeks to bring forward purpose built student accommodation independent of a partnership arrangement with a university. Therefore, as set out in the relevant policies referred to above, the development is required to deliver an element of student accommodation that is affordable for students. This is subject to viability testing; the London Housing SPG sets out in detail how this exercise should be undertaken, including a formula that expresses, in values, what affordable student accommodation rent is. This is a relatively intricate process and differs from the way in which general needs affordable housing is calculated. Therefore, it is vital that the applicants have regard to the London Housing SPG when addressing this policy requirement.
- 10.32 The original application submission provided no details of affordability. Following communication with the GLA and the Council regarding this requirement, the applicant submitted a financial appraisal and build cost report.
- 10.33 These details were not accompanied by the written narrative that would usually form part of a financial viability report. The approach to the viability testing also has no regard for the London Housing SPG, for example, the student accommodation is expressed in sales values rather than rental values.
- 10.34 The applicant has further stated in an email that whilst the development is not considered to be viable, the decision has been made to provide 10% affordable student accommodation anyway. The London Housing SPG requires the delivery of a percentage of the units at an affordable rent, in line with a specified formula that defines affordable student commotion. Officers are therefore unsure how this 10% would be secured and delivered.
- 10.35 Therefore, as currently proposed, the proposal fails to provide a proportion of affordable rented student accommodation in line with policy requirements. As this is crucial to the acceptability of purpose-built student accommodation, the scheme is therefore unacceptable and is refused on this basis.

Proposed office floorspace

- 10.36 The proposed development seeks to provide 1,050sqm of office (B1a) floorspace at ground floor and first floor level.
- 10.37 Core Strategy Policy SP06 'Delivering successful employment hubs' seeks to maximise and deliver investment and job creation in the borough and promotes the creation of a sustainable, diversified and balanced economy by ensuring a sufficient range, mix and

quality of employment uses and spaces, with a particular focus on the small and medium enterprise sector.

- 10.38 Policy DM15 'Local job creation and investment' of the Managing Development Document (2013) also states that new employment floorspace will need to provide a range of flexible units, including units less than 250sqm and less than 100sqm to meet the needs of Small and Medium Enterprise (SMEs). The Council's policy position in relation to employment space aligns with the Whitechapel Vision for the area surrounding the application site.
- 10.39 When referring to the provision of employment floorspace in new development (including mixed-use development), policy supports proposals for new B Class employment space, including securing new affordable workspace as part of major employment developments. The City Fringe OAPF states that for sites in the core growth areas, applicants should seek to incorporate a proportionate level of affordable workspace that is flexible and/ or suitable for occupation by micro and small enterprises.
- 10.40 The submission material lacks any explanation of how the workspace is to be managed post-construction and, where appropriate, evidence of agreement of lease of the workspace to a workspace provider. This is to ensure that the floorspace will be useable and viable for use by micros and small enterprises and managed accordingly.
- 10.41 The proposed development includes 1,050sqm of office floorspace. Officers raise no objections to the principle of B1 (a) office as a land use. However, the Council's planning policy and the relevant supplementary guidance, including the Whitechapel Vision and the City Fringe OAPF, require development to also contribute to the small and medium enterprise sector and incorporate a proportionate level of affordable workspace that is flexible and/or suitable for occupation by micros and small enterprises.
- 10.42 It is proposed that Business in the Community (BITC) would occupy the floorspace. BITC is a business-led, issue-focused charity with more than 30 years' experience of mobilising business. The application submission states that the office space would be occupied by BITC on a rent-free basis. The future occupier of the office space is not a material planning consideration and therefore should not be given weight in the determination of the planning application.
- 10.43 The socio-economic report submitted with the application has regard to the employment generation associated with BITC which is a planning consideration. In line with policy, Officers are supportive of uses that will generate local employment.
- 10.44 On face value, the proposed development also seeks to provide affordable workspace. However, following the Council's and the GLA's attempts to obtain further details regarding the nature of the affordability, it would appear that the submission is referring to an arrangement between the applicant and BITC, rather than a defined strategy to deliver affordable workspace, from which the Council can secure details surrounding rent discount and management of the space to ensure the continued affordability of the space, and can be secured by way of a legal planning obligation.
- 10.45 On this basis, the application submission is seeking to demonstrate the merits of the proposed office space through presenting information relating to the occupier (BITC). Like the GLA, the Council would support and welcome the relocation of BITC into the borough and do not dismiss the merits of the occupier themselves as a business-led charity. However, the planning consideration in this regard relates to the nature of the affordable workspace and the ongoing contribution it can make, rather than the occupier itself. As currently proposed, the planning process cannot secure the arrangement

between the applicant and proposed occupier; this is therefore not considered to constitute a material consideration.

- 10.46 Therefore, whilst officers do not object to the principle of B1 (a) employment floorspace in this location, it is considered that the proposal fails to maximise an opportunity to contribute towards the small and medium enterprise sector as per the aspirations of the Whitechapel Vision and City Fringe/ Tech City OAPF.

Proposed café/ restaurant unit (A3)

- 10.47 The proposed development includes a small commercial unit that would comprise 70sqm of A3 floorspace and front Fieldgate Street.
- 10.48 Policy DM1 of the Managing Development Document (2013) 'Development within the town centre hierarchy' seeks to direct A3 uses to the CAZ and town centres.
- 10.49 However, further to this, Core Strategy Policy SP01 'Refocusing on our town centres' encourages development to promote areas outside of town centres, as places that support and assist in the creation of sustainable communities. It further states that this can be achieved by promoting mixed use development at the edge of town centres and introducing supporting uses that are local in nature and scale.
- 10.50 As the proposed café/ restaurant unit would support the proposed office and student accommodation uses and be local in nature and scale, officers consider this to be acceptable, and would not result in an over concentration in this location.
- 10.51 In addition to providing services for residents and employees, it is considered that it would activate the public realm, making a positive contribution in this regard.

Design and heritage

- 10.52 The proposed development seeks to introduce a 20 storey building to the site, given the proximity of the site to the Myrdle Street Conservation Area, regard will also be had to the impact of the proposal upon the setting of the Myrdle Street Conservation Area.
- 10.53 Chapter 7 'Requiring good design' of the NPPF (2012) states that the Government attaches great importance to the design of the built environment, outlining good design as a key aspect of sustainable development and indivisible from good planning.
- 10.54 In relation to the conservation and enhancement of the historic environment, Chapter 12 of the NPPF (2012) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. It further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.55 Furthermore, London Plan Policy 7.4 'Local Character' seeks high quality urban design having regard to the local character, pattern and grain of the existing spaces and streets in scale, proportion and mass. London Plan Policy 7.6 'Architecture' seeks the highest architectural quality, enhanced public realm, materials that complement the local character, quality adaptable space and to optimise the potential of the site.

- 10.56 London Plan Policy 7.8 ‘Heritage assets and archaeology’ states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural details.
- 10.57 Core Strategy Policy SP10 ‘Creating distinct and durable places’ seeks to protect and enhance the Borough’s conservation areas and their settings. It also 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. More specifically, it seeks to ensure that new development respects its local context and townscape, including the character, bulk and scale of the surrounding area.
- 10.58 Policy DM24 ‘Place-sensitive design’ of the Managing Development Document (2013) requires development to be designed to the highest quality standards, incorporating principles of good design, ensuring that design is sensitive to and enhances the local character and setting of the development. Policy DM26 ‘Tall buildings’ requires that building height and scale is considered in relation to the town centre hierarchy and is sensitive to the context of its surroundings.
- 10.59 Policy DM27 ‘Heritage and the historic environment’ requires development to protect and enhance the borough’s heritage assets, their setting and their significance as key elements of developing the sense of place of the borough’s distinctive places.
- Height, scale and massing
- 10.60 The application site is in an ‘outside of town centre’ location. Therefore, when considered in relation to Policy DM26, the application site does not naturally fall within an area designated for tall buildings. Whilst the site lies within the Whitechapel Masterplan area which sets out an ambitious vision for Whitechapel, the site itself is not identified as a key regeneration area.
- 10.61 The context of the site is also considered to be sensitive, with the Myrdle Street Conservation Area immediately to the south and east. The Myrdle Street Conservation Area is characterised by a Georgian streetscene, with early 19th century terraces and is considered to retain a cohesive character. With regards to scale of development, the Conservation Area Appraisal states that:
- “Properties on New Road are among the largest in scale, together with those on Settles Street, and are of 4 and 5 storeys with basement. Those on secondary residential roads running parallel to New Road and Settles Street are smaller, for example properties in Myrdle Street are of two storeys plus attic and basement, whilst Parfett Street consists of 3 storey terraces”.*
- In terms of views, the Conservation Area Appraisal states:
- “Long views run along major street axes, such as along Whitechapel Road, New Road and Commercial Road, with local views down side streets such as Myrdle Street and Parfett Street terminated by the imposing Tower House. Views through Settles Street and Fordham Street, along with Myrdle Street and Parfett Street highlight the uniformity of the streetscape of terraces with common scale, parapet line, roofscape and pattern of fenestration.”*
- 10.62 Tower House is 7 storeys in height, neighbours the application site to the east and falls within the Conservation Area boundary. It maintains notable architectural merit and is

considered to make a significant contribution to the special merits of the Myrdle Street Conservation Area.

- 10.63 The Fieldgate Street streetscene to the west of the application site sits outside of the Conservation Area and is mixed in character. The Maryam Centre, which forms part of the East London Mosque, sits to the immediate west of the site and exists prominently in the streetscene at a notable mass and maximum height of 7 storeys.
- 10.64 The application submission includes a Visual Impact Assessment (VIA). This document seeks to demonstrate that the proposal would give rise to an acceptable level of impact upon local views (including the Myrdle Street Conservation Area), strategic views, and the townscape whilst also having regard to its wider relationship with the City.
- 10.65 In terms of impact upon views of strategic importance, the VIA demonstrates that the proposed development would not adversely impact 'The Queens Walk at City Hall' view of the London Development View Framework.
- 10.66 The VIA does however demonstrate that there would be significant impact upon locally important views, including those from the Conservation Area. Whilst not an exhaustive list, the following views (Table 1.2) are considered to illustrate the extent of this impact:

View point	Location
View 5	Settle Street, at junction with Fordham Street, looking north
View 7	Fieldgate Street, close to junction with Plumbers Row, looking east
View 9	New Road, at junction with Fieldgate Street, looking west
Dynamic View C07C	Settles Street
Dynamic View L02	Fieldgate Street (looking east towards the site)
Dynamic View L05	Fieldgate Street (looking west towards the site)

Table 1.2: The views most impacted by the proposed development

- 10.67 Further to this, the neighbour representations submitted in objection to the application refer to the design and heritage impacts of the proposal. The concerns raised make reference to the inappropriateness of the scale and massing of the proposed building, its relationship with the surrounding scale of development and its impact upon the historic fabric and 'classic' appearance of the adjoining Conservation Area. These issues are addressed in the officer's assessment of the design and heritage impacts of the proposal below.
- 10.68 The proposed building marks a notable departure from the scale of its surroundings and gives rise to a disproportionately tall building in an immediate context which is characterised by, and celebrated for, the uniformity of its lower scale buildings. It is not just the visibility of the building that is concerning, but the unacceptable dominance of the proposed vertical mass in a range of local views, including those from within the Myrdle Street Conservation Area. The building also sits significantly taller and bulkier than Tower House.

- 10.69 When viewed from the eastern end of Fieldgate Street (View 9), the proposed building would become an imposing backdrop to Tower House, completely infilling the areas of sky between the turrets (see figure 1.5 below). With this, the prominence of the building within the roofscape, streetscene and Conservation Area is considered to diminish to an extent.



Figure 1.5: View 5 - Settle Street, at junction with Fordham Street, looking north



Figure 1.6: View 9 - New Road, at junction with Fieldgate Street, looking west

- 10.70 It must be noted that it is not just the height of the proposed building that is objectionable. The overall bulk, massing and arrangement of the overall building is considered to be unacceptable. The podium/tower arrangement which includes a 9th floor set back is considered to be tokenistic in its attempt to break down the scale and massing of the building and thus is considered to do little to diminish the impact of a building at the proposed scale.
- 10.71 Furthermore, it is also important to outline that the proposed impact is not limited to the setting of the conservation area itself, but to the wider townscape. When viewed from Whitechapel Road (View 6), the building would sit significantly taller than the largest frontage buildings, including the East London Mosque. The prominence of proposed building within the Whitechapel Road streetscene is considered to mark an inappropriately significant departure from the more traditional scale of hierarchy that exists on this side of Whitechapel Road.
- 10.72 The VIA includes a birds eye view CGI that shows the proposed building in the context of the wider cityscape, including the tall building clusters in Aldgate and the city of London. This further enforces the disproportionate nature of the proposed building scale.
- 10.73 In their Stage 1 report, the GLA support the form and massing approach, subject to the delivery of the public link (which is discussed in greater depth below). The GLA take this position on the basis that the visibility of the proposed building is restricted in longer range views and where visible, its impact is mitigated by its efficient footprint and simple form.

- 10.74 Officers agree that the impact of the proposed building upon a number of the tested longer range views is limited, however, in seeking to protect and enhance the Borough's heritage assets and their settings in line with local planning policy, officers maintain, for the reasons outlined above, that the proposed development would give rise to less than substantial harm upon the setting of the Myrdle Street Conservation Area. Whilst officers have categorised the level of harm as 'less than substantial' it is considered that the harm resulting from the proposal would be at the top end of the scale and would give rise to an unacceptable impact upon the character and appearance of the Conservation Area.
- 10.75 On this basis, the application site is not considered to be an appropriate location for a building of the proposed scale. As well as being outside of a town centre designation where the siting of tall buildings is more likely to be supported, the proposed development fails to respond sensitively to the context of its surroundings, displayed through the disproportionate height and scale and associated impacts described above.
- 10.76 As a result, the proposal is considered contrary to local planning policy and refusal is recommended on this basis.
- Building form, detailed design and materiality
- 10.77 The proposed building includes a chamfered section at ground floor level. This marks a design response to pre-application advice from the Council surrounding the relationship of the proposed development with Tower House. The intention of the chamfered section is therefore to reveal the significance of Tower House, when viewed from the western end of Fieldgate Street.
- 10.78 However, the streetscape views provided by the applicant demonstrate that the proposed chamfer does little to achieve this. This is particularly evident when comparing the existing images of Tower House from a similar viewport whereby Tower House appears prominent in the streetscene. In the proposed views, any prominence and significance is lost.
- 10.79 The building itself is considered to be well articulated, with an appropriate solid to void ratio. The approach towards the ground floor elevations is considered to introduce activity and natural surveillance to the surrounding public realm which is welcomed and supported.
- 10.80 Nevertheless, despite such efforts to reduce the impact of the scale and massing through architectural detailing and articulation, the proposed building continues to overwhelm Tower House, the setting of the Conservation Area and the wider surroundings. On the basis, the proposed building remains objectionable with regards to its scale and massing.
- Public realm
- 10.81 The proposed development seeks to introduce a pedestrian route that would create a north-south route between Fieldgate Street and the site to the north of the application site. It is proposed that in conjunction with the already approved part route (PA/15/03518), the proposal would facilitate a pedestrian link between Fieldgate Street and Whitechapel Road.
- 10.82 Core Strategy Policy SP09 'Creating attractive and safe streets and spaces' seeks to improve the connectivity of identified areas that suffer from poor permeability, for

example, through the creation of new routes. Further to this, Policy DM23 'Streets and public realm' of the Managing Development Document (2013) requires development to be well-connected with the surrounding area by improving permeability and legibility, particularly to public transport, town centres, open spaces and social and community facilities.

- 10.83 Further to this, the Whitechapel Vision seeks improved accessibility within Whitechapel and promotes new connections and increased legibility through new pedestrian and cycle routes. The proposed pedestrian route through the site is outlined on the open space and movement strategy within the SPD, as a 'proposed tertiary route' that would contribute to improved accessibility within Whitechapel.
- 10.84 On this basis, officers are supportive of the principle of the proposed pedestrian link as it would contribute to the objectives of the Whitechapel Vision and Council policy. The delivery of this, as a high quality pedestrian route, would be recognised as a key public benefit of the proposal.
- 10.85 It is however noted that the successful delivery of the link requires the previously approved section of the route and the proposed section to align. It is understood for the applicant that there are some land ownership issues relating to the area surrounding the point at which the two sites/ routes meet. As currently proposed, it does not seem that the route would give rise to a wholly accessible or legible route. The Council and the GLA in their Stage 1 report also sought further information in this regard.
- 10.86 The applicant has sent further information in response to this. The information received demonstrates that the intention of the applicant is to deliver the route inclusive of the dog legged section part way through. This gives rise to concern surrounding the quality of the route in terms of accessibility, legibility and secure by design issues.
- 10.87 The Crime Prevention Officer at the Metropolitan Police, in their consultation response have reinforced the above concerns, stating that Zabadne Way must be wide, open, well-illuminated and well overlooked to encourage legitimate use. Officers do not consider that the application submission provides any level of certainty that the route, as currently proposed, would be capable of achieving the above.
- 10.88 The adjoining Mosque has made a representation in support of the proposed link. It is suggested that it would also relieve a burden on the Mosque which people are currently using as a cut through. Whilst it is accepted that the proposed link would contribute to the overcoming of this issue, it is not considered to justify the acceptability of the link, as currently proposed.
- 10.89 In light of the above, it is felt that the proposals for the pedestrian link require further work. As currently proposed, due to the access and legibility constraints, it is not considered to constitute a public benefit.
- The planning balance/ public benefits argument
- 10.90 As set out in the NPPF, where the proposal is considered to give rise to less than substantial harm upon the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.
- 10.91 In this instance, the level of harm upon the setting of the conservation area is considered to hold a significant amount of weight. On this basis, it is not considered that significant public benefits would outweigh the impact upon the Conservation Area.

- 10.92 Despite this, if having regard to the public benefits of the scheme, minimal weight would be applied. It is noted that the neighbour representation submitted in support of the application suggest that the “*proposals will generate significant benefits to the local area and community*”. Conversely, the letters of objection suggest that the proposed development would be of no benefit to the local community.
- 10.93 Despite the weight applied to the impact upon the Conservation Area, officers have had regard to the public benefits of the scheme.
- 10.94 At this stage, the weight apportioned to the proposed pedestrian link as a public benefit is considered to be limited due to uncertainty surrounding the legibility, accessibility and safety of the route.
- 10.95 BITC, the proposed occupier of the office floorspace, is also presented in the application submission as a public benefit. As previously outlined, no weight can be apportioned to a potential occupier as a planning benefit but there would be new jobs arising from the proposed development which provides some public benefit. The local need for additional student housing has not been properly established nor has its affordable element and therefore this can only be considered to be of very limited public benefit.
- 10.96 In summary, the harm to the setting of the Myrdle Street Conservation Area is not outweighed by public benefits. Furthermore, there are a number of serious adverse impacts of the proposed development on the amenity of adjoining occupiers as set out below.

Proposed student accommodation

- Proposed units/rooms

- 10.97 The proposed development seeks to provide a mix of room/unit types for students. The Council does not have a policy basis upon which the quality of the proposed accommodation or the mix of accommodation can be assessed against.
- 10.98 Council policy in relation to student accommodation does however seek to ensure that proposals for student accommodation respond to local need. On this basis, officers would also expect the design, arrangement and type of student accommodation to respond to local student needs. No information has been provided in this regard.

- Inclusive design

- 10.99 Neither regional nor local policy sets out requirements for purpose built student accommodation with regards to the standard of accommodation delivered. Officers have however had regard to the proposed student accommodation from an inclusive design perspective.
- 10.100 London Plan Policy 7.2 ‘An inclusive environment’ requires that all new development is accessible and inclusive for all. In line with this, London Plan Policy 3.8 requires 10% of new dwellings to be wheelchair accessible. The Accessible London SPG requires that accommodation for disabled students should be fully integrated into development.
- 10.101 On this basis, the proposed student accommodation is expected to deliver 10% wheelchair accessible student rooms. The original proposal included 19 wheelchair accessible studios, 5% of the total development. As this was significantly below the London Plan requirement, the GLA sought an increase in this provision.

- 10.102 The applicant submitted revised plans in response to this, increasing the wheelchair housing proportion to 10%. Officers are satisfied that this overcome previous concerns in this regards. Furthermore, officers are also satisfied that the lifts, corridors and fire escapes are also wheelchair accessible. If an otherwise acceptable scheme, this would be secured by condition.
- 10.103 The public realm surrounding the site is also considered to be wheelchair accessible. Officers are therefore satisfied that the applicant has overcome concerns in this regard
- Amenity of future occupiers
- 10.104 Policy DM25 'Amenity' states that development should protect the amenity of future residents and building occupants in addition to the existing occupiers.
- 10.105 As previously stated, there is not specific planning policy or guidelines relating to the standard of student accommodation proposed. Officers must however have regard to the amenities of the students that would occupy the proposed units.
- 10.106 It is also noted that the proposed development would include external amenity space for the students at 9th and 19th floor levels. This is supported.
- 10.107 Given the nature of the accommodation, including the short duration of time that the rooms/units would be occupied by students, officers consider the development to be satisfactory from an amenity perspective.

Neighbouring Amenity

- 10.108 Core Strategy Policy SP10 'Creating distinct and durable places' and Policy DM25 'Amenity' of the Managing Development Document seek to protect residential amenity. These policies work to ensure that new development does not result in an unacceptable loss of outlook or privacy, nor enable an unreasonable level of overlooking or unacceptable increase in the sense of enclosure. Further to this, it is outlined that development should not result in an unacceptable material deterioration of the sunlighting and daylighting conditions of surrounding development including habitable rooms of residential dwellings, schools, community uses and offices.
- 10.109 In terms of neighbouring residential buildings, the adjacent Tower House is the most affected by the proposal. With a separation distance of approximately 8m at its closest point, it is considered that the proposed development would negatively impact the amenities of neighbouring occupiers.
- 10.110 It has been argued by the applicant that the units within Tower House are being used in a short-term let capacity opposed to mainstream residential accommodation. Officers have had regard to the planning history relating to this site, and no planning permission has been granted for the use of the building in this way and the Council's Planning Compliance team have not received complaints in this regard. On this basis, the impact on this building will be assessed in relation to the lawful use of the building, residential.
- 10.111 The proposal is also considered to give rise to a level of impact upon the properties opposite to the application site which includes Nos. 42-54 Fieldgate Street.
- 10.112 There are also existing residential properties to the rear of the application site at Nos. 11-14 Vine Court and No. 7 Vine Court. Regard is also had to the impact of the proposal upon these properties.

- 10.113 The letters of objection received from neighbouring occupiers also make reference to the daylight, sunlight and overbearing impact of the proposed development, especially in relation to Vine Court and existing development to the east of the proposed building.
- 10.114 These impacts are detailed and addressed in greater depth in the paragraphs below.
- Daylight and sunlight
- 10.115 The application submission included a Daylight and Sunlight report prepared by Malcolm Hills LLP. The assessment was undertaken in accordance with the BRE guide.
- 10.116 In relation to daylight testing, the report sets out the findings of the Vertical Sky Component (VSC) analysis. The target figure for VSC recommended by the BRE is 27%. A VSC of 27% is a relatively good level of daylight and the level that would be expected for habitable rooms with windows on principal elevations. It is however recognised that it is often difficult to achieve this level on secondary elevations and in built-up urban environments.
- 10.117 Through research, the BRE have determined that in existing buildings daylight levels can be reduced by approximately 20% their original value before the loss is materially noticeable. It is for this reason that they consider that a 20% reduction is permissible in circumstances where the existing VSC value is below the 27% threshold. Once this has been established, it is then necessary to determine whether the distribution of daylight inside each room meets the required standard.
- 10.118 The Daylight Distribution (DD) test looks at the position of the 'No-Sky Line' (NSL). The BRE guide suggests that living rooms, dining rooms and kitchens should be tested with bedrooms deemed less important, although should be analysed nevertheless.
- 10.119 The daylight testing that has been undertaken applies VSC, but has not further tested the distribution of daylight inside of the affected rooms. The most significantly affected and aforementioned properties are referred to below.
- 10.120 With regards to sunlight testing, the report sets out the findings of the Annual Probable Sunlight Hours (APSH) analysis. Compliance will be demonstrated where a room receives 25% of the APSH (including at least 5% in the winter months), or at least 0.8 times its former sunlight hours during either period, or a reduction of no more than 4% APSH over the year.
- 10.121 The BRE guidance recognises that there may be certain circumstances where a larger reduction in sunlight may be necessary. The sunlight criteria is also considered to primarily apply to windows serving living rooms.

Tower House

- 10.122 The proposed development would affect the western elevation of Tower House. The results of the VSC analysis demonstrate that the windows on this elevation would be subject to significant reductions in daylight. For example, 89% of the analysed windows on this elevation would fail to comply with BRE guidance. It also noted that the majority of the failings are significant, with many of the proposed VSC levels as low as 0.07 times (third floor) their former value (i.e. a 93% loss of daylight).
- 10.123 The report submitted suggests that the affected windows are mainly bedroom windows. It should be noted that the BRE daylight guidelines apply to rooms in dwellings where daylight is required, including living rooms, kitchens and bedrooms.

- 10.124 It also suggests that the living rooms have dual aspects either to the courtyard or in the case of the corner rooms, to the north or south. Whilst this is a material consideration, the report does not include floor plans or further details of this. Officers are therefore unable to fully consider this, nor ascertain which of the affected windows are primary/secondary. It is not however felt that this would justify the extent of harm proposed to some of the tested windows.
- 10.125 It is also noted that the baseline position/ existing VSC levels reflect a vacant site. It is therefore recognised that any new development on the application site is likely to give rise to a level of daylight reduction on Tower House. This however is not considered to warrant reduction of the proposed extent.
- 10.126 Further to this, the report outlines the extent of the sunlight level reduction at Tower House. Although not surprising given the extent of daylight reduction, the APSH analysis demonstrates that 76% of the tested windows would fail to comply with BRE guidance.
- 10.127 In light of the above, the daylight and sunlight impacts upon the west elevation windows at Tower House are considered to be significant when considered both individually and cumulatively.

Nos. 42-54 Fieldgate Street

- 10.128 The above properties are opposite to the application site and also present notable reductions in daylight levels. The results of the VSC analysis demonstrate that the proposed VSC levels for these properties would fall as low 0.4 times their former value.
- 10.129 The impact is considered to be particularly significant at Nos. 42 and 46 where 0% of the analysed windows comply with BRE guidance.
- 10.130 The report suggests that the affected windows at No. 42 are mainly bedrooms and gallery type kitchens and that the living rooms are located on the south facing elevation and remain unaffected. Again, officers acknowledge that this forms part of the consideration relating to the acceptability of the proposed impacts, however further information is required. The report refers to the consented plans for a previous planning permission at this address, but fails to include the floor plans in the report.
- 10.131 The failings at Nos. 50-54 are also considered to be significant given how low the existing VSC levels are. A further reduction would therefore result in VSC levels as low as 7.28 (at ground floor level No. 50 Fieldgate Street).
- 10.132 Whilst the sunlight levels are considered to comply with BRE guidance for these properties, the reduction in daylight levels are considered to cause significant harm to the occupiers of those properties.

Summary

- 10.133 The findings of the daylight and sunlight testing have demonstrated that the proposed scale and massing would give rise to significant impacts upon the amenities of neighbouring occupiers by way of loss of daylight and sunlight. The reductions, when considered both individually and cumulatively, are considered to give rise to a material deterioration to neighbouring daylight and sunlight levels.

- 10.134 Whilst the daylight analysis is limited to VSC and does not demonstrate the impact of the proposal upon daylight distribution, the findings of the VSC analysis, together with the ASPH results, are considered to be sufficient to demonstrate the unacceptable nature of the development in this regard.
- 10.135 It is acknowledged that in dense urban environments, significant reductions in light to neighbours can sometimes be considered appropriate. Generally, these schemes are acceptable in all other respects and deliver significant benefits. Officers however remain unconvinced that the proposed scheme would be capable of justifying the proposed level of harm in this regard.
- 10.136 Therefore, the proposal is considered to be unacceptable with regards to daylight and sunlight impacts.
- Overbearing impact and increased sense of enclosure
- 10.137 Due to the proximity of the proposed building, at the proposed scale and massing, the development would also be considered to give rise to an unacceptable overbearing impact and increased sense of enclosure upon the occupiers at Tower House. It is also considered that it would have the same unacceptable impact upon the properties within Vine Court to the rear.
- Overlooking and loss of privacy
- 10.138 The application submission has not addressed the relationship between the proposed building and Tower House with regards to overlooking. With a separation distance of just 8m (approx.), officers are concerned that the proposed development would give rise to an unacceptable overlooking impact and resultant loss of privacy upon the occupiers of Tower House. No mitigation measures have been discussed or proposed.
- 10.139 To conclude, the proposed development would give rise to an unacceptable increase in sense of enclosure, overbearing impact and loss of privacy to the existing neighbouring occupiers at Tower House. In light of this, and the unacceptable daylight/sunlight impacts upon Tower House and the properties on Fieldgate Street, the proposal is considered to be unacceptable with regards to its impact on neighbouring amenity; it is proposed that the applicant is refused on this basis.

Highways and Transportation

- 10.140 The NPPF and Policy 6.1 of the London Plan (MALP 2016) seek to promote sustainable modes of transport and accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within the relative capacity of the existing highway network.
- 10.141 Core Strategy policies SP08 'Making connected places' and SP09 'Creating attractive and safe streets and spaces', together with Policy DM 20 'Supporting a sustainable transport network' of the Managing Development Document seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity. The policies also require the assessment of traffic generation impacts and also seek to prioritise and encourage improvements to the pedestrian environment.
- 10.142 Further to this, policy 6.13 'Car parking' of the London Plan and Policy DM 22 'Parking' of the Managing Development Document seek to deliver development that relies on non-

car modes of transport and limits car use through the restriction of new car parking provision.

- 10.143 Policy 6.9 'Cycling' of the London Plan sets out the requirement for the delivery of cycle parking with new development, seeking the provision of secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards. Appendix 2 of the Managing Development Document also sets out minimum cycle parking standards for new development. It should be noted that the local requirements for cycle parking associated with student accommodation are more onerous than the London Plan.
- 10.144 The Council's Highways officer and TfL have had regard to the following issues; their consultation responses are incorporated into the assessment set out in the paragraphs below.
- Car parking (and Blue Badge parking)
- 10.145 Other than disabled car parking provision, no car parking is proposed as part of the development. At a PTAL rating of 6(a), the non-provision of car parking is encouraged and supported. If this was an otherwise acceptable scheme, officers would seek to secure the car-free nature of the development via S106 agreement. This would ensure that future occupiers would not be able to obtain a parking permit to park within the surrounding Controlled Parking Zone (CPZ).
- 10.146 Appendix 2 of the Managing Development Document requires development with off-street car parking provision to provide 2 accessible spaces for Blue Badge holders. In addition to this the parking addendum to Chapter 6 (London Plan) states that non-residential elements of a development should provide at least one accessible on or off street car parking bay designated for Blue Badge holders, even if no general parking is provided. Any development providing off-street parking should provide at least two bays designated for Blue Badge holders. The London Plan also states that car parking spaces designated for use by disabled people should be located on firm level ground and as close as feasible to the accessible entrance of the building.
- 10.147 The proposal seeks to provide 1 accessible space for Blue Badge holders within the existing basement of the neighbouring development. This is therefore insufficient in terms of quantum.
- 10.148 Further to this shortfall, the application submission does not include details of the proposed accessible parking arrangement. As a result, officers are unaware as to where the disabled space would be located within the existing basement in relation to the proposed scheme, how access from the neighbouring basement to the application site would be achieved and how this space would be allocated and managed. Officers would also be required to assess the impact of this arrangement on the existing neighbouring development, for example, does the proposal displace a car parking space associated with the existing development? Given that the disabled car parking space would also be located outside of the red line, it would need to be secured by S106 agreement. Without the above details, this would not be possible.
- 10.149 There was a late submission of information relating to the above issues; the additional information was inclusive of the basement plans of the neighbouring development. Whilst this outlined where the disabled parking would be located, it does not fully address the above concerns, or enable officers to assess whether it is an acceptable arrangement.

10.150 In light of this, officers are unable to assess the appropriateness of the proposed location and therefore, the acceptability of this parking provision with regards to its accessibility to a wheelchair user. As officers are not in receipt of the information necessary to determine whether the development is capable of being acceptable in this regard, it is not considered that the details could be secured by condition. The proposal is therefore refused on this basis.

- Cycling

10.151 In terms of network of cycle routes and cycle accessibility, the applicant has stated that there is a comprehensive network of cycle routes within the local area, including the Cycle Superhighway (Stratford-Aldgate route) which runs along Whitechapel Road. Nevertheless, in their consultation response, TfL have noted the absence of an analysis of the current environment for cyclists in the Transport Assessment submitted.

10.152 Given the number of cyclists that the proposed development could generate, if the scheme was otherwise acceptable, officers would seek further information in this regard. Officers would then have regard to whether it would be appropriate for the development to contribute to local cycling conditions via a S106 contribution.

10.153 In terms of cycle parking provision for the proposed student accommodation, the proposed development includes the provision of 228 spaces. It is also provide 20 cycle parking spaces for the proposed office floorspace. These would be located at basement level (within the proposed development).

10.154 With regards to access, TfL and the Council's highways officers consider the proposed arrangements to be unsatisfactory. The scheme should provide access to cycle parking that encourages its use through the provision of direct and unimpeded access to storage areas.

10.155 As proposed, student cyclists would be expected to travel from street level, through a refuse and laundry room and several narrow doors to reach the storage facility. Officers are also not convinced that the proposed lift that would be used to access the cycle storage is large enough to take all type of cycle. Given the level of potential cyclists, the route to and from the proposed cycle storage facility should allow for two-way passing of cyclists wheeling cycles.

10.156 In terms of quantum, Appendix 2 of the Managing Development Document requires 1 cycle parking space to be provided per student/ bed space. The Transport Statement has not had regard to the Council's cycle parking requirements in addition to the London Plan minimum requirements. The proposal would therefore result in a short fall of 147 spaces when assessed in relation to the Local Plan requirements. A total of 375 spaces are required by policy.

10.157 The office floorspace is expected to provide 1 long stay cycle parking space per 90sqm and 1 short stay cycle parking space per 500sq. The proposal seeks to introduce 20 parking spaces. This is considered to be acceptable from a quantum perspective. They would also be accessed off the vehicular ramp; this is also considered to be acceptable.

10.158 The proposed development is however expected to provide short stay cycle parking in addition to long stay and make a distinction between the two. TfL have stated that short-stay cycle parking should be located in the public realm, close to the buildings main entrance, in a well-overlooked, functional and attractive location. The Council would also expect a maximal provision of Sheffield stand (or similar) type cycle parking to ensure

usability and ease of access. An entire provision of double stacked racks is not considered to be acceptable.

10.159 In light of the above, the proposed development is considered to be unsatisfactory with regards to cycling. This includes the accessibility of the proposed cycle storage, the quantum of cycle parking spaces and the nature of the cycle storage. The proposed development is therefore refused on this basis.

- Delivery and servicing

10.160 The application submission includes a Delivery and Servicing Plan and a Transport Assessment. Whilst the documents refer to the location of a loading bay, the submission is lacking details in relation to how servicing and delivery would be managed, the expected number of deliveries per day and how the applicant seeks to minimise the number of delivery trips generated by the site.

10.161 The submission also fails to address how deliveries to individual students would be collected, stored and distributed within the development.

10.162 It is proposed that the development would be serviced via a newly configured loading bay outside of the adjacent building on Fieldgate Street. It is acknowledged within the Transport Assessment that this would be subject to a Section 278 agreement with the Council's highways department.

10.163 Whilst officers do not raise objections to this in principle, it is noted that works to the public realm would be required to facilitate the new loading bay. For example, the introduction of dropped kerbs where required. No details of this have been provided.

10.164 The applicant has also failed to demonstrate how the loading bay would work in practice. Officers would expect the provision of tracking diagram that demonstrate that the largest delivery and servicing vehicles can access and egress the proposed loading bay without unduly affecting the safety and operation of Fieldgate Street.

10.165 If an otherwise acceptable scheme, officers would seek to secure a detailed Delivery and Servicing Plan by condition.

- Waste

10.166 The Delivery and Servicing Strategy sets out the proposed refuse storage and collection arrangements.

10.167 It is proposed that refuse storage associated with the student accommodation element of the scheme would be provided at basement level. A lift would provide access to a bin store at ground floor level; the refuse would then be collected from Fieldgate Street.

10.168 It is further proposed that the refuse storage associated with the office and commercial elements of the scheme would be located within the existing basement of the neighbouring property. The existing ramp would provide access to Fieldgate Street where the refuse would be collected.

10.169 It is proposed that the refuse service vehicles would utilise the new loading bay referred to above.

10.170 Unfortunately, the refuse storage facilities that would serve the student accommodation are not considered to be acceptable. The basement level floor plan shows that the

refuse storage would be located in the same room as the laundry. The Council's Waste officer raises objections to this; waste should be stored separately to all other services. Also, without further details, officers are unable to determine whether the proposed lift is sufficient in size for the proposed bins.

- 10.171 Further to this, the application submission does not provide any information surrounding the proposed arrangement for the storage of refuse associated with the office and commercial floorspace within the neighbouring basement. As discussed in relation to the disabled parking provision, officers are unable to determine the acceptability of this arrangement without explicit information in this regard. Without the necessary information, officers would also be unable to secure this arrangement within a S106 agreement.
- 10.172 As currently proposed, the refuse storage arrangements are considered to be unacceptable. Should this be considered an otherwise acceptable scheme, officers would seek to secure additional information by condition.

- Construction

- 10.173 The original application submission did not address the impact and management of construction. Measures to reduce the amount of construction related traffic need to be considered.
- 10.174 TfL have requested that an outline Construction Logistics Plan (CLP) is submitted as further information and that a detailed CLP is secured by condition.
- 10.175 The applicant team submitted an outline CLP to TfL at a late stage in the application process. Feedback from TfL has not yet been received in relation to this information. Officers would seek to secure further details by condition if an otherwise acceptable scheme.

Energy & Sustainability

- 10.176 London Plan Policy 5.1 'Climate change mitigation' deals with London's response to climate change and seeks to achieve an overall reduction in carbon dioxide emissions of 60% below 1990 levels by 2025.
- 10.177 Policy 5.2 'Minimising carbon dioxide emissions' sets out the Mayor's energy hierarchy to:
- Be lean: Use Less Energy
 - Be clean: Supply Energy Efficiently
 - Be Green: Use Renewable Energy
- 10.178 Policy DM29 'Achieving a zero carbon borough and addressing climate change' of the Managing Development Document includes the target to achieve a minimum 50% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. From April 2014 the London Borough of Tower Hamlets have applied a 45% carbon reduction target beyond Part L 2013 of the Building Regulations, as this is deemed to be broadly equivalent to the 50 per cent target beyond Part L 2010 of the Building Regulations.
- 10.179 Policy 5.2 of the London Plan requires major development, both residential and non-domestic, to achieve a minimum improvement in CO2 emissions 40% above Part L of the Building Regulations 2010 in years 2013-2016. From 2016 residential buildings

should be zero carbon while non-domestic should accord with Part L of the 2013 Building Regulations and be zero carbon from 2019.

10.180 Policy DM 29 of the Managing Development Document also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require the residential units to comply with optional requirement G (36) (2)9b) of the 2010 Building Regulations in relation to water consumption and non-residential to achieve BREEAM Excellent.

- Proposed carbon emission reductions

10.181 The applicant has submitted an Energy Report produced by Fieldgate Limited that states that the design seeks to reduce CO2 emissions through energy efficiency measures and a CHP system.

10.182 The current proposals seek to minimise CO2 emissions at each stage of the energy hierarchy as follows:

Be Lean – 15% reduction

Be Clean – 20% reduction

10.183 The current proposals are for a 35% reduction in CO2 emission compared to a baseline scheme, and therefore the scheme falls short of the adopted LBTH requirement for a 45% reduction. If an otherwise acceptable scheme, officers would request that the applicant revisits the proposal to improve energy efficiency measures and potentially integrate renewable energy technologies to meet the policy requirements, or alternatively would seek a contribution towards carbon offsetting to address any deficiency

10.184 The submitted energy report is also considered to be deficient in details surrounding the CHP system, in particular, the absence of thermal profiling in order to demonstrate that the CHP has been correctly sized for the headloads of the development. In light of this, if the scheme was otherwise acceptable, officers would secure further details by condition.

10.185 The GLA, in their Stage 1 report, have also highlighted shortfalls in the level of information provided in this regard. Officers would also seek to ensure that further information is required by condition if an otherwise acceptable scheme.

- Sustainability

10.186 The applicant has submitted a BREEAM pre-assessment report which shows that the scheme has been designed to achieve BREEAM Excellent rating with a score of 73.52%. If the scheme was considered to be otherwise acceptable, this would be secured by condition.

Environmental Impact Assessment

10.187 The application submission was not accompanied by a request for an EIA screening opinion, nor was one submitted prior to the application being submitted. Given the scale, location and history of the site, the Council considered it necessary to screen the planning application, to determine whether an EIA was required. As set out in the planning history section of this report, the screening opinion was carried out and issued under planning application reference PA/17/02395.

- 10.188 The findings of the environmental reports have been utilised, as necessary, to inform this EIA Screening Opinion.
- 10.189 The proposed development does not fall within any of the descriptions of development listed in Schedule 1 of the EIA regulations, and is therefore, not a Schedule 1 development. The development does, however, fall within the description of a Schedule 2 development, classified under item 10(b) as 'urban development projects'.
- 10.190 'Schedule 2 development' means development (other than exempt development – which this is not) of a description mentioned in Column 1 of the table in Schedule 2, where:
- a) Any part of that development is to be carried out in a sensitive area; or
 - b) Any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met in relation to that development.

No part of the proposed development is to be carried out in a 'sensitive area' as defined by the EIA Regulations

The threshold for item 10(b) is as follows:

- (i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
 - (ii) The development includes more than 150 dwellings; or
 - (iii) The overall area of the development exceeds 5 hectares
- 10.191 The proposed development is for 188 units of student accommodation. There is no fixed definition of the term 'dwelling'. However, the Council considered that for the purposes of the EIA Regulations, that the proposed student accommodation should be considered as a 'dwelling'. As such, the 188 units exceed the threshold for the 150 dwellings, and therefore the proposed development constitutes 'Schedule 2 development'. Consideration was therefore given to whether the proposed development may give rise to significant environmental effects, such that an EIA may be required.
- 10.192 Following this assessment, the Council concluded that the proposed development does not require an EIA to be undertaken to accompany this planning application, as the proposed development is not likely to generate significant environmental effects. The reasoning for this decision is clearly set out as part of the decision notice for PA/17/02395.

Biodiversity

- 10.193 Core Strategy Policy SP04 'Creating a green and blue grid' promotes and supports new development that incorporates measures to green the built environment, including green roofs and green terraces. The policy also seeks to ensure that development protects and enhances areas of biodiversity value.
- 10.194 Policy DM11 'Living buildings and biodiversity' of the Managing Development Document requires developments to provide elements of 'living buildings' which can be provided as living roofs, walls, terraces or other building greening techniques. The policy requires existing elements of biodiversity value to be retained or replaced by developments.
- 10.195 The Council's biodiversity officer has confirmed that the existing site has negligible biodiversity value and as a result, the proposal would not give rise to adverse impacts on biodiversity. However, as a major development, the proposal is required to contribute to the Local Biodiversity Action Plan (LBAP) and provide net gains for biodiversity.

- 10.196 The proposed development includes planting at ground level, 9th floor level and 19th floor level. Unfortunately, it is not considered that the proposed planting would provide any biodiversity value. Further to this, the trees that would be located at ground floor level would be Robinia which is identified as an invasive non-native species by the London Invasive Species Initiative. This would therefore be contrary to the emerging Local Plan.
- 10.197 Further to this, Robinia is prone to suckering which can cause pavement damage. It is also has a tendency for inherent structural weakness and poor defence to decay following pruning. It therefore would not be supported as a street tree. The proposed rain gardens and trees on the 9th and 19th floor podiums are also considered to have no or little biodiversity value.
- 10.198 More positively, the mixed shrub and herbaceous planting proposed for the podiums does have a good range of nectar-rich flowers. These will benefit bees and other pollinating insects and therefore contribute to a LBAP target. The recommended 4 swift boxes are also considered to be an ecological enhancement and would contribute to a LBAP target. There is however no further reference to this on the plans. Further details would therefore be required if an otherwise acceptable scheme.
- 10.199 As currently proposed, the proposed development is considered to include minimal biodiversity enhancement for a development of proposed size. On this basis, should the scheme be otherwise acceptable, the applicant would be required to submit further details in this regard.

Air Quality

- 10.200 Policy 7.14 of the London Plan seeks to ensure design solutions are incorporated into new developments to minimise exposure to poor air quality, Policy SP03 and SP10 of the CS and Policy DM9 of the MDD seek to protect the Borough from the effects of air pollution, requiring the submission of air quality assessments demonstrating how it would prevent or reduce air pollution in line with Clear Zone objectives.
- 10.201 The borough is designated an Air Quality Management Area (AQMA) and the Council produced an Air Quality Action Plan in 2003. The Plan addresses air pollution by promoting public transport, reducing the reliance on cars and by promoting the use of sustainable design and construction methods. NPPF paragraph 124 requires planning decisions to ensure that new development in Air Quality Management Areas is consistent with the local air quality plan.
- 10.202 The application site is in close proximity to a number of sensitive receptors, including the residential properties, hotel users and businesses.
- 10.203 The application submission is accompanied by an Air quality Assessment produced by GEM Air Quality Ltd. This has regard to the impact of the proposal upon air quality both during the construction phase and during the operation of the development.
- 10.204 It is noted that there is potential for adverse effects during construction, mainly in relation to the closest receptors. Officers are however satisfied that with the implementation of standard best practice measures, these effects are not likely to be significant. If an otherwise acceptable scheme, these measures would be secured through a Construction Environmental Management Plan (CEMP) required by condition.
- 10.205 In terms of the operation of the development itself, air quality emissions would arise from new traffic generation and the proposed CHP.

- 10.206 The Transport Statement confirms that with the exception of disabled parking, no additional general car parking is proposed as part of the development. This, in addition to the site's highly accessible location in terms of more sustainable modes of transport, is considered to result in minimal emissions from vehicles movements associated with the proposed development.
- 10.207 It is also considered that the proposed CHP boilers would contribute to overall emissions; the effects are not however considered to be negligible.
- 10.208 Furthermore and with respect to the new internal receptors, consideration has been given to the location of the site within the AQMA. Based on the outcome of the air quality assessment, mitigation measures would be required in order to mitigate the impact of poor air quality on the future occupants of the proposed development. It is considered that mitigation measures are required at nearly all of the modelled receptor locations.
- 10.209 On this basis, the applicant proposes to use a 'whole house heat recovery' ventilation system. If an otherwise acceptable scheme, officers would seek to secure such mitigation measures by condition.

Archaeology

- 10.210 The application site is located within an area of archaeological interest; an Archaeological Priority Area relating to the Roman Road to Colchester and the mediaeval and post-mediaeval development of Whitechapel.
- 10.211 London Plan policy 7.8 'Heritage Assets and Archaeology' states that new development should make provision for the protection of archaeological resources.
- 10.212 No archaeology assessment was submitted with the original application. However, the Planning Statement submitted concludes: 'The site itself was the subject of bombing during WW1 and was comprehensively redeveloped in the 1960s, including basement provision. Consequently, it has previously been confirmed that the site has no archaeological interest'.
- 10.213 In their consultation response, Historic England requested that a desk-based assessment is produced to inform planning decisions. This has since been submitted and concludes: "the generally low archaeological potential of the site, together with the low significance of the 19th century building remains, indicates that the redevelopment of the site is unlikely to have a significant archaeological impact'.
- 10.214 In the absence of reasons for refusal, officers would seek confirmation from Historic England that they are happy with the conclusions of the report.

Local infrastructure impacts and other issues

- 10.215 The objections also make reference to the impact of the proposed development upon local infrastructure, for example, in relation to the further strain upon existing amenity space. As this report recommends that the proposed development is refused, officers have not proposed specific planning obligations. However, if considered to be an otherwise acceptable scheme, officers would give consideration to the planning obligations necessary to mitigate the impact of the development.

- 10.216 Several of the objections received from neighbouring occupiers have made reference to the misleading nature of the applicant in relation to the previous planning application at the application site. This is not considered material to the assessment of the planning application; officers have had regard to the relevant planning merits of the scheme.
- 10.217 The objections also make reference to the existing congestion on the surrounding pavements in association with the neighbouring East London Mosque and raise concerns relating to the additional impact that may arise from the proposed development. Officers note that TfL requested a Pedestrian Environment Review. This has been submitted to TfL at a late stage within the process. TfL have therefore not yet reviewed and provided feedback on this. If considered an otherwise acceptable scheme, officers would investigate this further.

Health Considerations

- 10.218 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough.
- 10.219 Policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.
- 10.220 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:
- a) Working with NHS Tower Hamlets to improve healthy and active lifestyles.
 - b) Providing high-quality walking and cycling routes.
 - c) Providing excellent access to leisure and recreation facilities.
 - d) Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
 - e) Promoting and supporting local food-growing and urban agriculture.
- 10.221 As detailed in the previous section, the proposed development would promote sustainable modes of transport, improve permeability through the site, provide communal amenity space and provide sufficient play space for children. It is therefore considered that the proposed development as a consequence would broadly promote public health within the borough in accordance with London Plan Policy 3.2 and Policy SP03 of the Council's Core Strategy.

Human Rights Considerations

- 10.222 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:-
- 10.223 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a

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

- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and,

- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

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

10.225 Were Members not to follow Officer's recommendation, they would need to satisfy themselves that any potential interference with Article 8 rights will be legitimate and justified.

10.226 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.

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

10.228 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

10.229 In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered.

Equalities Act Considerations

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

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

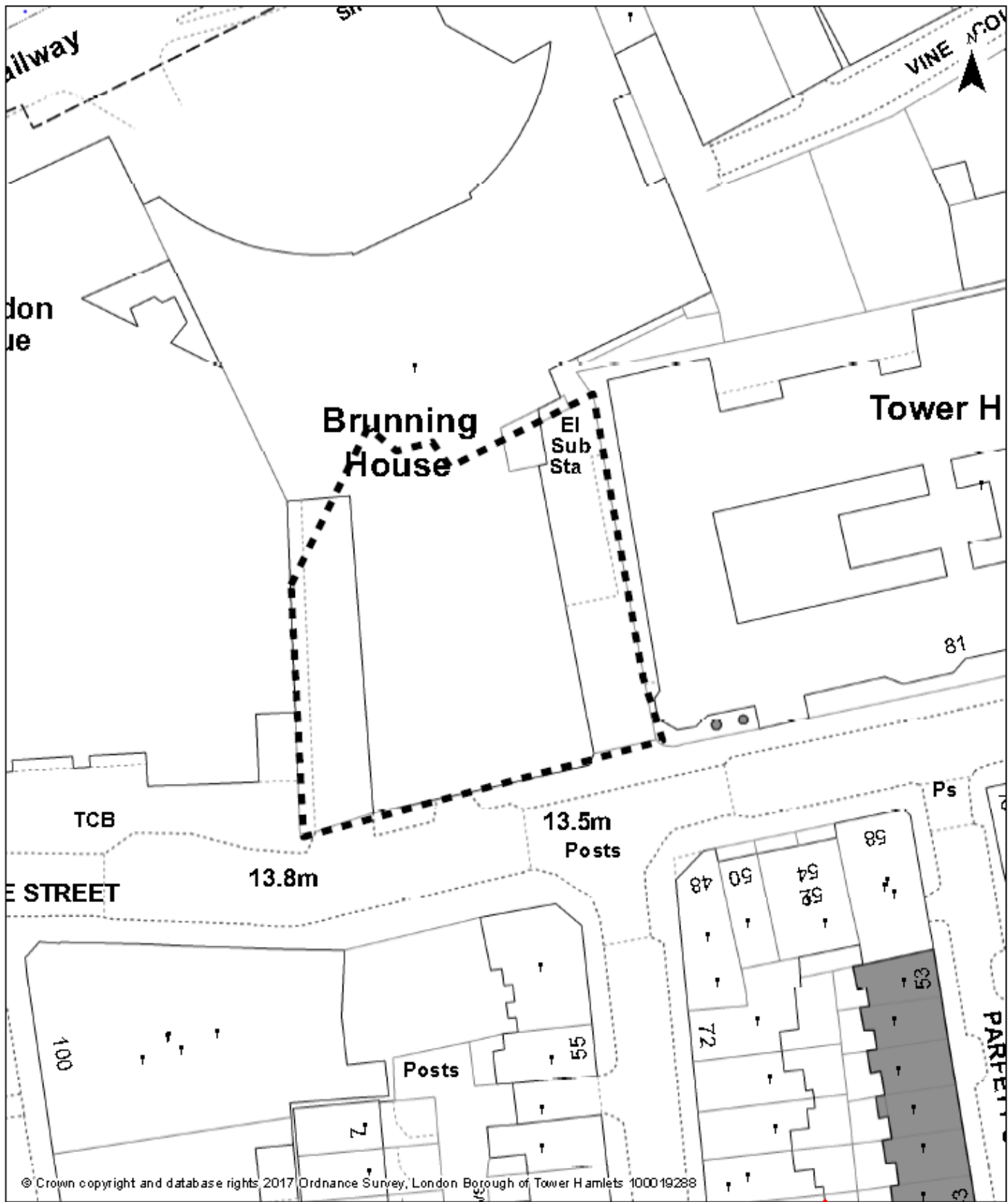
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and,

3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 10.231 The proposed student accommodation provides a policy compliant number of accessible rooms. The public realm and access is also considered to be fully wheelchair accessible. The proposals do however include a shortfall in disabled parking provision. As stated above, if an otherwise acceptable scheme, officers would seek revised details in this regard.
- 10.232 With regards to the pedestrian link, there are concerns that the route is not fully accessible for all users, including wheelchair users. As stated, if otherwise acceptable, officers would seek further work in this regard.
- 10.233 In light of the above, officers do not consider that the application submission has fully demonstrated that the proposed development would not have adverse impact on equality and social cohesion.




11.0 CONCLUSION

- 11.1 All other relevant policies and considerations have been taken into account. Planning Permission should be **REFUSED** for the reasons set out in the RECOMMENDATIONS section at the beginning of this report.



Planning Application Site Map PA/17/02395

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

-  Consultation Area
-  Statutory Listed Buildings
-  Locally Listed Buildings

Scale @ 1:500
 7.5 37.5 0 7.5 15 22.5 Meters


 GIS for
 Place Directorate
 LONDON BOROUGH OF TOWER HAMLETS
 Date: 21/12/2017



APPENDIX 1

List of documents and plans for approval

EXISTING DRAWINGS

D0001 Rev P1	Existing Location Plan
D0003 Rev P1	Existing Site Plan
D0050 Rev P1	Existing Ground Floor Plan
D0070 Rev P1	As Existing Fieldgate Street Elevation
D0090 Rev P1	As Existing Section Reference A-A
D0091 Rev P1	As Existing Section Reference B-B
D0092 Rev P1	As Existing Section Reference C-C

PROPOSED DRAWINGS

D0002 Rev P1	Proposed Location Plan
D1099 Rev P1	As Proposed Basement Plan
D1100 Rev P1	As Proposed Ground Floor Plan
D1101 Rev P1	As Proposed First Floor Plan
D1102 Rev P2	As Proposed Second Floor Plan
D1103 Rev P2	As Proposed Third Floor Plan
D1104 Rev P2	As Proposed Fourth Floor Plan
D1105 Rev P2	As Proposed Fifth Floor Plan
D1106 Rev P2	As Proposed Sixth Floor Plan
D1107 Rev P2	As Proposed Seventh Floor Plan
D1108 Rev P2	As Proposed Eighth Floor Plan
D1109 Rev P2	As Proposed Ninth Floor Plan
D1110 Rev P2	As Proposed Tenth Floor Plan
D1111 Rev P2	As Proposed Eleventh Floor Plan
D1112 Rev P2	As Proposed Twelfth Floor Plan
D1113 Rev P2	As Proposed Thirteenth Floor Plan
D1114 Rev P2	As Proposed Fourteenth Floor Plan
D1115 Rev P2	As Proposed Fifteenth Floor Plan
D1116 Rev P2	As Proposed Sixteenth Floor Plan
D1117 Rev P2	As Proposed Seventeenth Floor Plan
D1118 Rev P2	As Proposed Eighteenth Floor Plan
D1119 Rev P1	As Proposed Nineteenth Floor Plan
D1120 Rev P1	As Proposed Roof Top Plan
D1200 Rev P2	As Proposed Fieldgate Street Elevation
D1201 Rev P2	As Proposed Zabadne Way Elevation
D1202 Rev P1	As Proposed West Elevation
D1203 Rev P1	As Proposed North Elevation
D1300 Rev P1	As Proposed Section A-A
D1301 Rev P1	As Proposed Section Reference B-B
D1500 Rev P1	As Proposed typical street level façade detail
D1501 Rev P1	As Proposed typical mid-level façade detail
D1502 Rev P1	As Proposed typical upper level façade detail
MHS181.17-010	Landscape Proposals – Ground Floor GA
MHS181.17-011	Landscape Proposals – Ground Floor Details
MHS181.17-012	Landscape Proposals – 9 th and 19 th floor podiums
D0005 Rev I1	Ground Floor Proposed Masterplan
D0006 Rev I1	Ground Floor Proposed Masterplan

DOCUMENTS

Streetscape views

Design and Access Statement dated August 2017 prepared by TP Bennett

Daylight and Sunlight Report dated August 2017 prepared by Malcolm Hollis LLP

Baseline Television and Radio Signal Survey and Television and Radio Reception Impact Assessment dated August 2017 prepared by GTech Survey Limited

Flood Risk Assessment dated January 2013 prepared by Stewart and Harris

Transport Assessment dated August 2017 prepared by David Tucker Associates

Planning Support Statement dated August 2017 prepared Tyler Parkes

Heritage, Townscape and Visual Impact Assessment dated August 2017 prepared by Montagu Evans

Air Quality Assessment dated September 2017 prepared GEM Air Quality Ltd

Wind Microclimate Assessment dated August 2017 prepared by BRE

BREEAM New Construction 2014 Pre-Assessment Report dated August 2017

Delivery and Servicing Plan dated August 2017 prepared by David Tucker Associates

London Plan Compliance Energy Report dated August 2017 prepared by Malcolm Hollis LLP

Noise Assessment Report dated August 2017 prepared by Sharps Redmore

Ventilation and Extraction Statement Energy Report dated August 2017 prepared by Malcolm Hollis LLP

Aviation Statement dated April 2017

Ecological Appraisal dated May 2017 prepared by Crossman Associates

Phase 1 Environmental Assessment dated November 2013 prepared by LEE Remediation Ltd

Regeneration and Socio-Economic Statement dated August 2017 prepared by Tyler Parkes

Secured by Design Statement dated August 2017 prepared by Tyler Parkes

Brief Socio-Economic Update prepared by JLL

Statement of Community Involvement dated August 2017 prepared by Tyler Parkes

Archaeological Desk Based Assessment dated November 2017 prepared by LPArchaeology
London Market Report on Student Accommodation dated November 2017 prepared by Knight Frank

Central London Demand Study: Demand Profile and Market Analysis prepared by Knight Frank

Outline Construction Logistics Plan dated December 2017 prepared by David Tucker Associates

Pedestrian Environment Review dated December 2017 prepared by David Tucker