



---

**Application for Planning Permission**[click here for case file](#)

<b>Reference</b>	PA/18/00917
<b>Site</b>	Site Bound by Raven Row Stepney Way, Sidney Street, London, E1 2EN
<b>Ward</b>	Whitechapel
<b>Proposal</b>	Demolition of existing buildings and erection of three blocks ranging from 1 to 26 storeys in height comprising 648 residential units, commercial floorspace, 32 off-street car parking spaces, communal courtyards, associated landscaping and associated ancillary works.
<b>Summary Recommendation</b>	Grant planning permission subject to conditions and obligations and GLA Stage II approval
<b>Applicant</b>	London and Quadrant Housing Trust and Mount Anvil
<b>Architect</b>	Stockwool
<b>Case Officer</b>	Max Smith
<b>Key dates</b>	<ul style="list-style-type: none"><li>- Application registered as valid on 27/04/2018</li><li>- Public consultation finished on 01/06/2018</li><li>- Public consultation on Ref 25 amendments on 29/11/2019</li><li>- Historic England advise archaeology issues resolved subject to conditions – 08/02/2019</li><li>- Revised affordable housing offer received 03/05/2019</li></ul>

---

**EXECUTIVE SUMMARY**

The application site is located in the City Fringe Opportunity Area, and is identified in the Whitechapel Vision Masterplan SPD as being suitable for the delivery of a high-density residential led mixed use scheme.

Planning permission was granted in 2017 (and referred to Strategic Development Committee in August 2016) for the site's redevelopment, comprising the demolition of the existing buildings and the creation of a mixed use scheme of 564 residential units (Use Class C3), 2,845sqm of office floorspace (Use Class B1), 437sqm of gym floorspace (Use Class D2) and 223sqm of restaurant floorspace (Use Class A3) in three courtyard blocks, including 23 and 25 storey towers. Affordable housing was secured at 30.7% by habitable room. Preparatory work has commenced on this permission and the site is currently cleared

of all previous structures. The permission can be lawfully implemented in full.

The current application seeks to modify the approved development, though the changes are to such an extent that a new planning application is required rather than a 'minor material amendment' application (otherwise known as a 'Section 73' application). The arrangement of three courtyard blocks would be retained including the level of plot coverage, with the number of residential units increased to 648. The towers would increase in height by 5.35m and 1.1m to 21 and 26 storeys, with various other design modifications throughout. The gym would be deleted and office floorspace increased and consolidated to the ground floor of Block 2. Off-street parking would reduce from 70 to 32 spaces and affordable housing increase to 31.83% by habitable room, with most of the affordable rent units to be brought forward in the first phase. Tenure split would be 70:30 in favour of affordable rent units, precisely in line with the Council's policy. The viability of the proposal has been reviewed on behalf of the Council by BBP and the quantum of affordable housing is considered to be the maximum that could be delivered.

There would be a greater impact on neighbours in terms of loss of daylight than the extant permission. There would be a moderate/major impact on daylight to 1-16 Sandhurst House and a major impact to 54-62 Stepney Way (though sunlight impacts on these properties would be negligible). The mix of market housing would also be less compliant with policy, with a shift towards one bedroom units from two bedroom ones.

In other respects the application would be an improvement on the extant permission, including an increase in the proportion and quantity of affordable housing, an increase in employment generation, a significant reduction in off-street parking as well as improvements in design quality and the standard of accommodation including additional affordable family homes with direct access from the street. 10% of the office space would be available for affordable rent, in line with Tower Hamlet's emerging Local Plan, which was not secured on the extant permission. Current policy also requires the residential component of the development to be carbon neutral, which was not the case when the extant permission was granted. This would be achieved partly through a financial contribution of £634,896 to carbon off-setting.

It is considered that the current application would be an overall improvement on the extant permission. The scheme would meet the policy aspirations for the site as set out in the Whitechapel Vision Masterplan. As well as making a significant contribution to housing supply in the Borough, the scheme would more than compensate for the loss of employment from the previous use of the site. It would include a substantial contribution to public realm, with 27% of the site given over to public open space, play areas and pedestrian routes on this previously inaccessible site.

The design of the scheme is considered to be of high quality. Less than substantial harm has been identified to the Ford Square/Sidney Square Conservation Area and the Grade II listed Georgian terrace at 1-9 Sidney Square as the towers would appear in the background to views. This impact is assessed as being outweighed by the public benefits of the development.

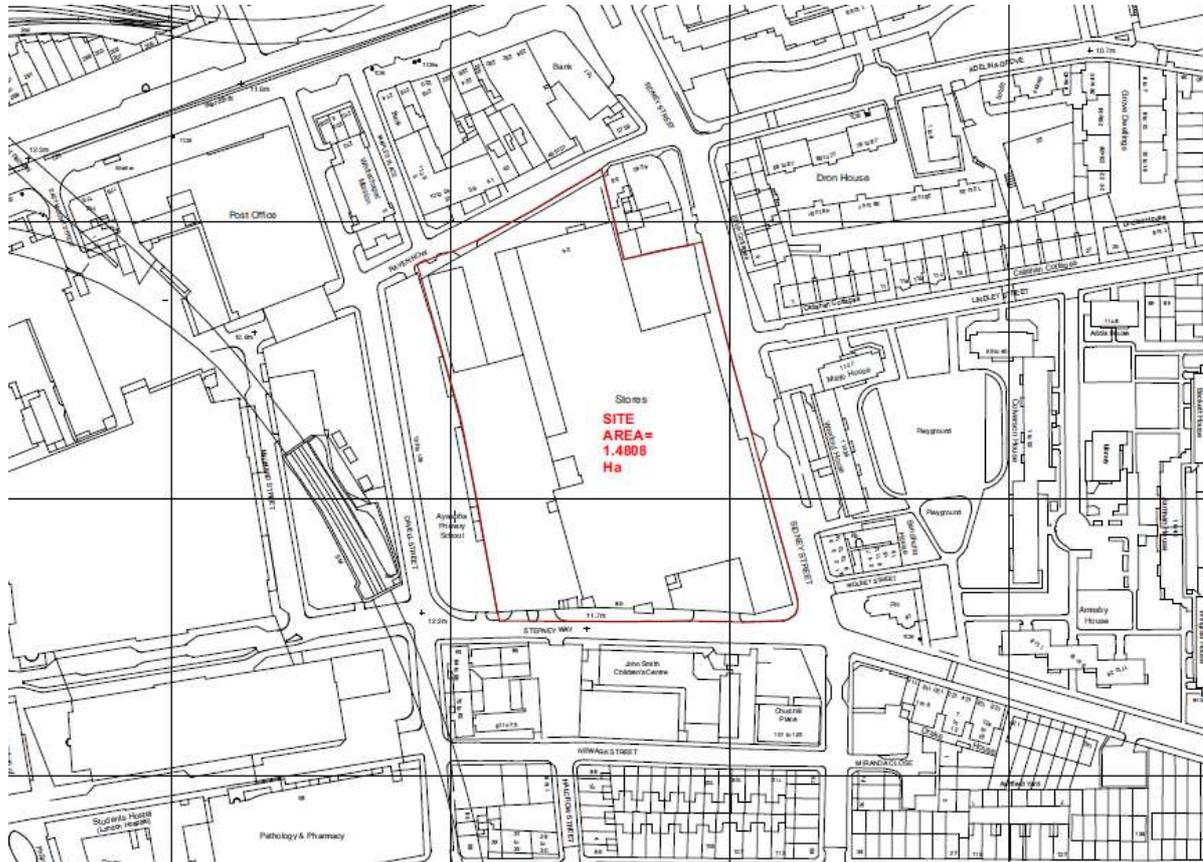
The impact on neighbours is considered to be on balance acceptable given the central urban location of the site and the public benefits, notwithstanding the increased daylight impact compared to the extant permission.

Historic England (GLAAS) have reviewed archaeological work at the site and are satisfied that the siting of the blocks would not disturb remains of a significance that would require preservation in situ and have advised that planning conditions could satisfactorily address remaining archaeological concerns.

The application is accompanied by an Environmental Statement, which has been reviewed on behalf of the Council by Temple.

Overall the development is considered to comply with relevant Development Plan policies and approval is recommended.

## SITE PLAN



## 1. SITE AND SURROUNDINGS

- 1.1 The site is 1.48ha in size and occupies the majority of a large city block defined by Raven Row, Sidney Street, Stepney Way and Cavell Street. All buildings on the site have been cleared in connection with the implementation of an extant planning permission, though it was formerly occupied by a large building of between 2 and 6 storeys and ancillary structures in connection with a self-storage business (Use Class B8 – Storage and Distribution).
- 1.2 The north east corner of the block is occupied by a single two-storey house and a cleared site, currently used as a car wash and car park, whilst its western edge is taken up by 100-136 Cavell Street, a two-storey building in commercial use.
- 1.3 Immediately beyond the site, the area has a mixed character. Whitechapel Road, with its large number of restaurants, shops and transport links, as well as Whitechapel Market, is located approximately 60m to the north, with the boundary of the designated Whitechapel District Centre skirting the northern

edge of the site. The Whitechapel Local Office Location is located adjoining the north and west boundary of the application site.

- 1.4 The Royal London Hospital is a short distance to the west, part of a cluster of medical and educational facilities known as 'Med City'. To the north-west will be the site of the new Tower Hamlets Civic Centre. To the south and east, residential properties predominate, including a mix of terraced housing and postwar flats.
- 1.5 In the vicinity of the site, the Royal London Hospital Building is the most dominant in scale, with a height equivalent to 26 residential storeys. In contrast, neighbouring residential development is typically two storeys in height, rising to up to six storeys for the blocks of flats.
- 1.6 With regard to heritage assets, immediately to the south of the site on the opposite side of Stepney Way is the Ford Square Conservation Area, which includes Grade II listed terraces further south. To the west is the London Hospital Conservation Area. No part of the site itself is part of a conservation area or includes any listed building.
- 1.7 The site lies within the 'Core Growth Area' part of the City Fringe Opportunity Area, as designated in the London Plan (2016). The site also lies within 'Key Place Transformation 5: Raven Row' in the Council's Whitechapel Vision Masterplan Supplementary Planning Document (SPD) (2013). Along with the rest of the Borough, the site, is within the Air Quality Management Area.
- 1.8 The site is 180m to the south-east of Whitechapel Station, which is served by London Underground and London Overground services and will be served by the forthcoming Elizabeth Line (Crossrail) services. Whitechapel Road and Sidney Street are also well served by a large number of bus routes. There is a TfL Cycle Superhighway on Whitechapel Road and there are a number of TfL Cycle Hire docking stations located a short walk from the site. As a result the Public Transport Accessibility Level is 6b in the northern part of the site and 6a to the south (on a scale with 1 = poor and 6b = excellent). The site lies within the 'Whitechapel Station' Crossrail Charging Zone.

## **2. PROPOSAL**

- 2.1 The proposal would see the construction of three blocks on this currently cleared site, providing 648 residential units, office floorspace (use class B1) and flexible commercial (use class A1/A2/A3) at ground floor level. The development would be served by 32 off-street parking spaces at basement level and new landscaping and public space, including new pedestrian routes across the site.
- 2.2 Block A would be located in the northern part of the site and be laid out around a central courtyard. As part of its mix, this block would contain the majority of the affordable rented accommodation including the family affordable accommodation, 13 of which would have front doors opening onto the street, both Raven Row and the new east-west pedestrian route to be created across the site. This block would include a 21 storey tower at its south-western corner, with the remainder ranging between 5 and 8 storeys in height. This block will also include office/retail space in the north west corner at ground floor level. Communal amenity space and child playspace will be located centrally within

the courtyard space and above the 8 storey blocks located to the north west and south.

- 2.3 Block B would occupy the south eastern part of the site and will accommodate private and intermediate units. The ground floor would be taken up by office accommodation, with the basement carpark beneath, accessed via Stepney Way. At first floor would be a podium level shared amenity space, open to the south, with the residential component of the block arrange around it in a horseshoe shape, with access from each core at 1<sup>st</sup> floor level. The block would have elements of between 2 and 8 storeys.
- 2.4 Block C to the southwest would again be arranged around a ground floor courtyard amenity space and back onto the existing two-storey building at 100-136 Cavell Street. This block would include the tallest part of the development; a tower of 24/26 storeys. Other sections of the block would be 1, 4 and 7 storeys. This block will accommodate a mixture of market, intermediate and affordable rent units, with the northern core (C1) providing for the market units and the intermediate and affordable rent units in the southern (C2) core. Communal amenity space and child playspace will also be located at first floor level to the north west of this block and at fourth floor level to the south west.

Figure 2: Site layout



2.5 The current application varies from the extant permission in the following respects:

- The number of residential units would be increased from 564 to 648 (an additional 84 homes).
- The mix of units would change significantly; in particular there would be a much greater number of one-bed market units.
- Commercial uses amended, with B1 (office) floorspace increasing in volume and consolidated principally on the ground floor of block B. The retail unit would be repositioned on Raven Row whilst the gym would be deleted from the scheme.
- The height of block A would increase from 72.90m AOD to 78.250m AOD (+5.35m). Accompanying adjustments would add two extra storeys (the 2.5m floor to ceiling height would be maintained) alongside regularisation of floor to ceiling heights. Increase in maximum height of Block C from 93.27m AOD to 94.38m AOD (+1.11m), with ceiling height adjustments to provide an extra storey (2.5m floor to ceiling heights retained).
- Off-street car parking spaces reduced from 70 to 32.
- Commensurate reduction in size of basement area.
- Associated amendments to internal configuration of units, amenity space and servicing space.
- Replacement of ground floor amenity space with podium amenity space at Block B.

Figure 3: Bird's eye view from Stepney Way facing north west (toward Whitechapel Road and Royal London Hospital Building)



- 2.6 As amended, 96 units would be provided for affordable rent and 63 would be intermediate. This would amount to 31.83% affordable housing by habitable room, with a tenure split of 70% affordable rented (96 units) to 30% intermediate (63 units), with a broadly equal split between Tower Hamlets Living Rent and London Affordable Rent properties within the affordable rented tenure. This would be an increase of ten units (two affordable rent and 8 shared ownership), compared to the extant permission.
- 2.7 Floorspace for the scheme is set out in the table below:

<b>Existing Uses</b>	<b>Floorspace (approximate sqm – GIA excluding plant)</b>
B8 (Storage or distribution)	23,880 (prior to demolition). Site is now cleared
<b>Proposed Uses</b>	
Residential (C3)	54,124 (approx. 93%)
B1(a) Offices	3,486
Commercial (A1, A2, A3)	163

- 2.8 Aside from the basement carpark with 32 spaces (7 disabled), the scheme would be 'car free', a total of 994 cycle parking spaces would be provided of which 28 would be short stay and the remainder long stay.

#### *Amended Plans*

- 2.9 The application was initially for 648 residential units, with an affordable housing offer of 96 units for affordable rent and 63 shared ownership (31% by habitable room). In the course of discussions, the overall unit mix was increased by one and the tenure of 8 one-bedroom market units was switched to shared ownership, thereby increasing the number of these to 63 and the affordable housing mix to 31.83%. Amendments also converted roof terraces to winter gardens for 8 units.

### **3. RELEVANT PLANNING HISTORY**

#### Application site:

- 3.1 PA/15/01789: Demolition of existing buildings and erection of three blocks ranging from 4 to 25 storeys in height comprising 564 residential units, commercial floorspace, 70 off-street car parking spaces, communal courtyards, associated landscaping and associated ancillary works. *Granted 06/01/2017*. All pre-commencement conditions have been discharged and preparatory work is underway on site.
- 3.2 PA/14/03608: 'Pop up' style multi-sports environment on 2nd floor level within existing vacant building including ancillary refreshment area, for a temporary period until 1st April 2016. *Granted 09/03/2015*.

100-136 Cavell Street (neighbouring site)

- 3.3 PA/16/00784: Demolition of existing building at 100-136 Cavell Street and erection of two buildings rising to 5 and part 15/part 17 storeys in height to provide 4,500sqm GEA non-residential use floorspace (comprising 733sqm GIA flexible commercial/retail/community use (A1/A3/B1/D1use) at ground floor level and 3,513sqm GIA B1 office space above ground floor level), and 69 residential units, plus landscaped public space, private amenity space, communal amenity space, child play space, cycle parking and all associated works: *Application submitted, pending determination.*

Site between Varden Street and Ashfield Street (Whitechapel Estate), London, E1 (Nearby site)

- 3.4 PA/15/2959: Demolition of all existing buildings and redevelopment to provide 12 buildings ranging from ground plus 2 - 23 storeys (a maximum 94m AOD height), comprising 343 residential dwellings (class C3), 168 specialist accommodation units (Class C2), office floorspace (class B1), flexible office and non-residential institution floorspace (Class B1/D1), retail floorspace (class A1 - A3), car parking, cycle parking, hard and soft landscaping and other associated works. *Planning permission refused 17/10/2016 on the grounds of townscape, amenity, scale and daylight/sunlight. Appeal allowed 21/02/2018.*

#### **4. PUBLICITY**

- 4.1 Following receipt of the application, the Council notified 1831 neighbouring addresses by post. Site notices were placed and a press advert published in a local newspaper. Subsequently a press notice on 29/11/2018 publicised changes to the Environmental Statement to take account of updated archaeological information. A total of 4 letters of objection were received, raising the following concerns which have been summarised:

- Revised plans seemingly being entirely for the Developer to maximise their profits and no benefits for Whitechapel.
- Original scheme was already dense enough and bordered on over-development.
- Additional pressure on highway network, parking and pavements.
- Community tensions due to overpopulation could arise.
- All the private homes are being marketed in the Far East as an investment, which does not support the applicant's reasons for this new planning application.
- No consideration has been taken of the number of blue badge holders parking in the surrounding areas because of the proximity of the hospital.
- Any highway obstructions could prevent ambulances from reaching the hospital in time.
- Loss of light and amenity from the scale of development. Daylight guidance should be applied rigidly. Loss of light to green spaces around the site.

- Building Heights have been increased. The tallest tower is now almost as tall as the helipad, which is a major safety issue.
- Heating differences in private and social rented flats. These should be the same for all.
- Impact of noise from helicopter operations has not been assessed properly.
- The Metropolitan Police Service do not support the application.
- The reasons given to support application PA/15/01789 have now been rejected in the current development.
- While the number of habitable rooms has risen from 1531 to 1597, the actual number of affordable units has increased by just one unit. The percentage of social and affordable housing in real terms has dropped.
- New developer has paid over the odds for the site.
- The application does not consider the effect of the transfer of on-street parking permits for social housing/affordable rent tenants.
- The cumulative effect of the other developments planned for the area needs to be considered, including the new Civic Centre.
- The planning consultants for the current scheme are the same as that for the Whitechapel Estate appeal and are cross-referencing evidence used in that case for this application.
- A 26 storey building would be completely out of character with the area.
- A luxury development in the middle of traditional council estates is going to cause difficulties, social division and resentment.
- Principle of redevelopment of the site is supported, but on a reduced scale.

4.2 Two letters of support have been received, making the following comments::

- A compulsory purchase order or similar measure should be used to include the 'eyesore' mainly derelict car wash site at the corner of Raven Row and Sidney Street into the development.
- The provision of new open space, greenery, affordable housing and a 'skills hub' are supported.

## 5. CONSULTEES

### Greater London Authority

5.1 Overall principle of development: The principle to include residential and commercial uses as part of a high density mixed-use development is supported in line with the London Plan, the City Fringe OAPF, and the draft London Plan.

- 5.2 Employment: The proposals provide an increase in the amount of B1 office floorspace compared to the consented scheme. The proposed floorspace could accommodate an increase of 93 jobs compared to the consented scheme, and 99 compared to the buildings previously on the site. The GLA are also supportive of the consolidation, better quality office space provision and the flexible layout to support SME's. Further details on the expected arrangements with workspace providers and details of any affordable workspace provision should be provided.
- 5.3 Affordable housing: The applicant proposes a slight increase in the affordable offer to 31%, compared to 30.7% for the consented scheme, made up of 72% affordable rent and 28% intermediate. Based on an initial assessment of the applicant's viability assessment, GLA officers have concerns that the benchmark land value is overstated, and sales values, fees, construction costs, and profit levels must all be reviewed to ensure that the maximum contribution is secured in accordance with the London Plan, the Mayor's Affordable Housing and Viability SPG, and the draft London Plan.
- 5.4 Housing choice and play space: The provision of a large proportion of one and two-bed units in this highly accessible location adjacent to a town centre is acceptable. The provision of 44 family-sized affordable rent units is welcomed. The Landscape Strategy document identifies that all of the play space would be provided on-site within residents' shared courtyards and the public spaces, demonstrating indicative designs and facilities. The play space strategy represents a reasonable offer given the central location of the site and is supported, subject to confirmation of the final mix and tenure of units.
- 5.5 Urban design, strategic views, and historic environment: The proposals are generally of a high quality, with negligible impacts on strategic views, and no harm will be caused to heritage assets. The layout of Block C should be reconsidered due to the width of this block and access to the public realm.
- 5.6 Transport: The applicant is strongly encouraged to remove all general parking, increase Blue Badge parking, and increase cycle parking, in line with the draft London Plan. Further discussion is required on cycle hire docking station capacity.
- 5.7 Climate change: Further information is required on cooling/overheating, worksheet calculations, the district energy network, the site heat network, combined heat and power, and photovoltaics, which must be provided before the proposals can be considered acceptable.

*Officer's note: The GLA have confirmed that points relating to the cycle hire docking station and energy have been addressed to their satisfaction. Other matters are addressed in the relevant section of the report.*

City of London

- 5.8 Does not wish to make observations on application.

Royal Borough of Greenwich

- 5.9 Raises no objections and makes the following observations:

- The proposal would sit within the strategic vistas towards St Paul's Cathedral and Tower Bridge.

- The proposal sits within the background of the Greenwich Maritime World Heritage Site and would have a minor negligible impact on the existing townscape composition and when seen in the context of the wider panorama would generally be discernible. The potential impacts to the townscape become even less significant when taking into account the nearby emerging schemes that include tall buildings.
- The minor impacts to the strategic views have already been approved and the proposed increased building heights would not be visually discernible from the approved planning permission noting the considerable distance from the site.

London Borough of Hackney

5.10 No objections

London Borough of Southwark

5.11 No objection is raised to the proposed development.

Historic England -

5.12 No objections in relation to designated heritage assets.

Historic England – Archaeology

5.13 Although no remains meeting the very high bar for national significance have so far been encountered, there have been several finds of lesser but still high importance. The site has been found to contain an Iron Age enclosed settlement, which is a very rare survival in inner London. Important mediaeval archaeology has also been uncovered, likely relating to the manor that formerly stood in the area. Finds include a very well preserved section of well-dressed structural stonework, forming a crescent-shaped wall or tower base. It is recommended that this should be lifted and preserved for display in a finished scheme.

5.14 Furthermore, extensive remains of post-mediaeval date have been uncovered, much of which supports the position that the site was one of leisure and recreation during the sixteenth and seventeenth centuries. Such finds are in keeping with the site being that of the Red Lion farm and house that hosted the first purpose built playhouse in England. A large sunken timber structure at the site has recently been examined. Although initially promising, it cannot now be said to be a stage or other structure connected with an Elizabethan playhouse.

5.15 There are remaining areas to investigate at the site where evidence of a playhouse could still reasonably be located. However these areas are not proposed for lift pits or dense piling and so any preservation of important remains could be secured by condition controlling foundation and groundworks design. There is sufficient archaeological information to determine the current application under the NPPF.

5.16 Conditions are recommended to secure a written scheme of investigation for archaeology, details of foundation design and other below ground impacts and details of permanent public art, design, interpretation and a display scheme at the site.

London City Airport

- 5.17 No safeguarding objection to the proposed development based on the information provided; i.e. the maximum height of the completed building being 94.38m AOD. This is on the condition that London City Airport are consulted before any cranes are erected on site.

London Fire & Emergency Planning Authority

- 5.18 Pump appliance access and water supplies for the fire service were not specifically addressed in the supplied documentation, however the Commissioner is satisfied with the proposals provided they conform to the requirements of part B5 of Approved Document B.

Metropolitan Police – Crime Prevention

- 5.19 Crime prevention and community safety are material considerations. A condition is sought to require Secure by Design accreditation for the development, as well as an informative regarding community safety.

National Air Traffic Services

- 5.20 No safeguarding objection to the proposed development.

Cadent Gas Ltd (National Grid)

- 5.21 Cadent have identified operational gas apparatus within the application site boundary. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Environment Agency

- 5.22 The Environment Agency are a statutory consultee on all development projects subject to Environmental Impact Assessment. There are no comments on this application as the proposal is considered to be low risk in respect of the environmental constraints that fall under the Environment Agency's remit.

Natural England

- 5.23 No comments to make on application.

Thames Water

- 5.24 No objection with regard to the combined sewer water network infrastructure capacity. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. It is therefore requested that a condition be added to the permission ensuring that no properties be occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional flows from the development have been completed or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

## Transport for London

- 5.25 Trip generation: The trip generation forecasting is in accordance with TfL TA Best Practice Guidance and draft New London Plan Policy T4. Having assessed this, TfL is satisfied that no site specific public transport contribution is required.
- 5.26 Car parking: The reduction in parking compared to the consented scheme is welcome, however the applicant is strongly encouraged to remove all general parking from the scheme. This will bring the application in line with draft New London Plan Policy T6.1.
- 5.27 In accordance with draft New London Plan Policy T6.1, 20 disabled parking spaces should be provided for this development and the proposed provision of 7 disabled spaces represents a deficiency. Removal of general parking will help the applicant meet the draft New London Plan requirement. For the non-residential use, no disabled spaces are proposed. This is a shortcoming against draft New London Plan Policy T6.5, which requires non-residential elements of a development to provide at least one on or off-street disabled parking bay. The applicant should explore the provision of an accessible space for the non-residential use. The draft New London Plan Policy T6.1 states that a Car Park Design and Management Plan should be submitted alongside all applications that include car parking provision. This should set out how remaining disabled parking spaces to a total of 1 per dwelling for 10% of dwellings can be requested and provided when required as designated disabled parking in the future..
- 5.28 20% of the spaces will be provided with Electric Vehicle Charging Points (EVCPs) with a further 20% provided with passive provision for future use. This is welcome; however the applicant is encouraged to meet the draft New London Plan Policy T6.1 requirement of all remaining spaces (80%) being fitted with passive provision for future use.
- 5.29 Cycle hire: A contribution of £52,000 towards off-site provision of a cycle hire docking station has been agreed the application, to be secured through the S.106 agreement.
- 5.30 Bus infrastructure: Cavell Street to the west of the site provides the terminus for the 106 bus route. As with the consented scheme, this scheme should not hinder the operation of the 106 bus service both during construction and once occupied. Furthermore, the ability to operate bus routes in both directions on Sidney Street should not be precluded.
- 5.31 Cycle parking quantity provision: The 966 long-stay and 28 short-stay spaces slightly exceed current London Plan standards. The applicant is strongly encouraged to increase this provision further to meet draft New London Plan standards.
- 5.32 Cycle parking location, access and type: Access to the basement cycle parking will be provided in the form of a ramp, which is welcome as it provides convenient access for all users. Details of proposed access to ground floor cycle storage areas should be provided. Users should have to negotiate a maximum of two doors to access the storage areas. Short-stay cycle parking will be provided in the public realm, in close vicinity of the building entrances and in a well-overlooked and attractive location, which is welcome. Short-stay cycle parking will be in the form of Sheffield stands, which is also welcome.

Long-stay cycle parking will be in the form of two-tier racks. The applicant should ensure that these have a mechanically or pneumatically operated system for accessing the upper level. The product must also allow for double locking. 5% of the long-stay spaces will be able to accommodate larger or adapted cycles, which is welcome. The applicant should note that draft New London Plan Policy T5 recommends that staff cycle parking is provided with changing rooms, maintenance facilities, lockers and showers.

5.33 Freight: An updated Construction Logistics Plan (CLP) following TfL's new guidance should be secured by condition, as well as a Delivery Servicing Plan.

5.34 Travel planning: A Framework Travel Plan has been submitted in support of this application. The Travel Plan is generally satisfactory and the target for an increased cycling and public transport mode share is supported. The Full Travel Plan should be secured and monitored through the Section 106 agreement.

#### Crossrail

5.35 No comments to make on this application.

#### London Underground

5.36 London Underground Infrastructure Protection have no comment to make on this application.

#### London Overground Infrastructure Protection (Rail for London (RfL))

5.37 Based on the proximity of the site to the operational railway, there are some concerns over some of the proposed works. Conditions are therefore sought to secure a Risk Assessment and Method Statement, a Crane/Lifting Management Plan, 6 weeks' notice to Rail for London before the commencement of works, and RfL's approval before any cranes are erected or dismantled.

#### London Air Ambulance

5.38 Height of buildings is acceptable with regard to air ambulance operations serving St. Barts. Sufficient sound proofing should be built in to secure against noise from passing helicopters. The height of any crane or construction requirement must not exceed the height of the helipad.

#### LBTH Environmental Health

##### *Noise & Vibration*

5.39 No adverse comments as the recommendations in the technical reports accompanying the application are satisfactory.

##### *Air Quality*

5.40 Air quality issues can be satisfactorily addressed by condition. On the extant permission, conditions secured a Revised Air Quality Neutral Assessment with alternative CHP and details of mechanical ventilation to residential units exposed to excessive nitrous oxide. A further condition is sought requiring details of any kitchen extraction equipment to the proposed A3 use.

#### *Contaminated Land*

5.41 No objection, subject to standard conditions.

LBTH Transportation & Highways

5.42 The level of general use car parking (32 spaces) is not supported given that the PTAL is 6 and the site benefits from superb public transport connectivity (soon to be significantly enhanced by Crossrail) and proximity to Cycle Superhighway 2. Since the prior scheme was approved the Council submitted its new Local Plan to the Planning Inspectorate with revised parking standards that would only allow 8 parking spaces. In addition the level of Blue Badge parking is insufficient and should be brought much closer to the draft London Plan standards. The development should also be subject to a s106 agreement prohibiting all occupiers of the new residential units from obtaining on-street parking permits. Highways are satisfied the cycle parking is acceptable.

5.43 Servicing: Further clarity on some elements of the servicing is requested. As expressed previously, Highways expect the on-site servicing area to be maximised and all deliveries to the blocks C and B should be managed from this area. There is not available kerbside space for this to take place from the highway. It is also does not appear as though space has been provided for a delivery vehicle/ refuse vehicle to turn on site. Highways do not support the proposal to drag bins from the basement to the holding area via Stepney Way. This movement of bins should be contained within the site. Any use of vehicles to move bins via the highway would not be lawful.

5.44 Public Realm: The highway alterations shown in the Transport Assessment are supported. However, additional highway works are required to improve access between the site and local public transport, walking and cycle network- in particular those accessed on Whitechapel Road. These works are local interventions required to mitigate the development and should be secured via s278 agreement, including 1) footway resurfacing and repair as necessary on the perimeter of the site on Sidney Street and Stepney Way 2) Footway and carriageway resurfacing and repair as necessary on Raven Row. This is required to bring the public realm linking the site to Whitechapel Road to a high standard expected for a residential area.

5.45 Conditions should secure the approval of the scheme of highway improvements necessary to serve this development, a Construction Management Plan, details of visitor cycle parking prior to occupation, a Delivery and Service Plan, a Car park management plan, a Travel Plan and for all drainage to take place on-site.

LBTH Surface Water Run Off:

5.46 No objections to drainage strategy.

LBTH Waste:

5.47 Following amendments including a revised ground floor plan and clarifications, no objection.

Other consultees

5.48 The following consultees were consulted but did not comment:

- Ford Square Tenants' Association.

- London Borough of Lewisham
- London Borough of Newham
- London Legacy Development Corporation
- Barts and the London NHS Trust
- Historic Royal Palaces

## 6. PLANNING POLICIES AND DOCUMENTS

6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise. The legal framework is set out at the front of this agenda paper.

6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Core Strategy 2010 (SP)
- Tower Hamlets Managing Development Document 2013 (DM)

6.3 The key development plan policies relevant to the proposal are:

- |            |   |
|------------|---|
| Land Use:  | - LP 2.1, LP 2.9, LP 2.13, LP 4.1 – 4.3, SP01, SP02, SP06, DM0, DM1, DM15, DM17<br><br>(Inner London, opportunity areas and intensification areas, mixed use development, offices, redevelopment of employment sites, retail and restaurant uses) |
| Housing:   | - LP 3.3 – 3.13, SP02, DM3, DM4<br><br>(affordable housing, unit mix, density, play space, housing quality)   |
| Design:    | - LP 7.1-7.12, 7.13, LP7.18, SP03, SP09, SP10, SP12, DM10, DM23, DM24, DM26, DM27<br><br>(layout, massing, building heights, materials, public realm, heritage, security)   |
| Amenity:   | - LP7.6, SP03, SP10, DM25<br><br>(Privacy, outlook, daylight and sunlight, construction impacts)  |
| Transport: | - LP 6.1, LP 6.3, LP 6.4, LP6.9, LP6.10, LP 6.12 LP6.13, LP6.14, SP05, SP08, SP09, DM14, DM20, DM21, DM22, DM23   |

(Sustainable transport, highway safety, car and cycle parking, waste, servicing)

Environment: - LP3.2, LP5.1 - 5.15, LP 5.17, LP 18, LP 5.21, LP 7.14, LP 7.15, LP 7.19, LP7.21, SP03, SP04, SP11, DM9, DM11, DM13, DM29, DM30

(Biodiversity, energy efficiency, air quality, drainage, contaminated land)

Other: - LP 8.2, LP 8.3, SP13

(Planning obligations, Community Infrastructure Levy)

#### 6.4 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- LP Land for Industry and Transport SPG (2012)
- LP Draft New London Plan (2018)
- LBTH Employment Land Review (2016)
- LBTH Planning Obligations SPD (2016)
- Whitechapel Vision Masterplan Supplementary Planning Document, LBTH (2013)
- City Fringe Opportunity Area Planning Framework, GLA (2015)
- London View Management Framework Supplementary Planning Guidance, GLA (2012)
- Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance, GLA (2012)
- Use of Planning Obligations in the Funding of Crossrail Supplementary Planning Guidance, GLA (2013)
- Ford Square Sidney Square Conservation Area Character Appraisal and Management Guidelines, LBTH (2007)
- London Hospital Conservation Area Character Appraisal and Management Guidelines, LBTH (2007)
- Whitechapel Market Conservation Area Character Appraisal and Management Guidelines, LBTH (2009)
- Stepney Green Conservation Area Character Appraisal and Management Guidelines, LBTH (2009)

- Tall Buildings – Historic England Advice Note 4 (2015)
- Air Quality Action Plan, LBTH (2017 - 2022)
- Clear Zone Plan 2010-2025, LBTH (2010)
- LBTH Draft Local Plan (2019)

## **7. ASSESSMENT**

- 7.1 There is an extant permission on the site for a similar scheme for “three blocks ranging from 4 to 25 storeys in height comprising 564 residential units, commercial floorspace, 70 off-street car parking spaces, communal courtyards, associated landscaping and associated ancillary works” (Planning permission ref: PA/15/01789). Preparatory work for this development has already commenced on site. This alternative scheme constitutes a ‘fall back’ option for developing the site if planning permission is refused for the current application. As such the extant permission is a key material consideration for each aspect of the current scheme.
- 7.2 With this in mind, the issues raised by the proposed development are:
- i. Land Use
  - ii. Housing
  - iii. Design & Heritage
  - iv. Neighbour Amenity
  - v. Transport
  - vi. Environment

### **Land Use**

#### Principle of mixed use residential led development

- 7.3 The Whitechapel Vision Masterplan Supplementary Planning Document (SPD) considers that the site is suitable for a high density development providing new homes, including affordable homes, with a mix of active uses and frontages. The proposed scheme, with its mix of ground floor office, commercial and residential uses and 648 residential units which includes active frontages facing on to newly created public realm meets these broad aspirations for the site.

#### Office Use

- 7.4 The previous use of the site included 23,880 sqm in warehouse/storage use (Class B8) floorspace.
- 7.5 In granting consent for the extant permission, the Council accepted that the office use on the new development would generate more employment than the previous use on the grounds that offices have a considerably greater employment density than storage facilities and would comply with the Policy

DM15, which seeks to protect employment floorspace. The current application would see the quantum of office floorspace provided on site increase from 2845sqm GIA to 3487sqm GIA and a commensurate increase in employment generation from 363 FTE employees to 436. The proposal would therefore continue to comply with the Council's policies to protect employment, with the increase in job potential to be an advantage over the extant permission.

- 7.6 The location of the office floorspace has been modified on the current scheme compared to the extant permission. Much of the B1 space has been consolidated on the ground floor of Block B with some B1 space also located within Block A, rather than distributed around the site. There would no longer be B1 space at basement or first floor level. The applicant contends that this new arrangement would make the space more flexible and attractive to potential occupiers, whilst enabling a more active and client friendly frontage. The consolidation of the office space and uplift in employment figures have been supported by the GLA, though the usability of some of the space in Block C was queried. Officers consider that the Block C office layout would be acceptable and would allow for smaller scale occupiers. There is no reason to disagree that the changes would improve the quality of the office space and they are considered acceptable.
- 7.7 *Affordable workspace.* Emerging Local Plan Policy D.EMP2 calls for at least 10% of new employment space within major commercial and mixed use schemes to be provided as 'affordable workspace' (let at below market rates). The applicant has agreed to provide 10% of the B1 floorspace at 90% of the market rate, in line with the emerging plan. This would be secured through the S.106 agreement.
- 7.8 A single unit of 163sqm is proposed on the ground floor of Block A to provide a flexible use of either A1 (retail), A2 (professional services or A3 (café/restaurant). The Council's policies on new commercial floorspace direct these uses, and particularly new restaurants/cafes, towards locations within the town centre hierarchy. However, given the scale of the development, the need to provide active frontages for the buildings and the close proximity of the Whitechapel District Centre (which is along the northern perimeter of the site), it is considered that the new unit is acceptable in this instance. It is further noted that the extant permission included 223sqm of A3 floorspace

### *Housing*

- 7.9 Development Plan policies set minimum housing targets for Tower Hamlets and seek to ensure that the amount of housing is optimised on all sites where it is appropriate. The Council has a housing target of 3931 new units per annum. The provision of 648 residential units on this site, 84 more than the extant permission, would be a significant contribution towards meeting this target; a factor that weighs significantly in favour of the scheme.

## **Housing**

### Affordable Housing

- 7.10 Development Plan policies call for a range of housing choices, to support mixed and balanced communities and require the 'maximum reasonable amount' of affordable housing to be provided. London Plan policy favours a tenure split of 60% affordable rent and 40% intermediate, whereas the Council policy favours a tenure split of 70% affordable rent and 30% intermediate.

- 7.11 The proposed development would include 151 affordable homes: 96 rented (50 x London Affordable Rent and 46 x Tower Hamlets Living Rent) and 63 x Intermediate (Shared Ownership). This offer equates to 31.83% by habitable rooms (23.3% by unit). In terms of proposed tenure, the split would be 70% Rented and 30% Intermediate by habitable room.
- 7.12 Each block would have a mix of private and affordable units, with ones for affordable rent located in Block A and Block C, and with intermediate units located in blocks B and C. A particular feature of the affordable housing offer in this scheme are 16 family sized flat and duplex units for affordable rent accessible directly from the street across the entire site.
- 7.13 The applicant's viability report has been reviewed by an independent viability consultant instructed by the Council and it was concluded that the scheme could not support more affordable housing than that proposed. The affordable housing offer is higher than the 30.7% by habitable room secured on the extant permission (with an increase in 10 affordable units overall) and as such represents an improvement compared to that permission. Whilst 10 additional units represents a smaller proportion in the overall uplift in units of 84, it should be noted that most of the additional market housing compared to the extant permission has been created through dividing larger units rather than creating new units.
- 7.14 In line with the Mayor of London's Affordable Housing and Viability SPG, an early stage review of the viability of the scheme will be required in the event that substantial implementation has not taken place within 2 years of the date of consent. It is recommended that this is secured through the S.106 planning agreement. Whilst a late stage review would usually also be secured, it is not considered necessary in this instance due to the fact that preparatory work has already commenced on site and that most of the affordable housing is being delivered in the first phase (blocks A and B would be delivered first).

#### Dwelling Mix

- 7.15 The Development Plan requires a mix of housing, with DM Policy DM3 specifying a preferred unit mix of 1, 2, 3 and 4-bed homes. The following table sets this out in detail, alongside the Council's preferred mix.

Unit Size	Total Units	Affordable Housing						Market Housing		
		Social/Affordable Rented			Intermediate			Units	As a %	Policy Target %
		Units	As a %	Policy Target %	Units	As a %	Policy Target %			
Studio	96	0	0	0	0	0	0	96	65%	50%
1 Bed	286	27	28%	30%	38	60%	25%	229		
2 Bed	188	25	26%	25%	25	40%	50%	138	28%	30%
3 Bed	61	27	28%	30%	0	0%	25%	34	7%	20%
4 Bed	17	17	18%	15%	0		/	0		/
<b>Total</b>	<b>648</b>	<b>96</b>	<b>100%</b>	<b>100%</b>	<b>63</b>	<b>100%</b>	<b>100%</b>	<b>497</b>	<b>100%</b>	<b>100%</b>

**Table 1 - Proposed dwelling and tenure mix**

- 7.16 The unit mix sought for affordable rent units would be closely complied with, including a slight overprovision of four bedroom units; which is welcome given the particular need for these units in the Borough. The scheme would not include any intermediate three bedroom units and would therefore fall well short of the 25% target for this tenure size and type. The genuine affordability of three bedroom intermediate units in this location is open to question however, and on balance given the standard and nature of the affordable rent offer the lack of intermediate three bedroom units is considered acceptable. There would be a significant overprovision one bedroom shared ownership compared to the policy target. However, the affordable housing provider engaged for this site (L & Q) have advised that this responds to a particular need for these units in this area.
- 7.17 With regard to the private mix, the proposed scheme heavily favours smaller one bed and studio units, in contrast to the extant permission where two-bedroom units constituted 49% of the market tenure mix. This largely accounts for the increase in the number of units overall in the current scheme compared to the extant permission. In support of this change, the applicant has argued that demand for these smaller units is much greater than that for two-bed units in this part of the Borough, and this has driven the reconsideration of the mix. Given that the 28% of two-bed private units now proposed is more in line with the 30% policy target than the 49% for the extant permission, and that the provision of three bed private units is comparable to the extant permission (7% of the mix compared to 9% as approved), the overprovision of one bed units compared to policy targets is acceptable in this instance.
- 7.18 Emerging policy SH.1 (Meeting Housing Needs) of the draft Local Plan revises the desired mix of units sizes compared to the current plan. In particular it aims to secure 50% of market units as two-bed. However, the emerging policy is only deemed to have limited weight given the stage of plan adoption and the number of objections.

#### Accessible Housing

- 7.19 Development Plan policies require 90% of new housing to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings,' and 10% to meet requirement M4 (3) 'wheelchair user dwellings' i.e. designed to be wheelchair accessible, or easily adaptable.
- 7.20 The proposed housing would comply with this policy, with 90% proposed to meet the M4 (2) requirements and 10% meeting M4 (3). Of these, ten units within the affordable rent tenure would be fully wheelchair accessible, complying with M4 (3) (b). The wheelchair accessible units would be accessed either from ground floor level or via cores served by two lifts.
- 7.21 The proposals are acceptable with regard to accessible housing and full details would be secured by condition.

#### Quality of Residential Accommodation

- 7.22 Development Plan policies require new dwellings to be of a high standard. This includes requirements to meet minimum floorspace and private amenity space standards, provide appropriate noise insulation, air quality, privacy & outlook, daylight/sunlight and wind/microclimate.

### *Housing Standards and Guidance*

- 7.23 The standard of accommodation in the proposed development is generally of a good quality. All of the proposed homes would meet the relevant floorspace/amenity standards, whilst floor to ceiling heights would be the recommended 2.5m. There would be no single aspect north facing units whilst nearly two-thirds would be dual aspect; considered to be a reasonable proportion. Ground floor units would typically have doors fronting onto the street, but set back within private 'defensible' spaces. In particular this would include 16 family sized units for affordable rent.
- 7.24 The GLA Housing SPG recommends that cores should serve a maximum of 8 units on each floor. The deletion of one core from Block A compared to the approved scheme has resulted in two floors having twelve units served by a single core. Similarly the removal of a core in Block B means that a handful of floors served by core B2 in the southeast corner would have nine or ten units each. Given the overall quality of the accommodation, and the fact that the removal of a core in Block B assist in improving the quality of the ground floor office space, the arrangement is considered to be acceptable on balance.
- 7.25 In terms of privacy, separation distances between the blocks and within the courtyards would be generally the same as the extant permission, ranging between 18m – 25m in most cases and reducing to 15m at the closest points between buildings B and C. As with the extant permission, this is considered acceptable in a dense urban area. All units would have an acceptable outlook across the public realm and courtyard design.

### *Noise and Air Quality*

- 7.26 As with the extant permission, noise assessments accompanying the application demonstrate that some residential units would be subject to excessive internal noise that would need additional mitigation. This would be secured by condition.
- 7.27 There would also be a clause in the S.106 agreement requiring that new residents be made aware of the potential for noise disturbance given the existing noise environment (as previously requested by Barts Health NHS Trust).
- 7.28 The development introduces additional homes into an area of poor air quality, with NO<sub>2</sub> levels deemed to be a particular concern for some of the units on the lower floors. As with the extant permission, this would be addressed by securing details of mitigation measures, either a NO<sub>x</sub> filtration system or air intakes on the roof, via a condition.

### *Daylight, Sunlight & Overshadowing*

- 7.29 Appendix 13.3 of the Environment Statement sets out the levels of daylight and sunlight to be expected to residential units within the development. This data has been independently reviewed by Daylight/Sunlight expert from the BRE on behalf of the Council, who raised concerns regarding the level of light to be expected to the lower two floors across the development. Whilst 86% of the habitable rooms in the development would meet or exceed the relevant standards for Average Daylight Factor (ADF), a residual number would have very low daylight levels. For instance, on block C, 7 habitable rooms would have ADFs of between 0.00 and 0.12. It is acknowledged that it is to be expected in a dense urban environment that some compromises on internal

daylighting are necessary. However, in this case the poorest examples of internal daylighting arise from the scheme's design, with inset balconies and terraces preventing sufficient light penetration to rooms beyond.

- 7.30 The applicant subsequently agreed to amend the scheme to replace inset balconies with winter gardens for nine of the worst affected units, included the 7 detailed above. This would allow these units to have an area of reasonably well lit internal space, with each living room having an ADF in excess of the 1.5 minimum sought by the BRE guidelines, apart from two market studio units in block C, where the ADF would be 1.36. Overall therefore the internal daylight levels for the development are considered to be acceptable. It should be noted that internal daylight levels on the current scheme as submitted are similar to that on the extant permission. The modifications to the design of the worst affected units to improve daylight levels therefore represents a small improvement over the extant permission. The scheme is therefore acceptable in terms of the daylight proposed residential units would receive,
- 7.31 Sunlight levels would also be compromised to a portion of the proposed units, particularly to ground floor windows, which would receive almost no sunlight. Communal amenity spaces would be overshadowed for much of the day. This is again to be expected in a dense urban environment and is a characteristic of the extant permission. By excluding any north facing single aspect units, the design seeks to minimise the number of units with no sunlight. The current application, by reducing the number of residential units at ground floor level and by raising the amenity space to Block B to podium level would be small improvements on the extant permission in terms of access to sunlight.

#### *Wind/microclimate*

- 7.32 The Environmental Statement accompanying the application includes an assessment of wind and microclimate, given that the scheme includes two tall buildings. The assessment concludes that local conditions would be acceptable at ground floor level, subject to the appropriate positioning of seating. On the upper storeys, some of the higher private balconies and the roof terrace to block A would be affected to a modest extent by wind. This could however be addressed by mitigation measures such as solid balustrades and boundary planting to the roof terrace. Details of these wind mitigation measures would be secured by condition.

#### Communal Amenity Space & Play Space

- 7.33 Policy DM4 requires communal amenity space (at a minimum of 50sqm for the first 10 dwellings and 1sqm for every additional unit). This generates a need for 688sqm. The development would include a total of 1270sqm of communal amenity space, not including the play space identified below or the substantial areas of public realm to be created across the site. The amenity space would be located at courtyard, podium and roof terrace level, with each block having sufficient space for its own needs. None of the communal amenity space provision will be provided on the tallest towers. This represents a substantial overprovision compared to policy targets, notwithstanding the compromised levels of natural light that the spaces at courtyard level would receive. Outline details provided as part of the application suggest that the spaces would be of high quality, though final details would be secured by condition.

Figure 4 – location of open space within the development



7.34 Development Plan policies require provision of children’s play space (10sqm per child). The GLA’s child yield calculator estimates that the development would generate 172 children (64 x children under 5, 61 x children aged 5-11 and 47 x children aged 12+) requiring 1720sqm of child play space.

7.35 530sqm of ‘doorstep play’ space for 0-5 year olds and 220sqm of play space for 5-11 year olds would be provide adjacent to amenity space within the development itself. This would be distributed throughout the development so that each amenity space within each block, whether at courtyard level or above ground, would have some child play space. A further 960sqm of play space, including the entire requirement for children aged 11+, would be provided within the public realm between the blocks. This would have the advantage of being available to children from all three blocks, as well as from beyond the

development. There would be a shortfall of 10sqm in playspace compared to the policy target, but given the overall provision of private amenity space and public realm proposed, this could be addressed when the scheme's detailed design is agreed by condition.

- 7.36 The quality of the proposed playspace would be acceptable, including active play structures, landscaping features designed for imaginative play and table tennis for older children. Full details would be secured by condition.

#### *Heating systems within development*

- 7.37 The Energy Statement notes that the affordable units would have radiators and the market units underfloor heating. An objector has commented that the heating systems should be the same for the market and affordable units. It is understood that the heating system for the affordable units is to a specification sought by the affordable housing provider. It is not considered that one system is necessarily inferior to another and in any case it is not something that the planning system would necessarily seek to control.

#### *Summary*

- 7.38 Overall the development is considered to provide good quality residential units for both the market and affordable tenures, with sufficient open space, both public and private. Air quality and noise concerns, to be expected in this central location, can be successfully mitigated by condition.

#### Density

- 7.39 Policy 3.4 of the London Plan (2016) seeks to optimise housing density, with reference to public transport accessibility, local context and character and design principles. The London Plan provides a '*Sustainable residential quality density matrix*' for differing locations based on character and PTAL. The application site has a Central character and has a PTAL of 6a/b. For such sites, the matrix provides an indicative density of 650-1100 habitable rooms per hectare (hrph) (215-405 units per hectare).
- 7.40 The Mayor of London's 'Housing' SPG advises that density should be calculated based on net site area (the red line boundary) and that in mixed-use buildings, the proposed non-residential floorspace should be taken into account by reducing the net site area proportionately. Approximately 93% of the proposed development would be residential space and so density has been calculated on 93% of the net site area. This results in a figure of 1159hrph or 470uph.
- 7.41 Whilst this figure is marginally higher than the upper end of the density range set out in policy, given the ambitions for high density residential led development the site set out in the Whitechapel Vision, and the requirement to optimise residential densities within the City Fringe Opportunity Area, the proposed density is acceptable in this instance. In any case the supporting text to Policy 3.4 of the London Plan (2016) makes it clear that density calculations should not be applied mechanically. A high residential density can be an indicator of over-development, but making a judgement on wider impacts is more important in establishing this.
- 7.42 It should be noted that the residential density for the previous scheme was calculated as 1,178hrph, which is higher than the current scheme despite having fewer units. This is due to the site area for the current application being

calculated as 1.48ha compared to 1.39ha for the extant permission, as land previously understood to be public highway has been incorporated into the site boundary. Officers are satisfied that the means for calculating density on the current scheme is correct.

## **Design & Heritage**

- 7.43 Development Plan policies call for high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.44 The proposed scheme is very similar to the extant permission in terms of site layout, massing, building heights, finishing materials and open space/public realm. As with the previous scheme, there would be three blocks set around new open space and pedestrian routes connecting Stepney Way with Raven Row and Sidney Street. Consideration of the changes is set out below on a block by block basis.

### Block A

- 7.45 The proposed café would be relocated to the sites Raven Row frontage and would no longer face south toward the centre of the new area of open space. Whilst, in the new location, the cafe would not contribute directly to the animation of the centre of the open space, it would, perhaps, be better positioned to attract visitors to the site.
- 7.46 There would be a moderate increase in height of 5.35m to the tallest part of the block (A2), reducing the difference in height between it and the neighbouring Block C1. This would have a relatively minor impact on the appearance of the scheme as a whole. Any further increase in height would however be resisted as this is likely to unacceptably reduce the variety of buildings heights across the scheme.
- 7.47 There is an increased use of brick as a facing material, which is considered to be an improvement on the previous scheme. Minor changes to the window arrangements are also considered acceptable.

### Block B

- 7.48 Under the consented scheme, the ground floor of this block would have been occupied by residential units, with front doors to individual units opening onto the surrounding public realm. This was considered to be a significantly positive aspect of the scheme, providing the opportunity for a good degree of activity and passive surveillance to the adjacent public realm throughout the day. In the revised proposals, commercial B1 use would be relocated to the ground floor of block B. The design and access statement claims that this would enable 'increased active frontages and vitality'. This is debateable, as much depends on the way the commercial floorspace is used. Commercial uses are likely to require fewer entrances and there is a danger that internal screening would be applied to the ground floor windows, limiting the degree to which it would be an active frontage. In addition it is possible that commercial uses will only bring activity during the day.
- 7.49 The introduction of the commercial uses to the ground floor of the block, would result in the courtyard within the block being raised onto a podium. The elevation of this space should help to improve the quality of the amenity space, particularly in terms of the levels of daylight and sunlight it would receive. At

ground floor, the change to commercial floorspace would also negate the need for private defensible space, which would instead be used as public realm.

7.50 On balance, the use of block B for commercial space is considered acceptable. However, every effort should be made to ensure that the ground floor achieves a good degree of active frontage. Insofar as it is possible, any grant of planning permission should ensure a high degree of inter-visibility between the pavement and the inside of the ground floor of the building. The use of numerous points of entry to the ground floor should also be encouraged.

7.51 Notwithstanding the above, the other proposed elevational changes to block B are considered acceptable.

### Block C

7.52 There would be an increase of 1.1 metres to the overall building height. This is not considered to have a significant impact in the overall appearance of the scheme and is considered acceptable.

7.53 There would be a one storey increase to the shoulder of building C1. This would have a relatively minor impact on the appearance of the scheme as a whole, although any further increase in height should be resisted as this is likely to unacceptably reduce the variety of buildings heights across the scheme.

### Landscaping & Public Realm

7.54 The proposals for landscaping and public realm would be broadly the same as the extant permission. At present none of the site is publicly accessible, whilst following development 27% of the site would be new public open space. As with the extant permission, the space would link Sidney Street, Stepney Way and Raven Row through the site for pedestrians, as well as providing landscaping and play space. The space would be animated by the commercial uses on the ground floor of the blocks. The proposed public realm represents a significant benefit of the scheme. 24 hour public access, as well as retaining the potential for a further connection to Cavell Street to the west should the 100-136 Cavell Street site be developed, would be secured through the S.106 agreement.

### Safety & Security

7.55 The development Plan requires schemes to improve safety and security without compromising good design and inclusive environments. The proposed development includes ground floor residential units with 'defensible' private spaces set back from the street and open spaces. The public realm and courtyard amenity spaces within the site would be well overlooked from balconies and windows to flats on the upper storeys, which would also provide natural surveillance to the commercial units at night. Cycle stores are considered to be in secure locations.

7.56 The scheme is considered to be well designed from a safety and security perspective. The Metropolitan Police Designing Out Crime Officer has requested that a condition be attached to ensure that the scheme achieves secure by design accreditation.

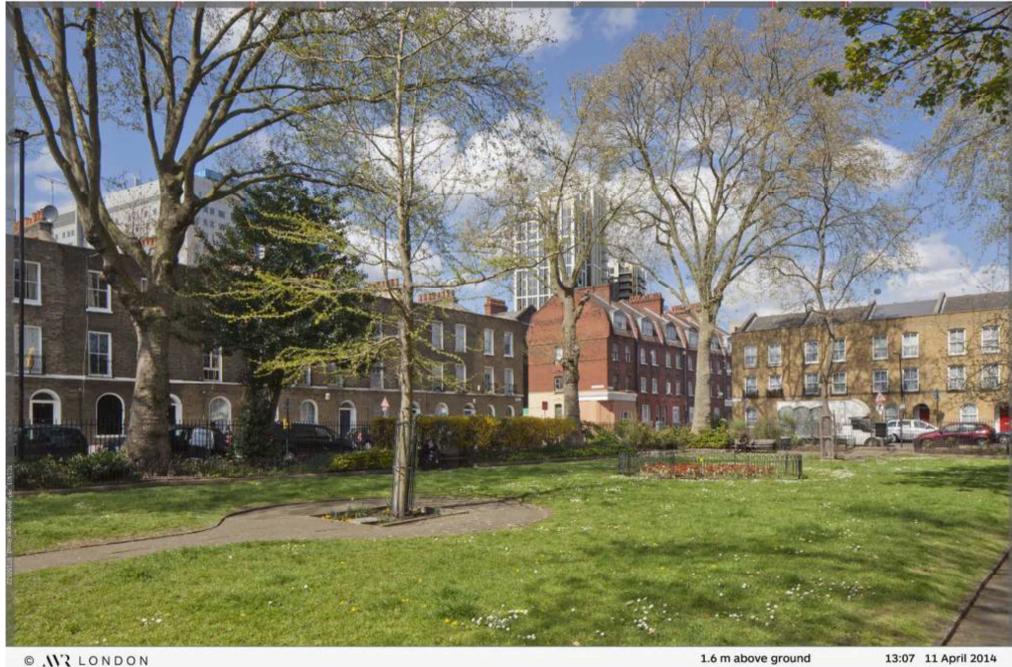
### Impact On London View Management Framework (LVMF) Views, Townscape and

## Heritage Assets

- 7.57 Development Plan policies call for development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. The application includes a Townscape, Heritage and Visual Impact Assessment (TVIA), forming part of the Environmental Statement. This identifies the London View Management Framework (LVMF) views that could be affected by the development.
- 7.58 The TVLA examined the impact of the development on LVMF views from Parliament Hill, Primrose Hill, Greenwich Park and Blackheath Point towards St. Paul's Cathedral. In all of these views, the impact of the development would be either obscured by existing development or viewed in the setting or context of existing large scale development, including the Royal London Hospital. Officers agree that, as with the extant permission, the impact on LVMF views would be negligible.
- 7.59 With regard to local views, appendix 3 contains images comparing the extant and proposed permissions from key positions.. As can be seen from the images, in terms of its bulk, mass and scale the development would have a very similar impact on local views as the extant permission. The difference in height between the two blocks is less visible in views from Whitechapel Road, but it is not considered that this has resulted in a reduction in the quality of the scheme. In summary, as with the extant permission, the impact on local views is considered to be acceptable given the policy expectation of high density development on this site and existing buildings of scale in the vicinity, in particular the Royal London Hospital.

### *Impact on Heritage Assets*

- 7.60 The applicant's Heritage, Townscape and Visual Impact Assessment (HTVIA) sets out a comprehensive assessment of the impact of the proposals on heritage assets with the potential to be affected, including the Ford Square, London Hospital and Whitechapel Market conservation areas and listed buildings therein. 24 such heritage assets are assessed, which is considered to be comprehensive of all that are likely to be affected.
- 7.61 The impact on almost all of the assessed heritage assets is considered to be negligible, either on account of the limited visibility of the proposal from relevant viewpoints or because of its appearance in the wider setting.
- 7.62 As with the extant permission however, the proposed two towers have an impact on protected squares within the Ford Square/Sidney Square Conservation Area. In particular, the taller elements of buildings A and C would be visible above the roofline of the Grade II listed Georgian terrace at 1-9 Sidney Square. There would also be an impact on the setting of a four storey redbrick terrace at 65-75 Sidney Street and Ford Square. The towers would be approximately 250m to the north and the Royal London Hospital already intrudes somewhat into the setting of these heritage assets. Furthermore, the materials palette of the proposal and the existing canopy of trees within the squares would serve to soften the appearance of the development and reduce its visual impact. Nevertheless, the impact of the development is considered to amount to 'less than substantial harm' to the Ford Square/Sidney Square Conservation Area and the Grade II listed 1-9 Sidney Square.



View of proposal from Sydney Square

- 7.63 The NPPF requires that great weight be attached to any harm to a heritage asset in the assessment of a planning application. Any such harm would need to be clearly outweighed by the benefits of the proposal. In this case, it is considered that the benefits of the proposal in terms of the delivery of housing, particularly affordable units, new public open space, employment opportunities and biodiversity enhancements across the site are sufficient to outweigh the less than substantial impact on the heritage assets identified above.
- 7.64 Overall, the proposal is considered to result in a comparable impact on views, townscape and heritage assets as the extant permission, whilst representing a marginal improvement in terms of detailed design.

#### Archaeology

- 7.65 Development Plan policies require measures to identify, record, interpret, protect and where appropriate present the site's archaeology. The site is not located in an Archaeological Priority Area. However, as detailed in the consultation response from Historic England (GLAAS), remains were discovered during archaeological work in connection with the extant permission which were suspected of being part of, or associated with the Red Lion; the first purpose built playhouse in England and an archaeological find of potentially national significance.
- 7.66 The determination of the current application has been delayed whilst further archaeological work was undertaken. It is now understood that the remains uncovered do not form part of the Red Lion playhouse and are not considered to be remains of national importance. Historic England have therefore advised that they are satisfied that the current application can be determined subject to conditions securing a written scheme of investigation, details of foundation design and other below ground impacts, and a scheme of public art,

interpretation and display at the site to reflect archaeological finds. As sought by Historic England,

- 7.67 It is noted that Historic England's advice states that there is still a possibility that the Red Lion playhouse could be found in a part of the site that has yet to be investigated but given that any remains could be preserved in situ in this location, there is no objection to planning permission being granted. The applicant has provided some indicative details of how this part of the site, which would form part of the open space at the heart of the development, could be treated were any significant remains to be found, having regard to other recent examples in London. Given this consideration, and the advice of Historic England, officers are satisfied that any further archaeological work could be satisfactorily addressed by condition.

### **Neighbour Amenity**

- 7.68 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.

### Privacy & Outlook

- 7.69 The relationship between the proposed development and existing residential properties would not be materially different to the extant permission. The scheme would take up the majority of an urban block and, with the exception of a single house at Raven Row to the northeast, would face existing housing across Sidney Street, Stepney Way and Raven Row. Although the separation distances across these streets would vary between 13m and 18m, which is below the 18m minimum sought in the Development Plan, this proximity is not unusual in parts of the Borough such as Whitechapel where there are narrow streets and a tight urban grain. Furthermore, less privacy is to be expected to windows facing onto the street.
- 7.70 A separation distance comfortably in excess of 18m would remain between the rear windows of 38 Raven Row and the closest building of the development. It is further considered that sufficient outlook would remain to this property.
- 7.71 Since the previous application was submitted, proposals have been brought forward to redevelop the site immediately to the west at 100-136 Cavell Street, which would include a substantial residential element (see application PA/16/00784 above). The application has yet to be approved and therefore very limited weight can be attached to the impact of the current scheme upon it. However it is noted that the Cavell Street scheme has been designed with the extant permission on the application site in mind, which potential for mutual overlooking taken into account through the appropriate siting of habitable room windows.

### Daylight, Sunlight & Overshadowing

- 7.72 The applicant has provided a Daylight/Sunlight Assessment to consider the impacts of the development on neighbouring residential properties. This has been reviewed by a lighting expert from the BRE on behalf of the Council. The table below sets out the impact of the extant and proposed schemes in terms of their impact on the Vertical Sky Component of nearby residential addresses.

Figure 5 – location of affected properties

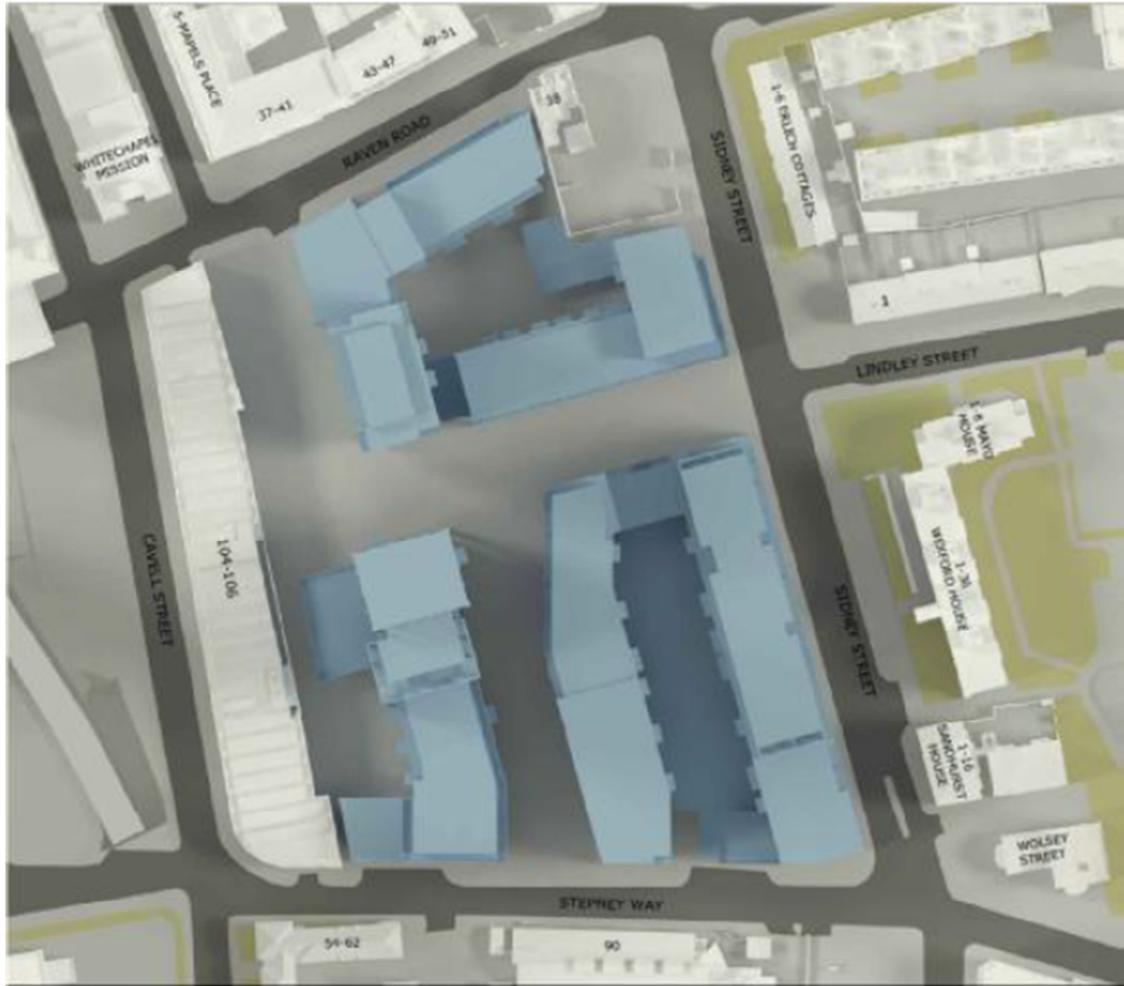


Table 2 – Impact on Daylight for proposed development

Property	Vertical Sky Component loss %				Total assessed
	Meets criteria (less than 20%)	20.01-29.99	30-39.99	40+ loss	
101-123 Churchill Place	32	0	0	0	32
Artichoke PH Wolsley Street	5	0	0	0	5
1-16 Sandhurst House	0	4	11	5	20
1-36 Wexford House	0	0	0	36	36
1-8 Mayo House	0	3	1	1	5
1-6 Erlich Cottages	7	9	1	1	18
38 Raven Row	2	4	0	0	6

37-41 Raven Row	0	5	17	0	22
5 Maples Place	4	2	6	0	22
43-47 Raven Row	10	21	2	0	33
49-51 Raven Row	1	4	6	5	16
53-57 Raven Row	6	0	0	0	6
54-62 Stepney Way	0	2	6	6	14
1 Lindley Street	0	1	0	0	1
114 Blenheim Place	4	0	0	0	4
98 Newark Street	3	0	0	0	3
106-108 Newark Street	10	0	0	0	10
Whitechapel Mission	3	2	2	0	7
Total	87	57	52	54	250

7.73 Of the neighbouring buildings assessed, 101-123 Churchill Place, the Artichoke public house, 53-57 Raven Row, 114 Blenheim Place, 98 Newark Street and 106-108 Newark Street would comply with the BRE guidelines, with loss of daylight not considered to be significant. The Sure Start centre at 90 Stepney Way, which although not residential is a location where daylight should be preserved, has windows facing towards the development site to the north. However as these appear to serve ancillary space the quality of light to the premises would not be significantly affected. The impact on the proposed development at 100-136 Cavell Street has also been assessed and was found to be very limited given that the neighbouring has been designed around the potential impact of the proposed development, with habitable room windows designed to face away from the Safestore site.

7.74 The residential properties where the impact would be likely to be more than negligible are set out in the table below, with commentary drawing on the advice of the BRE. This table also sets out the impact on sunlight.

Table 3: Daylight/sunlight impact by property

Property	Daylight Impact	Sunlight impact	Further detail
1-16 Sandhurst House	Moderate/Major adverse	Negligible	3 windows would see minor reductions of between 20-29.9%, 12 windows would see moderate reductions of between 30-39.9% and 5 windows would see major reductions of between 40-49.9%.  Lowest VSC followed development

Property	Daylight Impact	Sunlight impact	Further detail
			would be 14.5%.  Overall daylight impact slightly worse than for extant permission.
1-36 Wexford House	Moderate adverse	Negligible	36 windows facing the development would see major reductions in light.  Most windows assessed are either bathrooms or kitchens (non-habitable)  Substantial overhanging walkways already restrict much light.
Mayo House	Minor adverse	Negligible	Five affected windows are to side elevation and are not considered likely to serve main living areas
1-6 Erlich Cottages	Minor/moderate adverse	Minor adverse	15 main windows to habitable rooms affected, most only just outside BRE guidelines. Nos. 1-4 would be have a minor impact and No.5 moderate.  Relative loss of light greater to upper floors due to overhanging eaves.
38 Raven Row	Minor adverse	Negligible	Single house directly adjoining application site. Significant loss of light to rear windows, believed to serve bedrooms, with main window to living area unaffected,
5 Maples Place/43-47 Raven Row	Moderate adverse	Minor adverse	7 windows would see minor reductions of between 20-29.9%, 23 windows would see moderate reductions of between 30-39.9% to these linked blocks of flats. No windows would see a major impact on daylight
49-51 Raven Row	Minor adverse	Minor adverse	15 windows affected with up to major loss of light. Without balconies/overhangs on this building the windows would be likely to comply with BRE guidelines or receive a slight impact.
54-62 Stepney Way	Major adverse impact	None (north facing)	A block of flats facing north towards the application site. 3 windows with minor reductions, 6 with moderate and 6 with a major loss of light.  Lowest retained VSC would be 14.8%.

Property	Daylight Impact	Sunlight impact	Further detail
1 Lindley Street	Likely negligible	Likely negligible	One side window affected, likely to be secondary or to light circulation space.
Whitechapel Mission	Moderate adverse impact	Negligible	Minor impact to two windows and moderate impact to two windows, with the latter considered likely to be main living spaces.

7.75 Considering the results set out above, the development would result in a loss of light beyond the BRE guidelines to 155 windows to neighbouring residential properties. Whilst 54 windows would be subject to a major impact, the majority of these would be to 36 Wexford House, are already compromised in daylight terms due to overhanging walkways and serve kitchens rather than habitable rooms.. The daylight impact is assessed as being moderate/major adverse or major adverse on two buildings; Sandhurst House (specifically flats 1-16) on Stepney Way opposite the site's south-east corner and 54-62 Stepney Way, facing the site immediately to the south. Given that both these buildings have been constructed on the edge or very slightly set back from the footway and have habitable room windows directly facing the site, it would be difficult for any high density development at the application site to avoid having a significant impact on these properties. Notwithstanding this, the lowest retained VSC to a habitable room at each property would be 14.5 for Sandhurst House and 14.8 for 54-62 Stepney Way. On balance, this is considered to represent a reasonable level of light for a ground floor habitable room window in a dense urban inner city location.

7.76 With regard to sunlight, the impact on would be no more than minor, with the orientation of neighbouring properties serving to preserve existing sunlight levels. Both the worst affected buildings in terms of daylight would lose almost no sunlight.

7.77 Overall the impact on daylight/sunlight would be similar to, or slightly worse than, the extant permission, with 8 more windows to neighbouring dwellings being subject to a noticeable loss of light and 25 windows having a loss of light greater than 30%. 100-136 Cavell Street no longer contains a school however, so there would no longer be an impact on this address. In approving the extant permission, the Council accepted the argument that some loss of light to neighbours was inevitable given that planning policy for the site seeks high density development and that the benefits of the scheme outweigh the harm identified. Although the increase in height to blocks within the development would result in additional loss of light to particular neighbours, officers consider that this would be a marginal additional harm in the context of the scheme as a whole and that given the policy aspirations for the site, on balance the benefits of the development in terms of the delivery of housing and jobs would continue to outweigh the harm to the amenities of neighbours in terms of loss of daylight and sunlight.

*Cumulative Daylight/Sunlight impact*

7.78 The cumulative impact of the development on daylight and sunlight in combination with other proposed development in the vicinity has also been considered. Only the undetermined application at 100-136 Cavell Street (ref: PA/16/00784) for a mixed use commercial and 69 unit residential scheme,

which includes a part 15, part 17 storey tower, would have significant additional effects in combination with the proposed scheme. With both developments in place, the impact on 37-41 Raven Row/5 Maples Place and the Whitechapel Mission would increase to 'major adverse'. There would be a greater impact on 54-62 Stepney Way, which as noted above would already receive a major adverse impact from the current scheme. The implementation of both schemes would see retained VSCs reduced to between 11 and 14, with the majority of the impact arising due to the current scheme. There would also be a minor additional impact on 1-16 Sandhurst House.

- 7.79 Given that the 100-136 Cavell Street development has yet to receive planning permission whilst development of a very similar scale has already been granted permission on the application site, it is not considered that the prospect of cumulative effects should have a significant bearing on the current application. It is noted that no objections have been received from the developers of 100-136 Cavell Street. Additional cumulative impacts from loss of light from the 100-136 Cavell Street development would be considered as part of the planning balance when this application is decided.

#### Noise, Vibration and odour

- 7.80 Given that the development would be made up of residential units, B1 office floorspace and a single commercial unit, there would not be any land uses that would be likely to give rise to noise and vibration impacts that would be expected in a central location such as this. The removal of the previous B8 use from the site would reduce noise arising from vehicle movements, as the completed development would expect to receive less traffic, particularly larger service vehicles, than the previous use. Condition would secure both the details of any extraction equipment to the potential A3 unit and its hours of operation to prevent nuisance from noise or cooking odours. A further condition would limit the noise of any plant required within the scheme.

#### Construction Impacts

- 7.81 Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. The ES has identified a minor to moderate impact as a result of construction noise. In accordance with relevant Development Plan policies, conditions are recommended securing a Construction Environmental Management Plan and a Construction Logistics Plan to minimise the impact on neighbouring residents during the works.

#### Summary of amenity impacts

- 7.82 On balance the impact on neighbours is considered to be acceptable given the site's central location, where redevelopment at scale would be expected. It should be noted that there would be some benefits for current residents arising from the scheme, including the removal of disturbance from the previously existing use and the opportunity to access public space within the development and pedestrian routes across it.

#### **Transport**

- 7.83 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.

#### Deliveries & Servicing

- 7.84 Access and servicing arrangements would be almost identical to the extant permission. An off-street servicing bay would be provided between buildings B and C, with access and egress from Stepney Way. Building A would be serviced from an on-street bay, with the carriageway slightly widened at this point at the expense of the site to provide sufficient space. An egress point would be constructed on Sidney Street to allow emergency vehicles to pass through the site if necessary. Regular servicing vehicles would not use Sidney Street however. A total of four vehicular crossovers that served the previous storage use would be removed and the pavement reinstated.
- 7.85 The concerns of the Highways officer are noted. However, given the extant permission, it is not considered that alternative servicing arrangements could be insisted upon given the applicant can implement and operate the approved servicing arrangements. A full Deliveries and Servicing Strategy would be secured by condition.

### Car Parking

- 7.86 The proposed development includes provision for 32 off-street parking spaces, all located in a basement carpark beneath Block B, accessed via Stepney Way. Compared to the 70 off-street parking spaces approved for the site under the extant permission, the current proposal is a significant reduction. Given that the site is located in a central area with a very high level of public transport accessibility (PTAL = 6a), the reduction would be welcome in reducing vehicle journeys, reliance on private vehicles and accompanying air pollution and is considered to represent one of the main advantages of the current scheme over the extant permission in planning policy terms.
- 7.87 Both the Council's Highways team and Transport for London have sought a further reduction in on-site parking, citing revisions to parking standards in the emerging London Plan. The applicants have declined to further reduce parking however on the grounds that the level of parking proposed complies with current parking standards. It is agreed that the weight to be attached to the emerging London Plan remains limited. In light also of the extant permission, it is not considered that an additional reduction to lower than 32 spaces could be insisted upon.
- 7.88 7 of the parking spaces would be disabled, the same level as the extant permission and thus a greater overall proportion of the total parking spaces, amount to 22% of the overall number of spaces. This would comply with current policy requiring 10% of spaces to provide for disabled access. The emerging draft London Plan would require 20 disabled parking spaces to be provided a figure which is supported by the draft Local Plan policy D.TR3 (Parking and Permit Free). However, given the current stage of the Local Plan and the fact that this policy has attracted some objection, only moderate weight can be applied to it. Additional disabled parking has been sought from the applicant at the expense of the remaining general use parking. However the applicant has declined to convert further spaces. On balance, and give the extant permission and the position of the emerging plans, it is not considered that further disabled parking could be insisted upon in policy terms. However, the applicant has agreed to provide the two additional on-street parking spaces, created as a result of removing the Safestore vehicular crossovers, as disabled parking spaces. 20% of the spaces would be made available for electric vehicles. Both the provision of disabled parking and their allocation, as well as the provision of the electric vehicle charging points would be secured in the S,106 agreement through the car park management plan.

7.89 Policy requires that residents (apart from Blue Badge holders) be prevented from obtaining parking permits for on-street parking on account of the area's public transport accessibility. This will ensure the safety and free flow of traffic on the surrounding streets. This would also be secured through a clause of the S.106 agreement.

#### Cycle Parking and Facilities

7.90 994 cycle parking spaces would be provided in a mixture of basement and ground floor storage facilities, distributed across the three blocks. This addresses and marginally exceeds current cycle parking standards and requirements and is acceptable. The design and location of the cycle facilities are well considered, and would be secured by condition.

7.91 Transport for London initially sought the provision of a cycle hire docking station on the site, as would be provided if the extant permission were to be implemented. However, they have subsequently agreed that alternative off-site locations would be more appropriate. A financial contribution of £52,000 to provide 9 off-site cycle hire docking bays has been agreed with the applicant, which would be secured through the S.106 agreement. This has the additional benefit of freeing up land within the site for additional landscaping and public open space.

#### Trip generation

7.92 Given the increase in the number of residential units within the scheme compared to the extant permission, it is to be expected that there would be a greater number of trips to the site. However, the Transport Assessment demonstrates that almost all of these additional trips would be absorbed by the public transport network or be undertaken by foot or bicycle. There would be only two additional vehicle movements at the morning peak hour and three at the evening peak compared to the extant permission, with the reduction in parking spaces from 70 to 32 assisting in reducing reliance on private vehicles. The local highway network has capacity for this small number of additional movements, which in and case would be much less than for the previous use of the site.

#### Travel Planning

7.93 The application is supported by framework Residential and Workspace Travel Plans, setting out proposed measures to encourage sustainable travel. It is recommended that the approval and implementation of final Travel Plans is secured through a s106 obligation.

#### Solar Glare

7.94 The Environmental Statement assessed the potential for the development to produce 'solar glare', which can have an impact on highway safety by distracting motorists. The ES considers that any solar glare impact would be isolated and fleeting, with the fact that vehicles would approach the site at an oblique angle the the lack of large areas of glazing mitigating factors. The ES has been reviewed by the BRE on behalf of the Council and its conclusion that there would be only a minor adverse impact in terms of solar glare is supported.

### **Environment**

## Energy & Environmental Sustainability

- 7.95 *Energy.* The application is supported by an Energy Statement. This sets out how the proposed development addresses policy requirements to reduce the site's contribution to climate change by minimising the emissions of CO<sub>2</sub>. The principal measures to reduce emissions include high thermal performance walls and windows, a photovoltaic array, a combined heat and power system, air source heat pumps and a high airtightness to the units.
- 7.96 These measures would achieve a 47.61% improvement over the 2013 Building Regulations baseline for the residential component and an 18.97% improvement for the commercial floorspace. The Council's policy requirements are zero carbon for residential developments and a 45% reduction for non-residential. There would therefore be an annual shortfall of 352.72 tonnes of CO<sub>2</sub>, which to accord with the relevant Development Plan policies would need to be addressed through a financial contribution towards carbon off-setting projects in the borough. The council has an adopted carbon offsetting solutions study (adopted at Cabinet in January 2016) to enable the delivery of carbon offsetting projects. Based on a carbon price of £1,800 per tonne, a financial contribution of £634,896 towards carbon offsetting is required, which would be secured through the S.106 agreement. It is also recommended that conditions reserves details of the proposed PV array and, as sought by the GLA, enable a possible future connection of the CHP plant to a wider system.
- 7.97 *Environmental Sustainability.* The application includes a Sustainability Statement which, reflecting sustainability measures agreed on the extant permission, commits to a range of sustainability measures. These include water efficient sanitary fittings, rainwater harvesting, responsibly sourced building materials and the diversion of construction waste from landfill. A BREEAM pre-assessment has also been provided indicating that BREEAM 'Excellent' (70.3%) could be achieved for the commercial floorspace. A final stage certificate securing the latter would be sought by condition.

## **Environmental Impact Assessment**

- 7.98 The planning application constitutes an EIA development. The application was submitted in April 2018 accompanied by an Environmental Statement (ES) produced by Waterman on behalf of London and Quadrant Housing Trust and Mount Anvil, and provided assessment of the following topics:
- Socio-economics;
  - Transportation and Access;
  - Air Quality;
  - Noise and Vibration;
  - Ground Conditions and Contamination;
  - Water Resources and Flood Risk;
  - Daylight, Sunlight and Overshadowing;
  - Wind;
  - Townscape and Visual Impact; and

- Cultural Heritage.

7.99 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).

7.100 The application has been supported by an ES, an ES Interim Review Report Response (July 2018), a Final Review Report Response (August 2018), an Archaeology Aspect Chapter (November 2018), revised Non-Technical Summary (November 2018), and an Archaeology Aspect Chapter Review Response (February 2019).

7.101 The July 2018 ES Interim Review Report Response, the Archaeology Aspect Chapter and revised Non-Technical Summary (November 2018) were considered to be 'further information' under Regulation 25, and was processed as required under the EIA Regulations.

7.102 The Council's EIA Officer and retained EIA consultants and the have confirmed that the submitted ES meets the requirements of the EIA Regulations.

7.103 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the Proposed Development, which forms the basis of the assessment presented in this report. Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations. The environmental information comprises the ES, including any further information and any other information, any representations made by consultation bodies and by any other person about the environmental effects of the Proposed Development.

#### Air Quality

7.104 Development Plan policies require major developments to be accompanied by assessments which demonstrate that the proposed use(s) are acceptable and show how development would prevent or reduce air pollution.

7.105 As noted by the Air Quality officer, as with the previous scheme approved on the site air quality issues could be successfully mitigated through conditions. These include a revised Air Quality Neutral Assessment with alternative CHP details. A condition would also secure details of mechanical ventilation with high level air intakes to serve residential units on the lowest two floors where the annual NO<sub>2</sub> limit is exceeded.

7.106 Demolition and construction activities can cause dust and poor air quality. It is recommended that a Construction Environmental Management Plan is secured by way of a planning condition.

#### Waste

7.107 Development Plan policies require adequate refuse and recycling storage and management and the re-use of demolition and construction materials.

7.108 The development is supported by a refuse strategy. This details the location of refuse and recycling stores and how they would be managed. It is intended that refuse be brought to a specific points on collection day by the management company. This would be off-street for blocks B and C and at defined collection

points on Sidney Street and Raven Row for block A, with dropped kerbs created to allow bins to be easily trolleyed to refuse vehicles. It is considered that sufficient waste storage would be provided for both the residential and commercial elements of the scheme, whilst waste collection points would be within ten metres of refuse vehicles. Refuse stores would be a maximum of 30m horizontal distance away from the residential units they serve. The duplex units fronting onto the public realm in block A would have individual bin stores in order to meet this requirement. The waste arrangements have been reviewed by the LBTH waste officer, who has no objections subject to the details being secured by condition. .

### Biodiversity

7.109 Development Plan policies seek to safeguard and where possible enhance biodiversity value.

7.110 As noted by the Biodiversity Officer, the site previously had very limited biodiversity value and the proposed development, with its mix of landscaped open space at ground floor level and green and brown roofs, would provide a significant improvement. The proposed biodiversity measures would include bird and bat boxes are welcome, although there are reservations as to whether the bat boxes would be occupied in this part of London. The landscaping strategy should ensure a native species mix to maximise the potential for biodiversity improvements. This would be secured through a landscaping condition, were the scheme to be approved. A condition would also require the implementation of biodiversity measures.

7.111 Subject to these conditions, the proposals would meet Development Plan requirements to provide a net benefit for biodiversity and are acceptable.

### Flood Risk & Drainage

7.112 Development Plan policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage.

7.113 The site is within Flood Risk Zone 1 and is not in a Critical Drainage Area. The applicant's Flood Risk Assessment (FRA) finds a low risk of flooding in relation to tidal, fluvial, artificial drainage, overland and infrastructure failure. The Environment Agency has no objection to the proposal and the scheme is considered acceptable from a flood risk perspective. .

7.114 The application is accompanied by a Drainage Strategy detailing the sustainable drainage measures that would be employed. These include 'blue roofs', which would provide some irrigation to planting within the development and 1315 cubic metres of surface water storage to enable an attenuated discharge rate of 10 litres per second to the existing combined sewers. This would be a very significant improvement over the existing surface water run off rates for the site. The Council's SuDs officer and Thames Water have confirmed that they have no objection. Full details of the drainage strategy and its implementation would be secured by condition.

### Land Contamination

7.115 The submitted ES includes an assessment of the Ground Conditions and Contamination. The assessment has been reviewed by the LBTH Environmental Health (Contaminated Land) Officer, who raises no objections subject to the inclusion of a condition to secure a scheme to identify the extent

of the contamination at the site and detail the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

7.116 Subject to condition, it is considered that the proposed development would not pose any unacceptable risks to public safety from contaminated land, in accordance with Policy DM30 of the Managing Development Document (2013).

#### Cumulative Impacts

7.117 As part of the Environmental Statement, the potential for cumulative impacts with other reasonably foreseeable developments in the vicinity of the site was assessed. 24 potential schemes were assessed. Cumulative impacts are divided into type 1 effects (interaction between elements during construction) and type 2 effects (post construction).

7.118 During construction, combined effects from dust, noise, emissions from construction vehicles and visual impact are likely to arise. However, these could be successfully mitigated through the Construction and Environmental Management Plan. No lasting type 1 impacts were considered likely to arise following completion of the development. In terms of adverse type 2 impacts, apart from the cumulative daylight impact assessed above, there would only be a minor adverse cumulative impact from wind microclimate at some balconies. This can be addressed in the design of wind mitigation measures, secured by condition. Minor to moderate cumulative beneficial effects have been identified in terms of full time jobs generated, the provision of housing and open space and a minor to substantial benefit to some views in the townscape assessment.

#### **Other**

##### Infrastructure Impact

7.119 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £3,134,230 and Mayor of London CIL2 of approximately £2,965,588 (inclusive of affordable housing relief but exclusive of indexing).

7.120 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.

7.121 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:

- £233,264 towards construction phase employment skills training
- £101,762.75 towards end-user phase employment skills training
- £ 634,896 toward carbon emission off-setting

##### Financial Considerations (New Homes Bonus)

7.122 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would be liable for a New Homes Bonus payment of approximately £24m over 4 years. Due to the introduction of a new threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus the proposed development would deliver; however, officers estimate

that the proposal could deliver around £3,423,000 over 4 years. However the NHB is not considered to be material. To be material consideration the NHB has to relate to the planning merits of the development.

### Human Rights & Equalities

7.123 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.

7.124 The requirement to use local labour and services during construction enables local people to take advantage of employment opportunities. The affordable housing supports community wellbeing and social cohesion. The proposed development allows for an inclusive and accessible development for less able and able residents, employees, visitors and workers. Conditions secure, amongst other things, lifetime homes standards, wheelchair accessible homes and disabled parking.

## **8. RECOMMENDATION**

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

### 8.2 Financial obligations

- a. £233,264 towards construction phase employment skills training
- b. £101,762.75 towards end-user phase employment skills training
- c. £634,896 toward carbon emission off-setting
- d. £52,000 toward nine cycle hire docking stations off-site.
- e. £11,000 monitoring fee (22 obligations)

Total financial contributions: £1,032,422

### 8.3 Non-financial obligations

- a. Affordable housing (31.83% by habitable room)
  - 50 units (185 habitable rooms) at London Affordable Rent
  - 46 units (172 habitable rooms) at Tower Hamlets Living Rent
  - 63 units (151 habitable rooms) as Shared Ownership
  - Early Stage Review
  - Details and implementation of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- b. Access to employment
  - 20% local procurement
  - 20% local labour in construction

- 39 construction phase apprenticeships
- 13 x end-user phase apprenticeships
- Advertise vacancies through skillsmatch
- 10% of B1 floorspace to be 'affordable' (90% of market rents)

c. Transport

- Car capped development (residential)
- Approval and implementation of Car Park Management Plan
- Residential and Workspace Travel Plans
- Delivery of and 24 hour public access to public open spaces within development.
- Securing of S.278 highways work, the interface of public realm within the development with the public highway and the delivery of two on-street disabled parking bays.

d. Other

- Requirement to include advice to future leaseholders regarding the potential local noisy environment
- Compliance with LBTH code of construction practice.

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement and to agree the section 106 legal agreement and any subsequent Rent and Nominations Agreement and Highway Agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.

8.5 That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

8.6 Conditions

*Compliance*

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Restrictions on demolition and construction activities:
  - a. All works in accordance with Tower Hamlets Code of Construction and adoption of best practicable means
  - b. Ground-borne vibration limits, including vibration monitoring; and
  - c. Noise pollution limits.
  - d. Liaison with occupants of adjacent properties

4. Mechanical plant noise standard (subject to post completion verification).
5. Noise insulation standards for new residential units (subject to post completion verification).
6. Energy efficiency and sustainability measures (subject to post completion verification):
  - a. Delivery of energy strategy to ensure CO2 emission savings of at least 47.61%
  - b. Minimum output of photovoltaic array;
  - c. Heat and hot water system to be designed and constructed to enable future connection to a district heating network
7. Delivery and retention of waste storage facilities and implementation of waste management strategy
8. Implementation of surface water drainage scheme (SUDs)
9. Compliance with crane lifting management plan

*Pre-commencement*

10. Archaeological Written Scheme of Investigation (Historic England GLAAS).
11. Full landscaping scheme, including display and interpretation of archaeological remains.
12. Risk Management and Method Statement, plus six weeks notification before the commencement of works (Rail for London).
13. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):
  - a. Site manager's contact details and complain procedure;
  - b. Dust and dirt control measures
  - c. Measures to maintain the site in tidy condition, disposal of waste
  - d. Recycling/disposition of waste from demolition and excavation
  - e. Safe ingress and egress for construction vehicles;
  - f. Numbers and timings of vehicle movements and access routes;
  - g. Parking of vehicles for site operatives and visitors;
  - h. Travel Plan for construction workers;
  - i. Location and size of site offices, welfare and toilet facilities;
  - j. Erection and maintenance of security hoardings;
  - k. Control of dust during construction works
14. Land Contamination Remediation

*Pre-superstructure works*

15. Full details of wheelchair accessible and adaptable homes and their continued retention as such, including 90% designed and constructed in accordance with Optional Requirement M4 (2) of Part M of the Building Regulations, 10% of the residential units shall be designed and constructed as M4 (3)(2)(a) including 10 as M4 (3) (2) (b) 'wheelchair accessible'.
16. Details of external facing materials and architectural detailing;
17. Details of landscaping, including communal amenity space
18. Details of child play space
19. Details of biodiversity improvement measures.
20. Details of Secured by Design measures.
21. Details of any kitchen extract systems for prospective A3 use.
22. Provision of disabled parking spaces and electric vehicle charging points.
23. Details of cycle parking (including short stay parking) and associated facilities and subsequent delivery)
24. Securing of BREEAM 'Excellent' rating for commercial floorspace
25. Details of mechanical ventilation, high level air intake and fixed shut windows to flats identified as having poor air quality.
26. Details of wind mitigation measures to balconies and terrace to block A1
27. Revised Air Quality Neutral Assessment with alternative CHP

*Prior to occupation*

28. Water supply impact study (Thames Water)
29. Delivery and Servicing Management Plan.

8.7 Informatives

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

## **Appendix 1**

### Drawings

PL00A OS Location

PL00B OS Location

PLB01 Site Layout: Basement Plan Rev A

PL 00 Site Layout: Ground Floor Plan Rev A

PL 01 Site Layout: First Floor Plan Rev B

PL 02 Site Layout: Second Floor Plan Rev A

PL 03 Site Layout: Third Floor Plan Rev A

PL 04 Site Layout: Fourth Floor Plan Rev A

PL 05 Site Layout: Fifth Floor Plan Rev B

PL 06 Site Layout: Sixth Floor Plan Rev A

PL 07 Site Layout: Seventh Floor Plan Rev C

PL 08 Site Layout: 8th-19th Floor Plan Rev A

PL 09 Site Layout: 20th Floor Plan Rev A

PL 10 Site Layout: 21st-22nd Floor Plan Rev B

PL 11 Site Layout: 23rd Floor Plan Rev A

PL 12 Site Layout: 24th Floor Plan Rev A

PL 13 Site Layout: 25th Floor Plan Rev A

PL 14 Site Layout: Roof Plan Rev C

PL200 Block A Elevations 1 Rev A

PL201 Block A Elevations 2 Rev A

PL210 Block B Elevations 1

PL211 Block B Elevations 2

PL220 Block C Elevations 1 Rev A

PL221 Block C Elevations 2 Rev A

PL250 Context Elevation 1 Rev A

PL251 Context Elevation 2

PL252 Context Elevation 3 Rev A

PL253 Context Elevation 4 Rev A  
PL300 Block A Sections 1 Rev A  
PL301 Block A Sections 2 Rev A  
PL310 Block B Sections 1  
PL311 Block B Section 2  
PL320 Block C Sections 1  
PL321 Block C Section 2  
PL400 Block A Detail Elevation 1  
PL401 Block A Detail Elevation 2  
PL402 Block A Detail Elevation 3  
PL403 Block A Detail Elevation 4  
PL404 Block A Detail Elevation 5  
PL405 Block A Detail Elevation 6 Rev A  
PL410 Block B Detail Elevation 1  
PL411 Block B Detail Elevation 2  
PL412 Block B Detail Elevation 3  
PL413 Block B Detail Elevation 4  
PL414 Block B Detail Elevation 5  
PL420 Block C Detail Elevation 1  
PL421 Block C Detail Elevation 2  
PL422 Block C Detail Elevation 3  
PL423 Block C Detail Elevation 4  
PL424 Block C Detail Elevation 5  
PL500 Block A - Example Layouts 1  
PL501 Block A - Example Layouts 2  
PL502 Block A - Example Layouts 3  
PL503 Block A - Example Layouts 4  
PL504 Block A - Example Layouts 5  
PL505 Block A - Example Layouts 6  
PL510 Block B - Example Layouts 1  
PL511 Block B - Example Layouts 2

PL512 Block B - Example Layouts 3  
PL513 Block B - Example Layouts 4  
PL514 Block B - Example Layouts 5  
PL520 Block C - Example Layouts 1  
PL521 Block C - Example Layouts 2  
PL522 Block C - Example Layouts 3  
PL523 Block C - Example Layouts 4  
PL524 Block C - Example Layouts 5  
PL525 Block C - Example Layouts 6  
PL527 Block A - Wheelchair 1  
PL528 Block A - Wheelchair 2  
PL529 Block A - Wheelchair 3  
PL530 Block A - Wheelchair 4  
PL531 Block C - Wheelchair 5 Rev A  
3273 SK160524 Public Open Space Diagram  
PL100 Demolition plan  
PL110 Topographical Survey plan  
PL111 Topographical Survey Elevation 1  
PL112 Topographical Survey Elevation 2  
PL113 Topographical Survey Elevation 3  
PL114 Topographical Survey Elevation 4  
PL120 Existing Buildings Basement  
PL121 Existing Buildings Ground floor  
PL122 Existing Buildings First floor  
PL123 Existing Buildings Third floor  
PL124 Existing Buildings Fourth floor  
D2600-FAB-XX-XX-GA-L-0100 REV G  
D2600-FAB-XX-XX-GA-L-0110 REV A

Documents:

Planning Statement prepared by DP9

Design and Access Statement prepared by Stockwool;

Landscape Strategy prepared by Fabrik;

Energy Statement prepared by MLM Group;

Summertime Overheating Assessment prepared by MLM Group;

BREEAM Pre-Assessment prepared by MLM Group;

Sustainability Statement prepared by Waterman Group;

Site Waste Management Plan prepared by Mount Anvil Ltd;

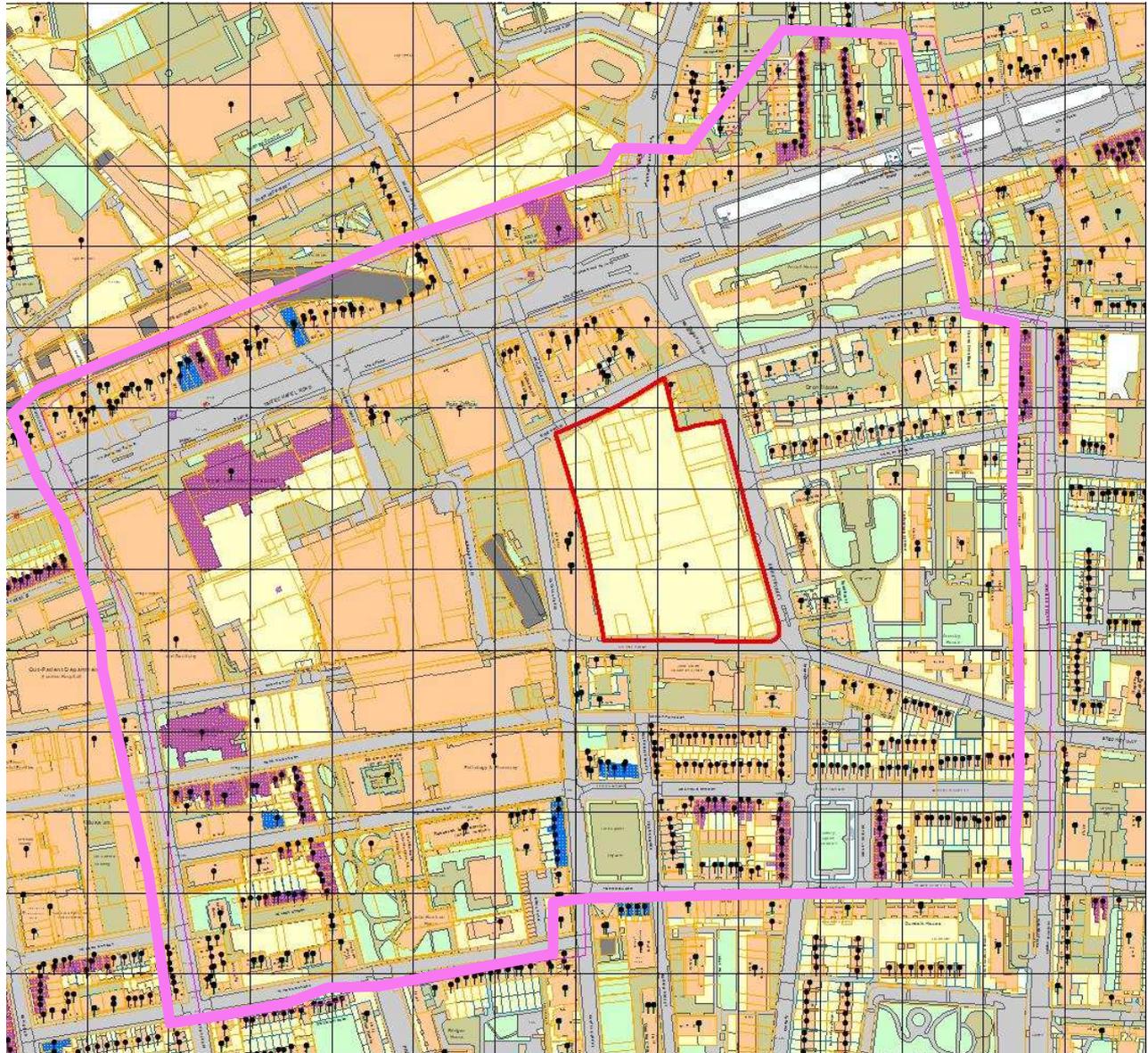
Transport Assessment prepared by MLM Group;

BREEAM Travel Plan prepared by MLM Group;

Environmental Statement Volumes 1-4 compiled by Waterman Group, comprising:

- o Non-Technical Summary; Chapter 1: Introduction; Chapter 2: EIA Methodology; Chapter 3: Existing Land Uses and Activities; Chapter 4: Alternatives and Design Evolution; Chapter 5: The Proposed Development; Chapter 6: Development Programme and Construction; Chapter 7: Socio-Economics; Chapter 8: Transport and Access (chapter prepared by MLM Group); Chapter 9: Air Quality; Chapter 10: Noise and Vibration; Chapter 11: Ground Conditions and Contamination; Chapter 12: Water Resources and Flood Risk; Chapter 13: Daylight, Sunlight, Overshadowing and Solar Glare; Chapter 14: Wind (Chapter prepared by RWDI Consulting Engineers); Chapter 15: Cumulative Effects; Chapter 16: Summary of Likely Residual Effects; Figures; Townscape, Heritage and Visual Impact Assessment ('THVIA') prepared by Tavernor Consultancy; and Technical Appendices.

## Appendix 2: Public consultation boundary



Crown copyright and database rights 2018 Ordnance Survey, London Borough of Tower Hamlets 100019288

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

### Planning Applications Site Map PA/18/00917

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

Scale : 50m grid squares



**TOWER HAMLETS** London  
Borough of Tower  
Hamlets

Date: 03 May 2019

### Appendix 3: Comparison of views



Whitechapel Road: Junction with Brady Street – Extant permission



Whitechapel Road: Junction with Brady Street – Current application



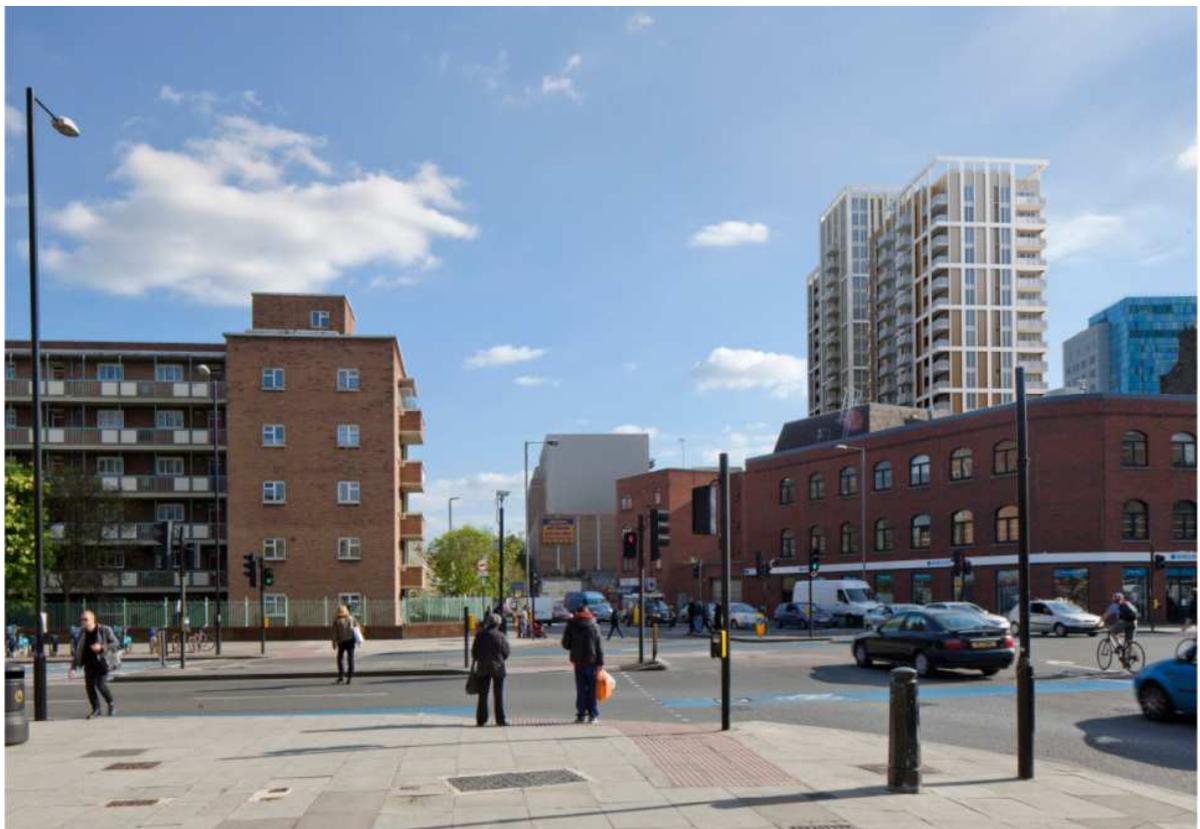
View west along Stepney Way - extant permission



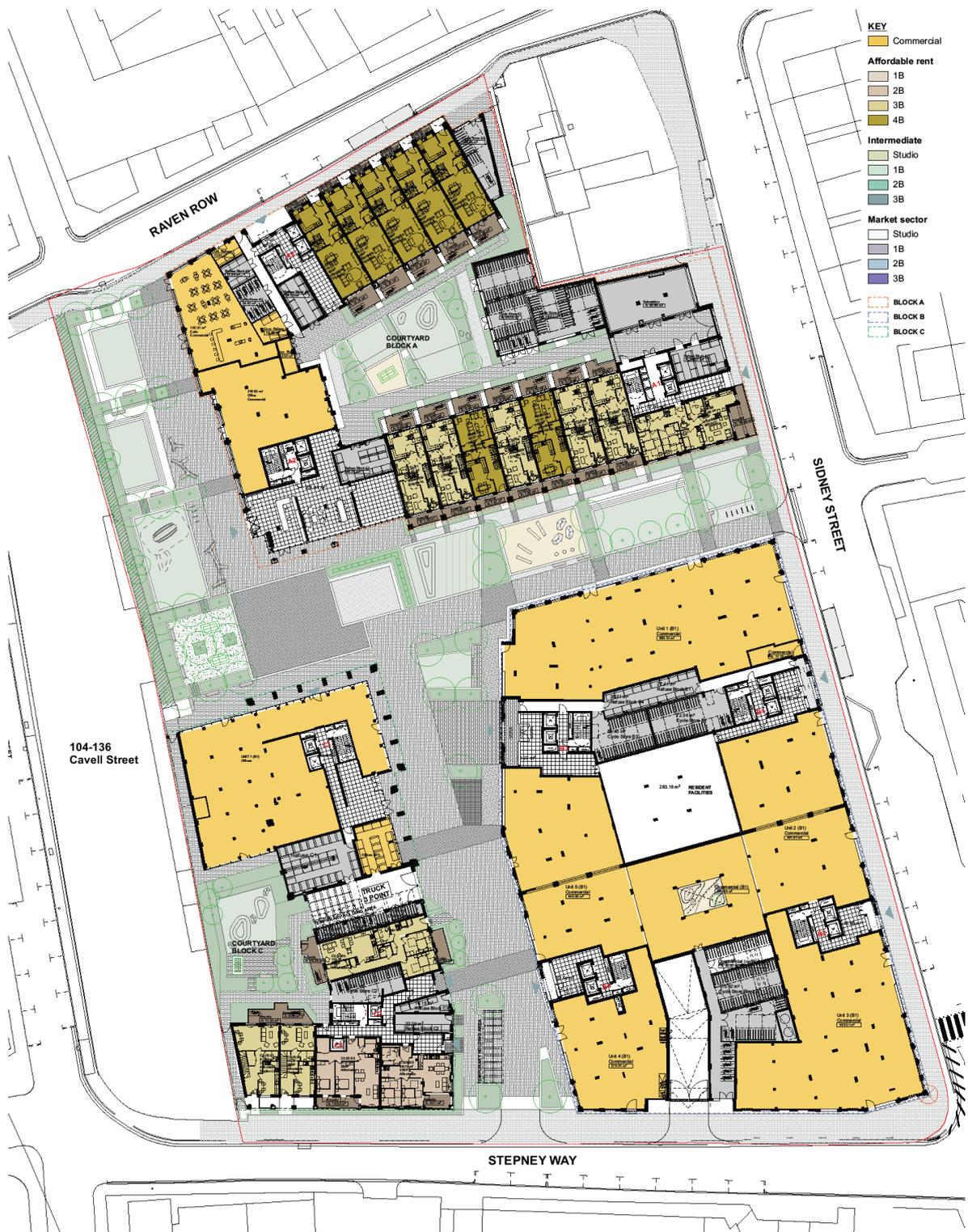
View west along Stepney Way – proposed



View from Whitechapel Road - extant permission



View from Whitechapel Road - proposed



Rev	Date	Description
A	07/08/18	Revised Layout to use C3.00.06 Individual reference shown added for ground floor units in Block A and Block C.

Any errors and omissions to be reported to the Architect prior to commencement. Dimensions and areas are based on survey information provided by the client. This drawing is copyright © STOCKWOOL. All dimensions to be checked on site. D3 is outside.



The Pump House, 18 Hooper Street  
London E1 8EU, 020 7486 8000  
info@stockwool.co.uk

Client	LONDON & QUADRANT & MOUNT ANVIL	Status	PLANNING APPLICATION
Project	Whitechapel Central	Scale	1:250 (A1)
Drawing	Ground Floor Plan	CAD File	3273_44-Units-Model1.pln
		Date	18/08/2018
		Drawn	PH, RH, EV, NG, AB, JR
		Checked	EV
		Drawing no.	3273 PL00
		Rev. no.	A

Ground floor plan







View along Sydney Street



Illustrative courtyard space to Block A.



Bird's eye view from the west (100-136 Cavell Street in foreground.)