



Application for Planning Permission

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Reference	PA/18/03541
Site	Reardon & Lowder Houses, Reardon Street & Wapping Lane, London, E1W
Ward	St Katharine's and Wapping
Proposal	Demolition of existing lock-up garages, construction of new part-four part-six storey residential building containing 18 self-contained dwellings, with associated covered parking, hard & soft landscaping, and enhancements to existing estate garden.
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	London Borough of Tower Hamlets
Architect	Rivington Street Studio
Case Officer	Katie Cooke
Key dates	<ul style="list-style-type: none">- Application registered as valid on 17.12.18- Additional information received on 14.01.19- Public consultation finished on 05.02.19

EXECUTIVE SUMMARY

The report considers an application for a residential development comprising 18 one, two and three bedroom flats. The height of the building would range from four to six storeys

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

The report explains that the proposals would be acceptable in terms of height, scale, design and appearance. The scheme would deliver good quality homes in a sustainable location. The proposed flats would all be served by private balconies and terraces that meet or exceed minimum London Plan SPG space requirements.

The development would result in the provision of 100% affordable rented housing. This is much needed housing and is strongly supported in the consideration of this application. Whilst both London Plan and local policies seek a mix of housing tenures, all 17 units within this scheme will be for affordable rent in direct response to the very high local need in Tower Hamlets and form part of the Council's programme to deliver 1,000 new affordable homes for local people between 2014 and 2018. With the high priority for affordable housing in mind the additional provision is welcomed and the fact that a mix of tenures is not

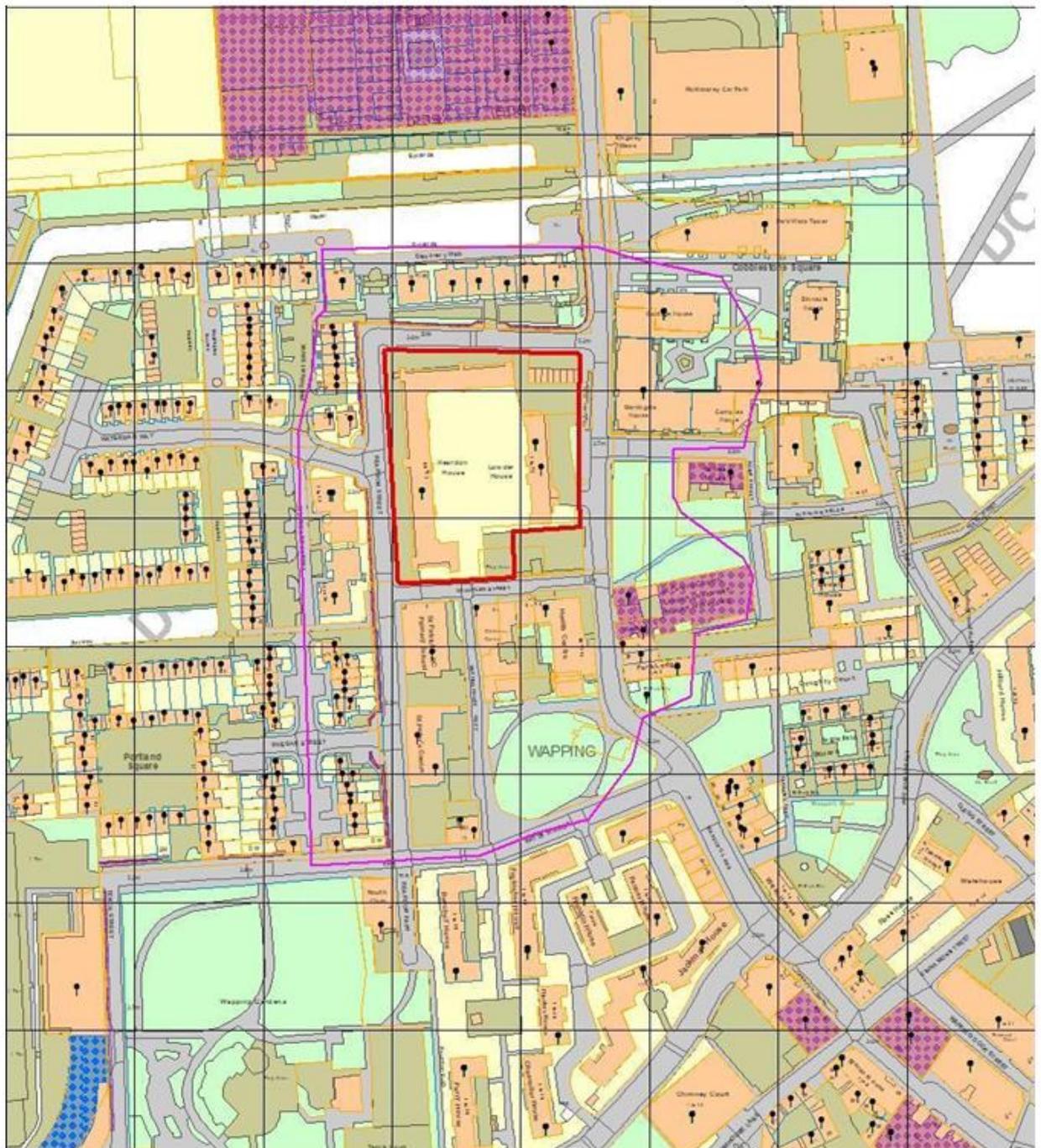
provided is considered acceptable in this instance.

The residential quality of the scheme would be high. Six of the units would be of a size suitable for families (33%). All of the proposed units would meet or exceed the floorspace and layout standards with family sized units being more spacious. All of the dwellings would meet Part M Building Control regulations and over 10% (2 units) would be provided as wheelchair accessible.

The amenity impact of the development would be acceptable. Officers consider that the design of the development, massing of the site would minimise any adverse amenity implications, in terms of light, privacy, noise and traffic impacts.

The proposal would be acceptable with regard to highway and transportation matters including parking, access and servicing.

The scheme would meet the full obligation of financial contributions. However, given the Council is unable to enter into an s106 agreement with itself, the financial and non-financial contributions are to be secured by the imposition of conditions.



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p style="text-align: center;">Planning Applications Site Map PA/18/03541</p> <p>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</p>	 <p style="text-align: center;">TOWER HAMLETS London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 19 March 2019</p>

1. SITE AND SURROUNDINGS

- 1.1 The application site is located on the north east corner of a square bounded to the north and west by Reardon Street, to the east by Wapping Lane and to the south by Chandler Street, a cobbled road. Reardon House is a large U-shaped 5 storey block of flats, located on three sides of the square, (north and west sides of Reardon Street and part of Chandler Street). Lowder House is a 5 storey block of flats on Wapping Lane. To the middle of the square is communal amenity space and play space for the two blocks. The corners of the site on Wapping Lane on either side of Lowder House are used for car parking.
- 1.2 To the southeast of the site is Raines Mansions a publically accessible open space that is bounded on its south side by St Peter Clergy House (Grade II listed) and St Peter's Church (Grade I listed) and Raines House on its north east edge (Grade II*).
- 1.3 Raines Mansions open space is very much visually linked to the residential square serving Reardon House and Lowder House by the shared presence of mature trees of high visual amenity within the residential square.
- 1.4 The site is not located within a Conservation Area.
- 1.5 Opposite the site is the completed strategic scale residential development known as 21 Wapping Street that rises to six/seven storeys.



Figure 1: Contextual site plan

- 1.6 The site itself is occupied by a line of lock-up garage/ storage units stacked in two tiers. The top tier is accessed via a forecourt opening onto Reardon Street. The bottom tier is accessed via the forecourt to Lowder House.
- 1.7 The applicant has stated that the majority of the lock-ups are currently in use. However their utility for garaging is limited as the units are too narrow to easily accommodate modern cars. Discussions with leaseholders suggest they are used for a mixture of garaging and storage



Figure 2: The garages to be demolished.

- 1.8 The site lies within Flood Zone 3 (high risk of flooding), however, benefits from flood defences.
- 1.9 The site is located in an area with good public transport accessibility, with a PTAL rating of 4. The nearest rail station is Wapping, 300m away, with metropolitan rail services. Shadwell LUL station is 700m away. Bus routes 100 and D3 pass the sites along Wapping Lane. Road access is very good, with the trunk route of A13 passing close by and good access to Blackwall and Rotherhithe tunnels.

2. PROPOSAL

- 2.1 Full planning permission is sought for the demolition of existing lock-up garages, construction of new part-four, part-six storey residential building containing 18 self-contained dwellings, with associated covered parking, hard & soft landscaping, and enhancements to existing estate garden.
- 2.2 All of the proposed dwellings would be within the affordable rented tenure.
- 2.3 The main entrance to the building is in the form of a glazed pavilion which is accessed from Reardon Street, with a sheltering canopy and small forecourt area.
- 2.4 Within the pavilion, an outer lobby provides secure, sheltered, stepped access to the shared courtyard garden between the blocks. An inner lobby provides access to the building interior.
- 2.5 The building is arranged around a single circulation core with daylit stair and lift access, and a maximum of four flats per floor.
- 2.6 The two wheelchair-accessible flats are located at street level (L01), and provided with lift access to covered accessible parking bays.
- 2.7 The building's lowest storey is designed for cycle & refuse storage, plant and car parking. Access is reached via lift and stair from the core, with a vehicle entrance connecting to the

- The location has never been used by children or been of social amenity, beauty or nature reserve
- New homes are a benefit and the area can accommodate such heights
- A well-lit, developed site will be brighter and safer than its existing derelict appearance.

4.9 Design:

- Materiality much improved however footprint stands significantly further forward
- Building still stands 2 floors higher than the adjacent block and appears out of place
- Needs to be reduced in height
- The additional 2 storeys are wholly unnecessary and will create a dreadful look
- Access from the garden space needs to be reconsidered.
- Loss of the walk through by side of Reardon House in between the garages towards the D3 bus stop
- Not in keeping with surrounding area
- Potential loss of trees

(Officer comment: The Council's design officer has reviewed this application and has been involved since the 1st pre-application meeting and raises no objection)

4.10 Amenity:

- Block has been designed without a full BRE compliant daylight and sunlight report *(officer comment: A daylight/sunlight was submitted as part of the planning application and was independently reviewed by BRE. This is addressed in the daylight/sunlight section of the report.)*
- Increase in traffic, parking and pollution *(Officer comment: Council's Highways and Environmental Health Departments have been consulted and raised no objection)*
- Loss of daylight and sunlight. *(Officer comment: A daylight/sunlight was submitted as part of the planning application and was independently reviewed by BRE. This is addressed in the daylight/sunlight section of the report. Furthermore a site visit was undertaken by BRE experts and they confirmed it was not necessary to enter into any of the surrounding properties as they were able to make their assessment with the submitted information, the results of their site visit and any other material they used to make their judgement.)*
- As part of the objections relating to daylight/sunlight, GVA Schatunowski Brooks were instructed by EQRA to undertake an independent review of the daylight sunlight report dated 14 December 2018 (v2). The report concluded the following:
 1. It does not fully consider all of the potentially affected existing neighbouring properties/ dwellings;

(Officer comment: These comments were shared with the applicant and Hawkins Environmental and they subsequently updated their assessment and analysed the additional windows at Discovery Walk, Lowder House and Reardon House assessed for “completeness”. It is important to note, that whilst remodelling was undertaken for these properties, the results did not changed the conclusion of the report since its first submission.)

2. It does not contain/report No-Sky Line assessments of existing neighbouring dwellings;

(Officer comment: The daylight/sunlight report has since been updated by Hawkins Environmental to include this)

3. The technical analyses do not appear to have taken account of relevant self-limiting, features on the facades of the properties assessed; and

(Officer comment: Whilst the Hawkins Environmental daylight/sunlight report has been updated during the time the planning application assessment, The GVA Schatunowski Brooks notes that the original analysis did not take into account self-limiting features, such as balconies. However, Section 4.3 of the Hawkins Environmental Report (v3) discussed self-limiting features, specifically the balconies to Martingale House. These results were then discussed in Sections 5.11 to 5.13 of the GVA Schatunowski Brooks acknowledging that impacts identified by Hawkins Environmental were acceptable given the self-limiting features; therefore, it seems that there was an error in GVA Schatunowski Brooks review.)

4. There are no amenity assessments undertaken within the proposed accommodation.

(Officer comment: The assessment of daylight within the proposed development was assessed; however, it was included in a separate report. The 2 documents have since been merged into the final document labelled ‘Daylight, Sunlight & Overshadowing Assessment’ by Hawkins Environmental, ref: H2515, V6, dated 23 April 2019)

- The Daylight/Sunlight report should have considered the flats to the west of 1-12 Discovery Walk. *(Officer comment: BRE had reviewed the originally submitted Daylight Sunlight report by Hawkins Environmental in addition to the GVA Schatunowski Brooks report and confirmed that the loss of daylight and sunlight to 1-12 Discovery Walk would be negligible, however the windows within the brick piers to the west of 1-12 should have also been included. These were subsequently included in the revised assessment and no additional impacts were found as such BRE considered the impacts to be negligible. As a result, it was not considered that any further properties in Discovery Walk needed to be included.*
- Right to light being infringed *(Officer comment: this is a legal issue, not a planning matter)*
- Overlooking, encroaching on privacy *(Officer comment: this is dealt with in the amenity section of the report)*
- Added pressure on NHS and health services *(Officer comment: Whilst this proposal is exempt from CIL contributions, the council pools it’s CIL contributions and through it’s Capital Delivery programme identifies and directs fund to identified health infrastructure.*

- Proposed landscape benefits are minimal (*Officer comment: The proposals seek to bring a locked up green space back to life with secure security measures.*)
- Loss of quiet space namely gardens at the rear of Reardon House (*officer comment: Having reviewed the proposals, the opening up of the amenity space is considered to be acceptable given the benefits of the scheme. The council's noise officer has reviewed this application and has raised no objections in relation to this point*)
- No impact assessment of the noise of development. (*Officer comment: The Council's noise officer has reviewed the application and raised no concerns subject to conditions*)

4.11 Infrastructure related:

- Inconvenience caused due to building works in terms of noise and dust (*officer comment: A CEMP condition will be added to the planning consent*)
- Increasing pressure on the sewerage system and smelling streets (*Officer comment: As part of the planning submission the Council's Environmental Health Department and Thames Water were consulted and neither raised any objections.*)
- *Additional strain on sewage and domestic pipework in Lowder House. Lowder House is in need of structural repairs which should be addressed before any new builds. (Officer comment: this is a management issue)*
- Concerns whether fraud is happening – adding more flats to get rent and council employees keeping money (*Officer comment: this is not a planning issue*)

4.12 Other

- Concerns over added crime and bad behaviour from council residents (*Officer comment: this is a management issue*)
- Don't want to see their garages removed. (*Officer comment: this is considered in section 7.2 (Land use) of the report*)
- Depreciation of property value (*Officer comment: this is not a planning issue*)
- Not given correct information in consultation even in 2018 regarding open space.
- Impact on the existing residents health (*Officer comment: Other than environmental impacts and the impact on health infrastructure, there is no evidence that such a proposal of this nature*)
- Preferred to see the other site fronting Chandler Street brought forward for development instead. (*Officer comment: this is not a planning issue*)
- Loss of garages will increase vandalism in cars (*Officer comment: the Crime Prevention Officer has been consulted and this issue has not been raised.y*)
- Will residents of Lowder House be assured that parking spaces for Lowder House Forecourt will be allocated in the first instance to Authorised Parking Space Charge Payers (*Officer comment: This is a management issue, however the 8 spaces which are to be lost, will be re-provided to the users of those garages*)

- Officers gave assurance that no traffic would cross Lowder House forecourt (*Officer comment: transport/highways issues are reviewed in paragraph 7.113f the report below*)
- What thought has been given to the already inadequate road infrastructure having regard to the ingress and egress (*Officer comment: transport/highways issues are reviewed in paragraph 7.113 (Transport)of the report below*)

5. CONSULTATION RESPONSES

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

5.2 The following were consulted regarding the application:

Internal Consultees

Air Quality

5.3 No objection subject to a condition controlling dust of emissions during construction, a construction environmental management plan condition and a condition requiring details of boilers being attached to the planning decision.

Contaminated Land

5.4 No objections. A condition is recommended for a land contamination scheme to be submitted in order to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

Noise

5.5 No objections subject a condition being attached requiring the proposals to be in compliance with the NIA

Highways

5.6 No objections. In accordance with DM22.2 of the Managing Development Document (MDD) this development will be conditioned to prohibit all occupiers of the new residential units from obtaining on-street parking permits issued by LBTH. However the existing 8 existing garages which are let to existing residents of Reardon House and Lowder House, will be allocated the 8 proposed spaces.

5.7 They also requested that a condition be added requiring the applicant to provide a cycle management plan.

5.8 The applicant is required to enter into a s278 agreement with the highway authority and agree schedule of highways works.

Design and Conservation

5.9 No objections (due to pre-application advice history)

Occupational Therapist

5.10 No objections were raised.

Surface Water Run-Off

5.11 A detailed surface water drainage scheme which should complement the pro forma already provided to the applicant is required.

Housing Strategy

- 5.12 The unit tenure and mix falls short of the Council's target however due to the scale of the development and as this development is providing much needed affordable rented housing, on balance the proposal is deemed acceptable. The rental levels should not exceed: London Affordable Rents (exclusive of service charges) and Tower Hamlets Living Rents (inclusive of service charges).

Waste

- 5.13 No objections

Energy Efficiency

- 5.14 No objections subject to condition and financial contribution.

Biodiversity

- 5.15 No objection subject to a timing of vegetation clearance condition, in addition, to a biodiversity mitigation and enhancement condition being attached to the planning consent.

Arboriculture

- 5.16 No objections, however happy with proposed methodology for new tree planting, however a minimum of 3 replacement trees need to be provided and seen from the public realm. This can be conditioned as part of the landscape methodology of the landscape condition.

External Consultees

Crime Prevention Officer

- 5.17 No objections. A range of detailed measures were recommended to provide greater security to the development as part of the initial comments. The architects and crime officer since met and discussed these and drawings have been amended to reflect these design comments.

- 5.18 A general condition and informative are recommended relating to the Secure by Design award scheme.

London Fire & Emergency Planning Authority

- 5.19 Pump appliance access and water supplies for the fire service were not specifically addressed in the supplied documentation, however they do appear adequate. In other respects this proposal should conform to the requirements of part B5 of Approved Document B.

Thames Water Utilities Ltd.

- 5.20 Thames Water would advise that with regard to water network and water treatment infrastructure capacity, they would not have any objection to the above planning application.

- 5.21 Thames Water have recommended a piling method statement to be submitted to and approved in writing by the local planning authority to ensure potential to impact on local underground sewerage utility infrastructure is suitably addressed. A condition relating to surface water drainage is also recommended.

- 5.22 Informatives relating to a Groundwater Risk Management Permit, minimum pressure/flow rate and a Thames Water main crossing the site are recommended.

6. RELEVANT 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.

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 - LP2.9, LP 3.3, DM22, SP02, S07, S08
(residential)

Housing - LP3.3 -3.13, SP02, DM3, DM4
(affordable housing, unit mix, density, play space, housing quality)

Design - LP7.1-7.8, LP7.18, SP09, SP10, SP12, DM10, DM23, DM24,
DM26, DM27
(layout, massing, building heights, materials, public realm, heritage)

Amenity - LP7.6, LP7.15, SP03, SP10, DM25
(privacy, outlook, daylight and sunlight, construction impacts)

Transport - LP6.1, LP6.3, LP6.9, LP6.10, LP6.13, LP6.14, SP05, SP09,
DM14, DM20, DM21, DM22
(sustainable transport, highway safety, car and cycle parking, waste, servicing)

Environment - LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21, SP03,
SP04, SP11, DM9, DM11, DM13, DM29, DM30
(biodiversity, energy efficiency, air quality, drainage, contaminated land)

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)
- LBTH Draft Local Plan (2019)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenity
- v. Transport
- vi. Environment
- vii. Infrastructure
- viii. Local Finance Considerations
- ix. Equalities and Human Rights

Land Use

7.2 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles:

- an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure;
- a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and
- an environmental role – protecting and enhancing the natural, built and historic environment.

7.3 These economic, social and environmental goals should be sought jointly and simultaneously.

7.4 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health for those living there.

Loss of garages

7.5 An overall net reduction in parking will occur as a result of the proposed development. The 10 covered bays will replace a current set of 16 garages and 5 outdoor parking bays. It is noted that, due to the very limited width of the garages, the majority are used for storage rather than parking. The applicant has confirmed that 8 of the garages are let to existing residents of Reardon House and Lowder House; as such the 8 proposed spaces will be offered to them for storage.

7.6 There is no policy requirement to replace the existing garages or parking spaces. DM22 requires developments in areas of good public transport accessibility to be permit-free. Good is defined as PTAL 4 or above (part 2, para 22.3). The site has a PTAL of 4 and, as such, the proposal for the scheme to be 'car permit free' is therefore supported.

Principle of residential use

- 7.7 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan (MALP 2016) seeks to alleviate the current and projected housing shortage within London through provision of an annual average of 42,000 net new homes. The minimum ten year target for Tower Hamlets, for years 2015-2025 is set at 39,314 with an annual monitoring target of 3,931. The need to address the pressing demand for new residential accommodation is addressed by the Council's strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.
- 7.8 The principle of the delivery of new housing is supported by SP02. In particular SP02 supports the delivery of housing including infill development (part 1c).
- 7.9 Given the above and the residential character of surrounding area around the site, the principle of intensification of housing use is supported in policy terms.

Housing

Affordable Housing

- 7.10 As mentioned in the Land Use section of this report, delivering new housing, especially affordable housing is a key priority both locally and nationally.
- 7.11 In line with section 5 of the NPPF, the London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period. Policy 3.13 states that the maximum reasonable amount of affordable housing should be secured.
- 7.12 In terms of planning policy, the relevant policy is SP02(3) of the Council's Core Strategy. This policy sets an overall strategic target for affordable housing of 50% until 2025. This will be achieved by:
- a) Requiring 35-50% affordable homes on sites providing 10 new residential units or more (subject to viability)
 - b) Securing additional affordable homes from a range of public sector initiatives directly with housing associations as identified in the housing strategy
 - c) Bringing long-term vacant properties back into use.
- 7.13 Policy SP02 requires an overall strategic tenure split for affordable homes from new development as 70% social rent and 30% intermediate.
- 7.14 Policy DM3 of the Managing Development Document states that there should not be an over-concentration of one type/tenure of housing in any one place. Although the development would be completely affordable rented tenure it is considered that this would not result in an over-concentration of this tenure in this area due to a number of large new developments around the site containing high numbers of private and intermediate tenure dwellings. The number of affordable rented units proposed is relatively minor in comparison ensuring a mixed and balanced community is maintained in the area.
- 7.15 All of the 18 proposed units would be affordable rented units. This is in direct response to the very high local need in Tower Hamlets and form part of the Council's programme to deliver

new affordable homes for local people. With the extremely high priority for affordable housing in mind the significant additional provision is welcomed and the fact that a mix of tenures is not provided is considered acceptable in this instance.

- 7.16 The scheme would use the latest rent levels being split 50/50 between London Affordable Rent and Tower Hamlets Living Rent.

Residential density

- 7.17 Policies LP3.4 and SP02 require development to 'optimise' housing output taking account of public transport accessibility, local context and character and design principles and for proposals which compromise this policy to be resisted. The London Plan provides a 'Sustainable residential quality density matrix' for differing locations based on character and PTAL. The site has an 'Urban' character and has a PTAL of 4. For such sites, the matrix provides an indicative density of 200-700 habitable rooms per hectare (hrph) (45 to 260 units per hectare).

- 7.18 The proposed density would be 961 hrph. Whilst the proposed density is above the indicative figures in the London Plan matrix, Policy 3.4 makes clear that this should not be applied mechanistically and that the indicative density ranges should be considered a starting point and not an absolute rule when determining the optimum housing potential. Schemes which exceed the ranges in the matrix must be of a high design quality and tested against a range of considerations (local context and character, public transport connectivity, design quality, contribution to place making, potential to define own setting, residential mix, design/management of facilities and location).

- 7.19 Officers consider that the proposals would be acceptable when considered against these considerations, as demonstrated above and below, and that they would not represent an overdevelopment of the site.

Dwelling mix

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

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

- 7.22 Policy DM3 (part 7) of the Managing Development Document requires a balance of housing types including family homes. Specific guidance is provided on particular housing types and is based on the Councils most up to date Strategic Housing Market Assessment (2009).

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

Unit size	Total units	affordable housing						market housing		
		Affordable rented			intermediate			private sale		
		scheme units	scheme %	Core Strategy target %	scheme units	scheme %	Core Strategy target %	scheme units	scheme %	Core Strategy target %
studio	0	0	0	0%	0	0	0%	0	0	0%
1 bed	7	7	39	30%	0	0	25%	0	0	50.00%
2 bed	5	5	28	25%	0	0	50%	0	0	30.00%
3 bed	6	6	33	30%	0	0	25%	0	0	20%
4 bed	0	0	0	15%	0	0		0	0	
5 bed	0	0	0	0%	0	0		0	0	
6 bed	0	0	0		0	0		0	0	
Total	18	18	100%	100%	0	100%	100%	0	100%	100%

Table 1 – Unit Mix

7.24 The proposed scheme is providing 100% affordable housing. The proposed mix reflects the Borough's need to achieve 45% family sized units. The development is proposing a unit mix of 39% one beds, 28% two beds, 33% three beds and 0% four beds this equates to 33% family sized units. This scheme falls short of the LBTH requirement of 45% family rented units by habitable room. The unit tenure and mix falls short of the Council's target however due to the scale of the development and as this development is providing much needed affordable rented housing, on balance the proposal is deemed acceptable.

Standard of residential accommodation

7.25 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be "fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime."

7.26 All of the proposed units would meet or exceed the internal floorspace standards. In line with guidance, the detailed floor plans submitted with the application demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and activity space requirements.

7.27 All two and three bedroom units in the development will be double or triple aspect. Due to site constraints the one bedroom units are single aspect, facing east and west. There are no north-facing single aspect units in the scheme.

Daylight/Sunlight

7.28 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

Daylight

7.29 As part of the planning application process, the BRE review (which was carried out on behalf of the Council) noted Hawkins Environmental's finding that 52 of the 59 proposed rooms analysed would equal or exceed the recommended BRE guidelines, however 7 rooms (along the

Wapping Lane frontage) would fall short of BRE daylight factor recommendations by varying margins.

- 7.30 Of the 7 rooms, one was a kitchen/dining room on L01, the adjoining living room met the recommendation. Another was a living/kitchen/dining room on L04 for which the average daylight factor would meet the living room recommendation of 1.5% but not the kitchen recommendation of 2%.
- 7.31 The remaining 5 rooms were all living/ kitchen/ dining rooms in two flat types on levels L02-L04. The windows for these rooms opened onto recessed balconies. BRE had highlighted that this arrangement particularly restricted the amount of daylight reaching the room behind.
- 7.32 As such, the design of these flats was amended by moving the balconies in front of the bedrooms rather than the living rooms.
- 7.33 Room sizes and widths remain as previous and policy compliant. Façade rhythm changed slightly with balconies moving one bay to the left; however the aesthetic overall would remain unchanged. The Council's design officer raised no issues with this design change.
- 7.34 With this change made, in terms of daylight to the proposed development the ADF was re-tested for the 59 rooms that were eligible for testing. Of these 51 (86%) would satisfy the BRE guidelines completely.
- 7.35 8 rooms fall short to some degree, however one is a living/kitchen/diner which does meet the living room standard, and another is a kitchen/diner in a flat for which the adjacent living room would meet the guidelines. One of the eight is a bedroom. There are still five living rooms below the 1.5% standard, but not by large amounts. The lowest living room average daylight factor is now 1.0%. This could be improved further by having light coloured room surfaces.
- 7.36 Overall this represents an improvement on the layouts submitted originally.
- 7.37 Table 6.1 of the Hawkins report states that 16 of 18 units are facing within 90 degrees of due south and the remaining 2 units on levels L05+L06 would have their living room windows facing slightly north of due east and would most likely meet the sunlight recommendation.

Sunlight

- 7.38 The sunlighting within the proposed development has been considered as part of Hawkins assessment.
- 7.39 All flats comply and are in line with BRE guidance for sunlight.
- 7.40 No sunlight analysis has been carried out for the proposed open spaces forming part of the new development.
- 7.41 The BRE Guidance suggests that if at least 50% of the gardens or outdoor amenity space receives at least two hours of direct sunlight on the 21st March, then the proposed amenity spaces are considered well sunlit. It is possible to see without detailed analysis that this would be achievable at this site based on the evidence already provided. Appendix 5 of the Hawkins report, demonstrates that the primary outdoor amenity spaces on the eastern façade, as will the balconies on both the eastern and western facades, receive several hours of direct sunlight either side of midday on the 21st March. As a consequence, it is possible to conclude that the future residents are likely to benefit from good levels of direct sunlight to gardens and outdoor amenity space. BRE have also advised that gardens on level 1 and terrace on level 5 would be expected to receive adequate sunlight.

Conclusion

- 7.42 The proposed development therefore is considered to achieve appropriate levels of daylight and sunlight.

Wheelchair Accessible Housing and Lifetime Homes Standards

- 7.43 Policy 3.8 of the London Plan and Policy SP02 of the Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 7.44 Two wheelchair accessible homes are proposed at street level (L01) which amounts to more than 10% of the total units, meeting the policy target.
- 7.45 This is in accordance with the needs of families waiting for fully accessible housing on the Common Housing Register. The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Two disabled accessible parking space would be provided on site and are in accordance with Part M of building regulations.

Private and communal amenity space

- 7.46 The on-site communal space (child play space is covered in the following section) provided by the scheme would be shared with existing Reardon and Lowder Houses and the new residents of the proposed scheme. This is to ensure the proposed development is not providing amenity spaces at the expense of spaces currently available to other sites.
- 7.47 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private and communal amenity space for all new homes.
- 7.48 For major residential developments Policy DM4 stipulates 50sqm of communal amenity space for the first 10 units plus 1sqm for every additional unit should be provided. As such, a total of 58sqm of communal amenity space is required for the proposed development and when you include existing Reardon and Lowder Houses (50+80 =130sqm) the total amenity space required is 188sqm, which is far under the 2,300sqm on site at present, comfortably exceeding the policy requirement.
- 7.49 All of the proposed units would have a private balcony or terrace that is at least 1500mm wide and would meet or exceed the London Plan requirements.
- 7.50 Overall, the proposed provision of private and communal amenity space would meet the policy requirements and make a significant contribution to the creation of a sustainable, family friendly environment.



Figure 3: Landscaping - Communal and Child Play Space

Child play space

- 7.51 In addition to the private and communal amenity space requirements, policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated play space within new residential developments. Applying the GLA child yield and the guidance set out in the Mayor of London’s SPG ‘Shaping Neighbourhoods: Play and Informal Recreation’ which sets a benchmark of 10sqm of useable child play space per child. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within a short walking distance.
- 7.52 The proposed scheme, in combination with the existing Reardon and Lowder House is anticipated to accommodate an extra 19 children using the GLA child yield calculator. The following table shows a breakdown of the child play space calculations.

	Existing GLA Yield	Existing Reardon and Lowder House	Proposed GLA Child Yield	Requirement for the proposed 19 children within the scheme.	Total area
0-4 year olds	30	296sqm	7	75sqm	371 sqm
5-11 year olds	22	225sqm	6	60sqm	285 sqm
12-18 year olds	18	178sqm	6	56sqm	234 sqm
Total	70	699sqm	19	192sqm	890 sqm

Table 2– Child play space

- 7.53 The existing child play space provision on site is 210 sqm. The proposals require an additional 192sqm to be provided in line with the GLA policy.

- 7.54 The aggregate play area requirement = $192 + 210 = 402$ sqm. The proposals are providing 410sqm of children's play area, an uplift of 8sqm.
- 7.55 As part of the consultation process, discussions were had between the applicant, the Council's policy officer and case officer regarding the design of the play space and the location of and quantum of the designated areas. They have since been amended to expand the existing children's play space to cater for children's play requirement for all age ranges, removing requirement for play space in courtyard garden and off-site. Also the range of facilities has been expanded, with more items suitable for all age ranges including 11-18 years old.

Design & Heritage

- 7.56 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.

Form, height and massing

- 7.57 During the pre-application process and the applicants own consultation exercises, the proposed massing has been a key topic of discussion with various iterations and amendments being made to height and footprint.
- 7.58 The building is formed of two interlocking blocks, which are carefully modulated to react to the building's context. The taller element has been pulled back to reduce its prominence when viewed from Reardon Street and Wapping Lane.
- 7.59 The main building form is set at four storeys above street level, to be in keeping with the eaves of Lowder House and Reardon House to each side (they are at slightly different heights). The form then increases by a further two stories, giving a stronger sense of height and establishing a relationship with the lift tower of Lowder House.
- 7.60 Officers consider that the proposed scheme delivers scale and massing which optimises the development potential whilst complementing the existing urban context.
- 7.61 The design mitigates potential detrimental impacts on existing residents of Lowder House and Reardon House resulting from the development. Street frontage reflects on existing character in the area but also provides safe and secure amenity for residents.



Figure 4: View of the site from Wapping Lane.

Elevational treatment/materials

- 7.62 In terms of materials, it is a simple pallet. The proposed building would be predominantly constructed of a dark red brick to be in keeping with the neighbouring Reardon and Lowder Houses. The bonds to the brickwork will be different between the taller element and shorter element, creating a visual interest to the building.
- 7.63 Window frames, balconies, railings and flashings are kept low key in anthracite powder coat. Boundary treatments are in the same facing brick as the facades, to integrate the whole site into the composition.



Figure 5: Wapping Lane elevation showing the materials proposed

7.64 Officer's consider the applied architectural design to be an interesting reflection on the industrial heritage of the area. Quality masonry, characteristic of surrounding historic urban fabric, has been applied to deliver visual consistency. In order to ensure that good design is translated into the good building great attention needs to be paid to detail. A condition shall be attached to the permission requiring details and samples of the proposed materials and finishes.

Secure by Design

7.65 As part of the planning application process, the applicant carried out their own consultation with the Metropolitan Police to ensure a secure scheme is bought forward.

7.66 The scheme design changes in light of the secure by design consultation with the police, include (but not limited to) the following:

- Separate pedestrian exit door added next to car park vehicle exit door;
- Doors to refuse and cycle stores changed from 1.5 leaf to single wide leaf;
- Vent panel from outdoors to cycle store blanked off internally;
- Main entrance lobby reconfigured to provide "airlock" with two lines of access control;
- Post boxes relocated from through-wall to inside lobby;
- Defensive planting alongside front entrance ramp beefed up;
- Planted strip to Wapping Lane frontage given lockable maintenance access gate, and reconfigured to eliminate proximity to Flat 01 kitchen window;
- Boundary treatments to Reardon Street and Wapping Lane increased to minimum 1.5m high non-climbable;
- External pedestrian stair connecting Wapping Lane to Lowder House forecourt removed; and
- Southern boundary treatment to shared courtyard garden specified 1.8m high non-climbable

Landscaping

7.67 At present the site itself comprises garages with virtually no landscaping.

7.68 The immediate area in between Lowder House and Reardon House currently comprises a large central courtyard garden, which is well maintained.



Figure 6: Existing courtyard garden space

- 7.69 The proposed wider landscaping surrounding the site includes the following:
- New pedestrian path with permeable paving and low-level lighting
 - Central area with bench seating, surrounded by turfed raised earth berms to provide visual and acoustic shielding
 - Fringe of mown lawn given over to meadow flower planting, to attract pollinators, invertebrates and birds
 - Enhancement of existing shrub border, to help prevent activity immediately by residential windows
- 7.70 In addition, biodiverse green roofs will be provided at the top of the two roof levels of the building, both for biodiversity value and to improve its aspect when viewed from high-floor units within the building. Within these spaces indigenous species which attract pollinators and birds will be used as well as nesting boxes and invertebrate habitats.
- 7.71 At present the courtyard garden area is gated with restricted access. The applicant has confirmed that access to the garden is available only for maintenance staff, with existing residents unable to occupy and enjoy the space.
- 7.72 Objections have been raised regarding possible security issues by opening this space up again (as it is considered that this was previously closed off due to anti-social behavioural (ASB) issues). Historically the garden was open to the street, with no access control or supervision measures, making it a space where ASB was possibly more inviting. Consequently, it was fully closed off and locked, as now.
- 7.73 The proposed development seeks to improve this issue and open up this green space with limited daytime only access for existing and proposed residents to enjoy. It is proposed to provide new boundary fencing and fob-controlled gated access to the garden. This will link to the fobs already used by residents of Lowder House and Reardon House, as well as the proposed new building.
- 7.74 In addition, the applicant has met with the Metropolitan Police and worked together to design a scheme that will ensure that scope for ASB is minimised through the following:
- Non-climbable 1.8m high boundary treatment – to deter unauthorised entry
 - Recording fob access and CCTV at points of entry – this method is used widely at entrances to new developments, and will give Police power to identify who is in the garden at any point
 - Daytime-only fob access – gates will remain locked outside specified hours
 - Manually lockable gates – DOCO's are keen on padlock reinforcement to fob system and a caretaker check at locking-up time to ensure everyone leaves the garden
 - Dusk until dawn lighting – currently proposed along new pathway
 - Planting featuring shrubs maximum 1.2m high and trees with minimum canopy 2.1m high – to preserve clear sightlines throughout the garden area
 - Defensive planting border – the architects have shown a wide planted border to the whole perimeter of the garden, to prevent activity and associated noise disturbance immediately outside flat windows
 - Children's play concentrated in segregated area – this will minimise any noise disturbance, as the courtyard garden will be suitable for quiet recreation and children will be attracted to their dedicated area and facilities
- 7.75 The Metropolitan Police requested that a condition be attached to a planning permission stating that the development shall achieve a Certificate of Compliance to a Secured by Design scheme.

- 7.76 The typography surrounding the site is of various levels, the proposals seek to add more hard landscaping elements to emphasise these spaces through the following:
- On Reardon Street, a low boundary wall with openings delineates the new shared ramped and stepped access to the building entrance from the pavement.
 - On Wapping Lane, the same wall acts as a ha-ha topped with planting beds, providing a defined edge to the public realm. The step up is below pedestrian eye level but enough to provide a defensible-space barrier, which provides a comfortable relationship with the private terraces adjacent and ground floor living spaces beyond.
 - On the short southern boundary the wall is a full storey in height, accommodating the vehicle entrance to the basement car park and providing a new external stair to the Lowder House forecourt, which is intended to boost footfall, activity and natural surveillance in this area.
- 7.77 The raised street edge will be planted with indigenous flowering plants and shrubs to provide an attractive green fringe to the development, reinforce visual separation between public and private areas, and improve biodiversity.
- 7.78 As part of the landscape improvement works the existing children's play area facing and accessed from Chandler Street will be enlarged, with new play equipment and surfacing.
- 7.79 Children's play space for the proposed development will be shared with Reardon House and Lowder House. Informal children's play will be accommodated within the existing children's play area facing Chandler Street, which will be expanded to meet the aggregate play space requirement.
- 7.80 Play space and amenity space is examined in further detail within the Housing section of this report.
- 7.81 With regards to trees, the application seeks the removal of 1 cherry tree (T1) cherry, located on the lower level adjacent to the garages and pavement. It is important to note that this tree is not protected and can be removed at any time.



Figure 7 : Cherry tree

- 7.82 The arboricultural report submitted as part of this application states that although this will result in both a loss of visual amenity and canopy cover, the loss is relatively low and there is scope within the surrounding area to accommodate new planting in compensation. The Council's tree officer raised no issues with this removal provided that a minimum of 3 trees are replanted which are visible from the public realm.
- 7.83 The proposed landscaping is considered to be well thought out and would be of a high quality. A condition will be attached to the decision requiring further details of the landscaping to be submitted (including details of the proposed trees).
- 7.84 The garage site is currently lacking any plant life. The proposals will provide biodiverse roofs and areas of planting of indigenous species at ground level, and new meadow planting and shrubs in the existing gated courtyard garden – all measures which will boost the site's biodiversity value, in accordance with Policies SP04 and DM11.
- 7.85 Discussions on Biodiversity are found under 'environmental consideration' below within this report.

Neighbour Amenity

- 7.86 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.
- 7.87 In line with the principles of the National Planning Policy Framework, the Council's policies SP10 of the Core Strategy and DM25 of the Managing Development Document aim to safeguard and where possible improve the amenity of existing and future residents and building occupants, as well as to protect the amenity of the surrounding public realm with regard to noise and light pollution, daylight and sunlight, outlook, overlooking, privacy and sense of enclosure.

Overlooking and privacy

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

7.89 The plan below shows the separation distances exceeding the 18m policy.

7.90 Separation distances are shown in the following plan.

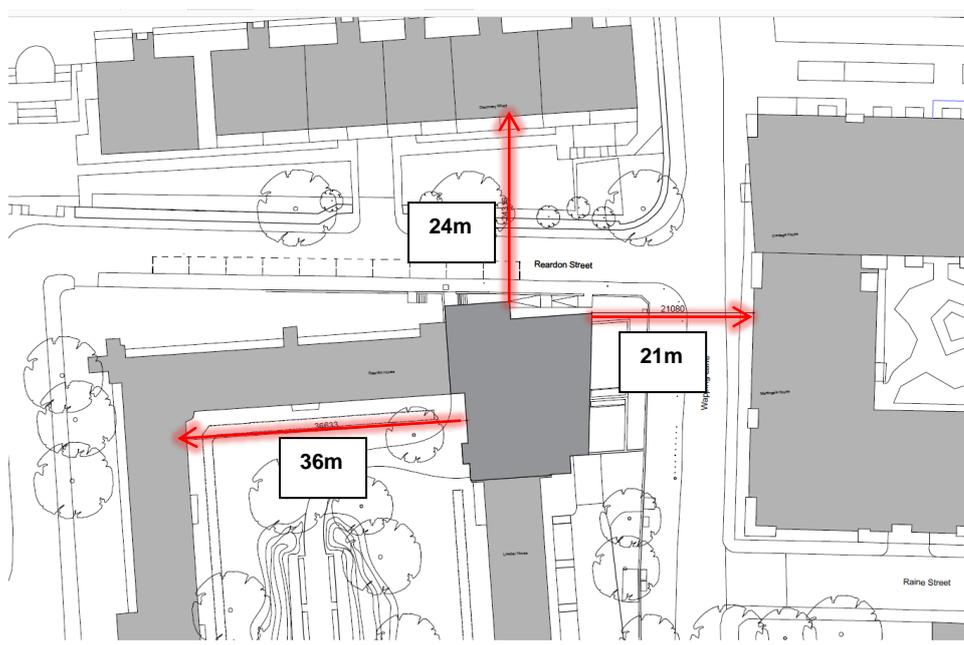


Figure 8 - Ground floor plan showing separation distances.

7.91 As such, officers are satisfied the proposal would not give rise to any unduly detrimental impacts on privacy to neighbouring properties.

Outlook and sense of enclosure

7.92 The proposed massing, which steps down to 4 storeys, is not considered to result in an overbearing appearance or sense of enclosure within the context of the site.

Daylight, Sunlight and Overshadowing

7.93 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when,

as a result of development, the VSC figure falls below 27 and is less than 80% times its former value.

7.94 A number of local residents have objected to the proposals on the grounds of loss of daylight and/or sunlight. There is no industry-standard categorisation for impacts that exceed BRE guidelines. However, for both VSC and ASPH, the Council consistently uses the following categories:

- Negligible: reduction less than 20% or retained VSC over 27%
- Minor adverse: reduction of 20% - 29.9%
- Moderate adverse: reduction of 30% - 39.9%
- Major adverse: reduction greater than 40%

Daylight – Vertical Sky Component

7.95 The table below assesses the impact of the proposed development on the neighbouring properties in line with BRE's advice.

Property	Daylight Impact	Further detail
1-12 Discovery Walk	Negligible	Results show a small reduction in daylight to some of the assessed windows, however all 34 windows which were tested would experience proposed levels of daylight which would be greater than 0.8 times the existing (i.e. a reduction less than 20%).
Lowder House	Negligible	Results show a small reduction in daylight to some of the assessed windows, however all 5 windows which were tested would experience proposed levels of daylight which would be greater than 0.8 times the existing (i.e. a reduction less than 20%).
Martingale House	Minor Adverse	Four of the 52 windows tested fall below VSC guidelines but are located to rear of recessed balconies; likely to meet guidelines if calculations repeated without them. BRE confirmed that the impact would be minor adverse (rather than negligible as set out in the Hawkins assessment). Notwithstanding this, these windows would still receive ample sunlight.
Reardon House	Minor Adverse	The loss of daylight to 4 of the 10 tested windows on the south façade of Reardon House would be outside the guidelines. These are in a column closest to the new development. BRE confirmed that the impact would be minor adverse (rather than negligible as set out in the Hawkins assessment). Notwithstanding this, these windows would still receive ample sunlight.

Daylight – No-Sky Line

7.96 Appendix F of the BRE Guide states: "In assessing the loss of light to an existing building, the VSC is generally recommended as the appropriate parameter to use". The NSL test can also

be used as a supplementary test, but only (as the BRE Guidance indicates) “*where room layouts are known*”; however, results should always be approached with extreme caution.

- 7.97 VSC is a metric that determines the amount of light falling on a particular point. In order to assess VSC accurately, the only knowledge one requires of the potentially affected building is the position of the window. The calculations for VSC do not take into account window size, room dimensions or the properties of the window itself. However, for NSL, significantly more information is required to accurately calculate the NSL, including room sizes and more accurate window dimensions. Consequently, unlike the calculation of VSC, survey information of the affected buildings is required to accurately calculate NSL. Since survey information of the affected rooms are rarely available when conducting daylight assessments, the NSL is rarely calculated.
- 7.98 Hawkins since updated the original Daylight/Sunlight report and included a NSL assessment in response to one of the objection representations.
- 7.99 NSL calculations have only been provided for Martingale House as floor plans were not available for most of the affected dwellings, with the exception of Martingale House.
- 7.100 The results show that for all the 11 rooms tested, whilst there is a reduction in the amount of working plane which received direct light from the sky, the proposed area of the working plane that receives direct light from the sky would be greater than 0.8 times the existing area with the exception of only 1 room which fails this.
- 7.101 This window was also identified as a window which falls below the VSC guidelines. It is likely a result of self-limiting features, i.e. the presence of the balcony above the window. This justification is also backed up by BRE. Hawkins identify this impact to be negligible, however BRE classify it as a moderate impact given that the ratio difference between the existing and proposed NSL is 0.34.

Sunlight

- 7.102 Hawkins analysed the Annual Probable Sunlight Hours (APSH) for the proposal in line with the BRE sunlight criteria. As such 1-12 Discovery Walk and Reardon House were assessed.
- 7.103 With regard to Lowder House, loss of sunlight is not considered to be an issue as the windows in question face north of due east. Also, in relation to Martingale House, loss of sunlight would not be an issue as the windows in question face slightly north of due west.
- 7.104 Whilst some windows at Discovery Walk and Reardon House would experience a reduction in the amount of sunlight they receive, the reduction is considered to be small that it would be negligible.

Overshadowing

- 7.105 For a garden or outdoor amenity space to be considered well sunlit, at least 50% of the garden or amenity space must receive at least two hours of direct sunlight on the 21st March. If this cannot be achieved, providing that the area overshadowed with the proposed development in place would be greater than 0/8 times the existing level of shadowing, it is considered that no effect on overshadowing would occur.
- 7.106 The applicants’ report sets out the findings of an assessment of overshadowing for the existing layout. The shadow diagrams show that the proposed development does not cause any additional overshadowing to occur to any outdoor amenity space as it lies in the north east

corner. As such, all of these spaces would meet BRE guidelines for 50% of the area to receive at least 2 hours of sunlight on 21st March.

Conclusion:

7.107 The Mayor of London's Housing SPG makes clear that standards should be applied flexibly, providing that proposals still achieve satisfactory levels of residential amenity and avoid unacceptable harm. The proposals would have minor and localised impacts on daylight and sunlight enjoyed by the occupiers of a number of nearby homes and users of the amenity spaces, when assessed against the BRE guidelines. However, officers consider that these impacts would be acceptable when weighed against the benefits that the scheme would deliver and that residents and users would be left with an acceptable level of daylight and sunlight and that their overall level residential amenity would be acceptable.

Noise and Vibration

7.108 Policy 7.15 of the London Plan (2015), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.

7.109 An environmental noise survey was submitted as part of the application documents showing the assessment of daytime and night-time levels likely to be experienced by the proposed development.

7.110 Measured noise levels allowed a robust glazing specification to be proposed which would provide internal noise levels for all residential environments of the development commensurate to the design range of BS8233.

7.111 The Council's noise officer has reviewed the application and has no objections, subject to the proposals being in accordance with the noise impact assessment.

Construction Impacts

7.112 Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts. These would control working hours and require the approval and implementation of Construction Environmental Management Plan

Transport

7.113 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.

7.114 The site benefits from very good access to public transport, being located approximately 300 metres walk from Wapping rail station. Shadwell underground station is 700m away. Bus routes 100 and D3 pass the site along Wapping Road. As such the proposed development site has a Public Transport Accessibility Level (PTAL) of 4, with 6 being the highest.

7.115 Overall, the proposal's likely highways and transport impact are considered to be minor and acceptable to the Council's Transportation & Highways section. The relevant issues are discussed below.

Cycle Parking

- 7.116 The proposal meets the cycle parking standards as set out in the London Plan (2016). These standards require 36 cycle parking spaces to be provided. The development provides 36 covered secure cycle parking spaces with 2 visitor spaces provided at the entrance lobby.
- 7.117 The Council's Highway's officer has requested a cycle management plan condition be attached to the permission requiring the applicant to provide further details of this parking.

Car Parking

- 7.118 Policy DM22 sets out the Council's parking standards in new developments.
- 7.119 As mentioned previously in the report, 8 of the garages on site are let to existing residents of Reardon and Lowder House, the proposed 8 spaces located in the basement will be offered to them.
- 7.120 Notwithstanding this, owing to the good transport links the development would be subject to a 'car free' planning condition restricting future occupiers of the new development from obtaining residential on-street car parking permits, with the exception of disabled occupants or beneficiaries of the Council's permit transfer scheme.
- 7.121 Two on site accessible car parking spaces at basement level would be provided for each wheelchair accessible flat.
- 7.122 A S278 will also be required for the removal of the vehicle crossover on Reardon Street and reinstating of the footway.

Servicing and Refuse Storage

- 7.123 Further to policy SP05 of the Core Strategy which requires provision of adequate waste storage facilities in all new development, policy DM14 of the Managing Development Document sets out the Council's general waste and recycling storage standards. The proposed capacity of the waste storage has been calculated is in accordance with current waste policy.
- 7.124 Bins will be located in the basement adjacent to the car park. On refuse collection day the bins will be moved along the Lowder House access to the existing bin store building serving Lowder House. Refuse collection will therefore be made at the same time and in the same location as Lowder House.

Energy & Environmental Sustainability

- 7.125 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.
- 7.126 The climate change policies as set out in Chapter 5 of the London Plan MALP (2016), Policies SP11 and DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 7.127 The London Plan sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean)
 - Supply Energy Efficiently (Be Clean)

- Use Renewable Energy (Be Green)

7.128 The Managing Development Document Policy DM29 requires major residential developments to achieve zero carbon (with at least 45% reduction achieved through on-site measures). The remaining regulated carbon emissions (to 100%) are to be offset through a cash in lieu contribution.

7.129 The applicant has submitted an SAP Assessment Report (19/12/18) which sets out the applicant has sought deliver carbon savings through energy efficiency measures and the integration of renewable energy technologies (15kWp PV array). The space heating and hot water requirements are proposed to be met through high efficiency gas boilers.

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

- Be Lean – 19% reduction
- Be Clean – 0% reduction
- Be Green – 26.4% reduction

7.131 The combination of measures is anticipated to reduce CO2 emissions by 54.53% against building regulation part L baseline. In order to be supported the remaining tonnes of CO2, up to the zero carbon target, should be offset through a carbon offsetting contribution. This equates to the need to offset 11.6 tonnes CO2 as identified in para 3.5 of the submitted SAP Assessment Report.

7.132 The on-site CO2 savings should be secured via Condition with a post construction verification report submitted to the council to demonstrate delivery of the anticipated CO2 savings.

7.133 The Planning Obligations SPD includes the mechanism for any shortfall in CO2 to be met through a cash in lieu contribution for sustainability projects. The submitted energy assessment identifies the shortfall to meeting zero carbon for the residential elements is 11.2 tonnes CO2. The current identified cost for a tonne of CO2 is £1,800 per tonne of CO2. Therefore for the proposed scheme the energy strategy identifies a carbon offsetting contribution of £20,880 would be made.

7.134 The current proposals have sought to implement energy efficiency measure and renewable energy technologies to deliver a 45% reduction in on-site CO2 emissions compared to the Building regulation baseline. It is considered that the shortfall in CO2 emission reductions to meet the zero carbon homes requirement should be offset through a cash in lieu payment of £20,880.

7.135 Should the scheme be recommended for approval it is recommended that the proposals are secured through appropriate Conditions to deliver:

- Delivery of anticipated 45.53% reduction in onsite CO2 emissions
- S106 contribution of £20,880
- Post construction verification report submitted to LBTH to verify delivery of CO2 emission reductions as identified in the SAP Assessment Report

Biodiversity

7.136 Policy DM11 of the Managing Development Document seeks to inter-alia ensure existing elements of biodiversity value are protected or replaced within the development and additional habitat provision made to increase biodiversity value.

- 7.137 The Preliminary Ecological Assessment submitted as part of the application, confirmed that there is negligible potential for roosting bats in the existing buildings and there are no features of particular biodiversity value in the existing landscaping. There is, however, the potential for nesting birds in the existing shrubs. Any clearance of shrubs should be undertaken outside the nesting season, or a survey for nesting birds should be undertaken immediately before clearance. This will be secured by condition.
- 7.138 The application includes biodiverse green roofs which, if well-designed, will be a significant enhancement that will contribute to targets in the Local Biodiversity Action Plan (LBAP). The ground-level landscaping also includes features which might enhance biodiversity and contribute to LBAP targets, including areas of wildflower meadow, new hedges, and planting native wildflowers and shrubs. How valuable for biodiversity these features will be depends upon the detail.
- 7.139 The Preliminary Ecological Assessment recommends a range of bird, bat and insect boxes, including 2 bat boxes, 3 sparrow terraces, a black redstart box associated with the green roof, and 2 insect boxes.
- 7.140 All of these would be appropriate, and would contribute to LBAP targets. The proposed green roofs and landscaping will lead to net gains in biodiversity. The biodiversity mitigation and enhancements will be secured by a condition

Land Contamination

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

Flood Risk & Drainage

- 7.142 The flood risk setting for the whole site is determined as Flood Zone 3; and is an area which benefits from flood defences.
- 7.143 The submitted FRA can be summarised as follows:
- The Environment Agency Risk of Flooding from Rivers and the Sea (RoFRaS) database indicates a 'Very Low' risk of flooding. The overall Tidal Flood Risk is considered to be 'Very Low.
 - The site benefits from flood defences (a solid sea wall) along the River Thames.
 - The site has not been impacted by flooding from any source.
 - The potential risk from Surface Water (Pluvial) Flooding is considered 'Negligible.'
 - The potential risk from Groundwater Flooding is considered 'No Risk'.
 - The proposed Ground Floor Finished Floor Level (FFL) of 5.50mAOD is considered acceptable in flood risk terms.
 - It is considered unlikely that the proposed development would pose a flood risk on-site, or to land or property external to the site.

- 7.144 Both Thames Water and the Environment Agency raise no objections to the proposals.

Infrastructure Impact

- 7.145 In terms of Tower Hamlets CIL and London CIL liability there would be no payment due because all of the units would be affordable rented and therefore qualify for CIL relief.
- 7.146 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. The scheme would meet the full obligation of financial contributions. However, given the Council is unable to enter into an s106 agreement with itself, the financial and non-financial contributions are to be secured by the imposition of conditions.

Local Finance Considerations

7.147 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; officers estimate that the proposal could deliver up to £141,735 over 4 years.

Human Rights & Equalities

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

7.149 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-

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

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

7.151 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

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

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

8. RECOMMENDATION

8.1 That subject to any direction by the Mayor of London, **planning permission is GRANTED** subject to the conditions:

Conditions

1. Three year time limit
2. Compliance with approved plans and documents
3. Development is personal to, and shall be implemented by, LBTH
4. Wheelchair adaptable and wheelchair accessible dwellings
5. Provision of approved cycle storage
6. Compliance with Energy Statement
7. Post construction verification report
8. Compliance with Noise Impact Assessment
9. Hours of construction
10. Communal amenity/child play space to be completed prior to occupation
11. Delivery and Service Management Plan
12. Scheme of Highway Improvement Works
13. Details of all Secure by Design measures
14. Details of hard and soft landscaping, including boundary treatment and lighting
15. Details of play equipment
16. Details of noise and vibration mitigation measures

Pre-Commencement Conditions

17. Scheme for the provision of financial contributions (see financial contributions section below)
18. Strategy for using local employment and local procurement (see non-financial contributions section below)
19. Details of biodiversity mitigation measures
20. Details of green roof
21. All vegetation clearance to be undertaken between September and February no nesting or nest-building birds are present
22. Contamination
23. Details of control of dust and emission during construction phase
24. Construction Environmental Management Plan
25. Details of boiler emissions
26. Piling Method Statement
27. Scheme for the Provision of Affordable Housing
28. Samples and details of all facing materials
29. Details of boundary treatments
30. Surface Water Drainage Scheme
31. Car Permit Free (bar Blue Badge Holders and Permit Transfer Scheme)
32. Cycle Management Plan
33. Scheme of Highways Improvement (see non-financial contributions section below)
34. Residential Management Plan

Condition 17

Securing contributions as follows:

Financial contributions:

- a) A contribution of **£6,216** towards employment, skills, training for construction job opportunities
 - b) A contribution of **£20,880** towards Carbon Off-Setting.
- Total £27,096**

Condition 18

Non-financial contributions:

- a) Affordable housing 100% by habitable room (18 units)
- b) Access to employment
 - 20% Local Procurement
 - 20% Local Labour in Construction
- c) Scheme of highway improvement works
- d) Car and permit free
- e) Any other contributions considered necessary by the Corporate Director of Place

Informatives:

1. Thames Water – Groundwater Risk Management Permit, minimum pressure/flow rate.
2. Building Control
3. S.278
4. Fire & Emergency
5. Footway and Carriageway
6. Hours of work for demolition/construction activities
7. CIL
8. Designing out Crime

Appendix 1

Drawings

813.P.01.02-A, 813.P.01.03_F, 813.P.01.04_F
813.P.05.01_C
813.P.10.101_A
813.P.12.100_J, 813.P.12.101_K, 813.P.12.102_I, 813.P.12.103_B, 813.P.12.104_B,
813.P.12.105_D, 813.P.12.106_H, 813.P.12.107_A
813.P.13.102_B, 813.P.13.104_A,
813.P.14.101_K, 813.P.14.102_L, 813.P.14.101_H, 813.P.14.103_F
813.70.100_G, 813.70.102_B, 813.70.104_B, 813.70.103, 813.SK.03

- Design and Access Statement, by Rivington Street Studio, ref: 813.P.101.04_A, dated December 2018
- Air quality assessment by MLM , ref: C01 S2, dated 11 December 2018
- Daylight, Sunlight & Overshadowing Assessment by Hawkins Environmental, ref: H2515, V6, dated 23 April 2019
- Transport assessment and Travel Plan statement, by Cottee Transport Planning , ref: 1859/FPEC, dated December 2018,
- Energy assessment by Scott White Hookins , ref: B02575, rev 1, dated 19 December 2018
- Foul sewage and utilities assessment by Scott White Hookins , ref: B02575, dated January 2019
- Land contamination assessment by AGB Environmental , ref: P3007.2.0. dated 3 November 2017
- Noise impact assessment by KP Acoustics, ref: 18392>NIA.01, dated 12 December 2018
- SuDS report by Scott White Hookins , ref: B02575, rev 02,dated January 2019
- Sustainability assessment by Scott White Hookins , ref: B02575, rev 1, dated 19 December 2018
- Flood risk assessment by AGB Environmental , ref: P3007.3.0, dated 14 January 2019
- Planning statement by Rivington Street Studio , ref: 813.P.101.07, dated 10 December 2018
- Outline Landscape management plan by Rivington Street Studio , ref: 813.P101.06, dated 10 December 2018
- Ecological impact assessment by AGB Environmental, ref: P3007.4.0, dated 26.02.19
- Arboricultural impact assessment by AGB Environmental, ref: P3007.1.1, dated 13.02.19

Appendix 2 - Selection of plans and images



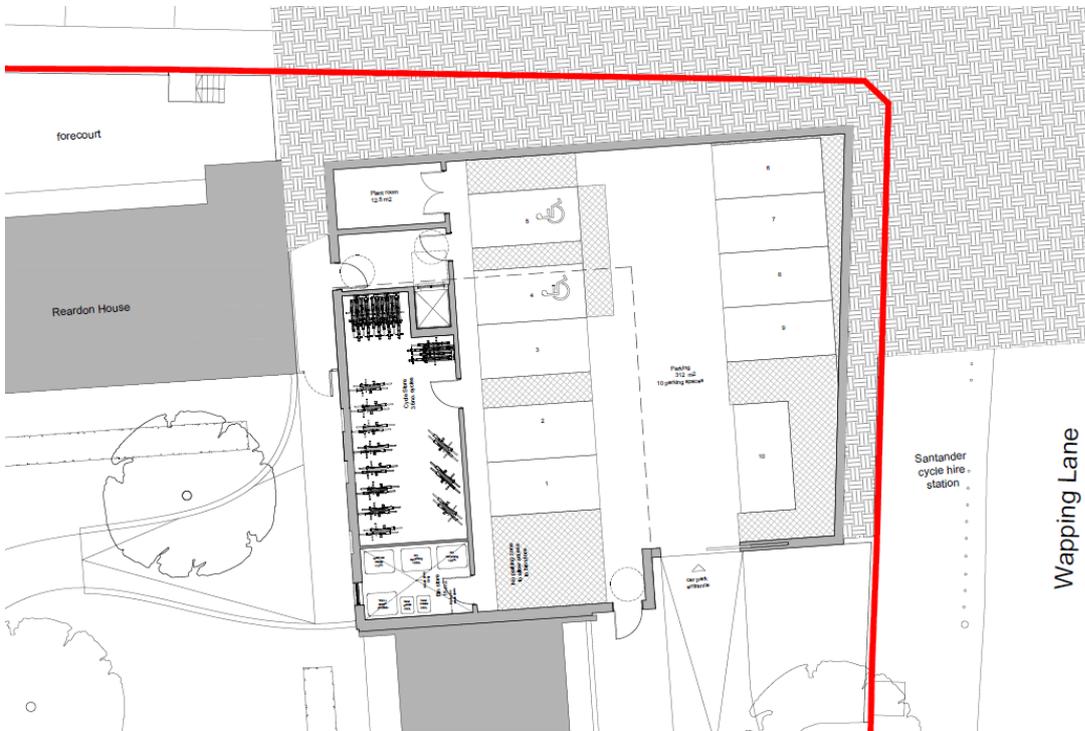
Existing site – photo from Wapping Lane



South east view from Wapping Lane



South east view from Wapping Lane



Proposed ground floor plan

