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

<b>Reference</b>	PA/19/02837
<b>Site</b>	55-56 Chamber Street, London, E1 8BL
<b>Ward</b>	Whitechapel
<b>Proposal</b>	Redevelopment of the former railway sidings and outbuilding, including demolition of outbuilding, to allow for mixed-use development in two buildings, comprising a part 10, part 11 storey building providing office floorspace (Use Class B1) at ground and first floor and serviced apartments (Use Class C1) on the upper floors and a 2 storey office building (Use Class B1).
<b>Summary Recommendation</b>	Grant planning permission with conditions and planning obligations
<b>Applicant</b>	Marldon Partnership
<b>Architect/agent</b>	Rolfe Judd
<b>Case Officer</b>	Patrick Harmsworth
<b>Key dates</b>	- Application registered as valid on 08/01/2020 - Public consultation finished on 13/02/2020

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**EXECUTIVE SUMMARY**

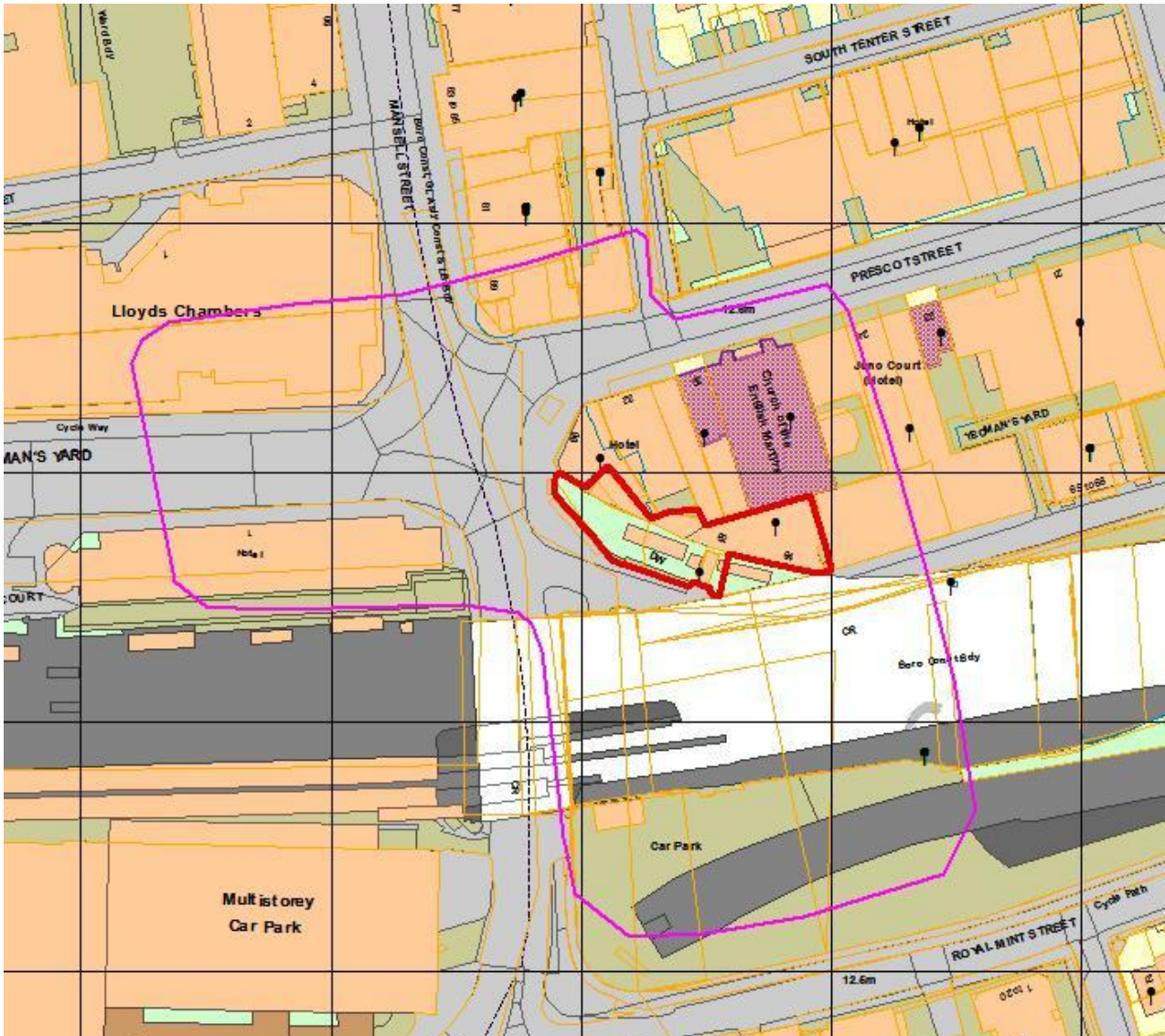
The Council has considered the particular circumstances of the planning application against the Council's Development Plan policies contained in the London Borough of Tower Hamlets adopted Local Plan 2031 (2020); the adopted London Plan (MALP) (2016); the draft London Plan Intend to Publish (2019); the National Planning Policy Framework (2019); relevant supplementary planning documents; Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 with respect to the impact of the scheme upon nearby Grade II Listed Buildings and other relevant material considerations.

The proposal would involve the redevelopment of the former railway sidings to allow for mixed-use development of office floorspace and 34 serviced apartments which would constitute an appropriate land use in this location. The main building would form a part 10, part 11 storey building that adjoins the recent development at 99 Mansell Street. A two-storey office building, located within an internal courtyard, will replace the derelict warehouse structure that forms a shed to the rear of the site.

The courtyard will be accessed from the existing eastern railway arch that is to be retained and enhanced. It is also proposed to retain part of a World War II bomb-damaged wall, incorporating the wall into the Chamber Street façade of the new proposals.

The proposed development would represent high quality design and would respond appropriately to the existing townscape in the locality. Additionally, the development would not cause harm to the setting of the Grade II listed buildings located to the north of the site; nor would it result in unacceptable amenity impacts to occupants of neighbouring buildings.

In highway, servicing and transportation terms the scheme is acceptable, subject to use of appropriate planning conditions.



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

## Planning Applications Site Map PA/19/02837

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



London Borough  
of Tower Hamlets

Date: 13 May 2020

## 1. SITE AND SURROUNDINGS

- 1.1 The application site is situated in the west of the borough, located within the Central Activities Zone (CAZ) and the City Fringe Opportunity Area (OA), as designated in the London Plan (2016); the Aldgate Secondary Preferred Office Location (POL) in the local plan; and an area of archaeological importance. The western corner of the site is within London View Management Framework: 25A.1 The Queen's Walk.
- 1.2 The site area is approximately 0.067ha. The existing buildings on site comprise a disused railway siding with two railway arches – one of which leads to a warehouse structure backing onto the Roman Catholic Church of the English Martyrs and 30 Prescott Street to the north of the site. The site is currently vacant, following the relocation of a seafood wholesaler at ground floor to other premises within the borough.



**Figure 1: View of the existing railway siding. The 99 Mansell Street and 31-33 Prescott Street development, and the rear section of the Roman Catholic Church of the English Martyrs roofline, can be seen to the rear of the railway siding.**

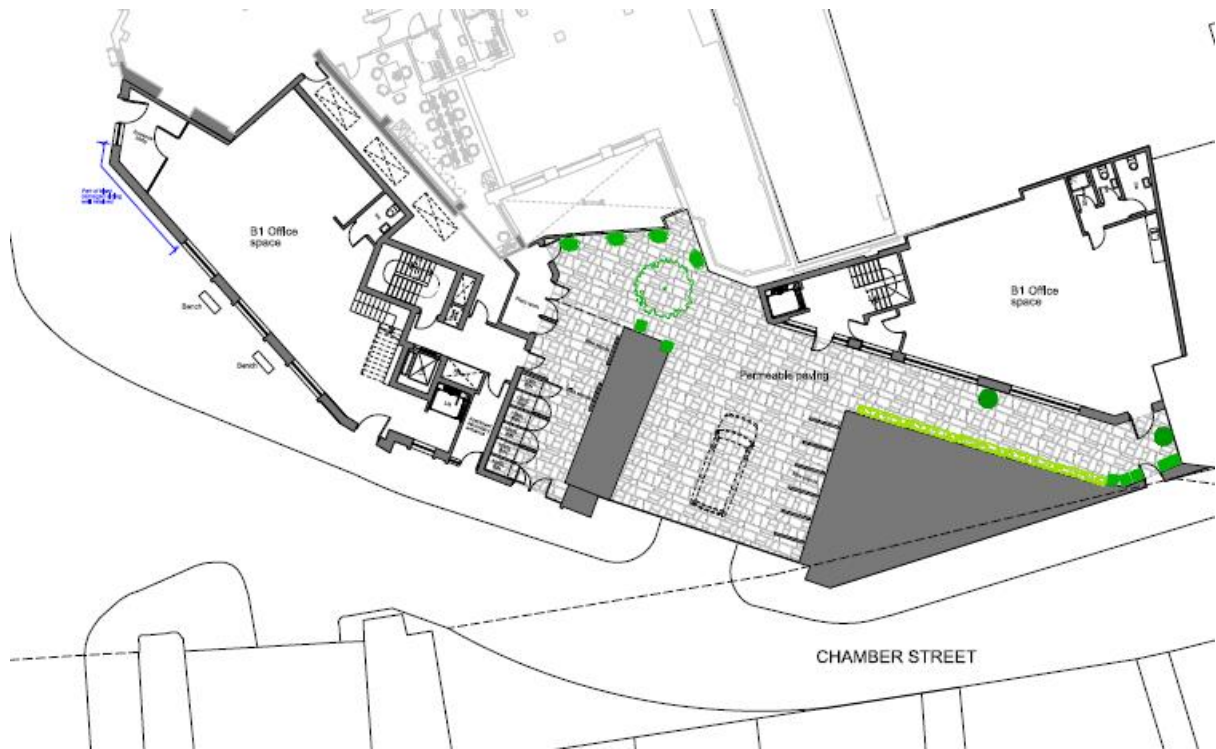


**Figure 2: View of the existing railway siding archways fronting Chamber Street (left archway boarded up) and the previous site occupant, a seafood wholesaler**

- 1.3 The site as a whole suffered bomb damage during World War II, with evidence of blast markings on the brickwork of the railway siding.
- 1.4 The site does not lie within a conservation area, although the aforementioned Roman Catholic Church of the English Martyrs, and 30 Prescott Street, are two Grade II listed buildings located to the rear of the site.
- 1.5 The surrounding area is diverse in its architectural style ranging from historic buildings, to twentieth-century redevelopments and several new developments.
- 1.6 The adjoining site to the north, 99 Mansell Street and 31-33 Prescott Street (see Figure 1), was granted planning permission in 2016 for a mixed-use development in a part 6, part 8 and part 9 storeys block comprising 57 serviced apartments, office floorspace, and ground/first floor and flexible retail uses. This scheme was developed by Marldon Partnership, the same applicant for the current application.
- 1.7 To the north across Prescott Street is Londonium Towers, a 9 storey building comprising residential apartments. To the south, the site is bound by Chamber Street and the railway line. Further south across the railway is the 'Royal Mint Gardens' site, currently under construction. Permission was granted in 2013 for a development comprising buildings between 3 and 15 storeys to provide 354 residential units, a 236 room hotel with 33 serviced apartments with retail, leisure, and office space.
- 1.8 The site benefits from excellent access to public transport, being located approximately 50 metres to the north of Tower Gateway Docklands Light Rail (DLR) Station and 290 metres to the north-east of Tower Hill Underground Station. In addition, there are a wide number of bus routes operating on the surrounding streets, including Mansell Street. As a result the site has the highest possible Public Transport Accessibility Level (PTAL) of 6b.

## **2. PROPOSAL**

- 2.1 The proposal comprises the redevelopment of the former railway sidings and outbuilding to allow for mixed-use development. The 'main building' is a part 10, part 11 storey building that adjoins the recent development at 99 Mansell Street and 31-33 Prescott Street. The proposed main building comprises 316 sqm GIA of office floorspace on the ground and first floors, with 34 serviced apartments on the 2nd to 10th floors.
- 2.2 An internal courtyard will be accessed from the existing eastern railway arch that is to be retained and refurbished. A proposed 'courtyard building' within the internal courtyard will replace the derelict warehouse structure that forms a shed to the rear of the site. The courtyard building will be 2 storeys in height, comprising 296 sqm GIA of office floorspace. This floorspace is proposed to be flexible and thus able to support small-medium sized businesses or start-up companies.
- 2.3 The ground and first floor of the main building comprise large framed openings that wrap around the ground floor elevation, thus continuing the form the adjacent development. The frontage also retains a section of bomb-damaged wall (World War II blitz damage) and incorporates this into the façade of the proposed building. This is to include memorial writings etched in the adjacent glass to provide a tribute to local residents who died in the Blitz of World War II.
- 2.4 The internal courtyard comprises a blue badge parking space and cycle storage; and all servicing and deliveries will take place on site.
- 2.5 The scheme would provide a landscaping scheme including façade greening on the first floor roof, biodiverse brown roofs on the first, second and tenth floors and container planting at ground floor level in the internal courtyard. A new green wall on the lower floor façade facing 99 Mansell Street is also proposed.
- 2.6 The proposed development and the evolution of the design are described in detail within the applicant's Design and Access Statement.



**Figure 3: The ground floor arrangement of the proposed development showing the Main Building (left); internal courtyard entrance (centre); and the courtyard building (right).**

### 3. RELEVANT PLANNING HISTORY

#### On Site

- 3.1 PA/77/00676: Approved 13/01/1977  
Change of use from cafe to cold storage for wholesale jellied eels and shellfish trade.
- 3.2 PA/19/02164: Approved 26/11/2019  
Demolition of redundant railway siding and railway arch for redevelopment of the site.  
Note that the above application was a prior approval application under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

#### Surrounding Sites

- 3.3 The following planning decisions on surrounding sites are noted as most salient to this application.

##### *99 Mansell Street and 31-33 Prescott Street*

- 3.4 PA/16/00757 – Approved 06/12/2016  
Mixed-use development in a part 6, part 8 and part 9 storeys block with lower ground floor comprising 57 serviced apartments (Use Class C1) on the upper floors and 1,115sqm of office floorspace (Use Class B1) at basement, ground and first floor and a 103 sqm of flexible retail/financial services/restaurant/cafe/drinking establishment floorspace (Use Class A1, A2, A3, A4 and A5) at ground floor level.
- 3.5 PA/17/03192 – Approved 10/04/2019

Section 73 application: Mixed-use development in a part 6, part 8 and part 9 storeys block with lower ground floor comprising 57 serviced apartments (Use Class C1) on the upper floors and 1,115sqm of office floorspace (Use Class B1) at basement, ground and first floor and a 103 sqm of flexible retail/financial services/restaurant/cafe/drinking establishment floorspace (Use Class A1, A2, A3, A4 and A5) at ground floor level.

Application for variation of conditions 2 (approved plans) and 21 (delivery and servicing plan) of permission PA/16/00757 dated 6/12/16.

Proposed amendments include:

- Amendments to internal layout
- Retention of existing vehicular crossover
- Additional windows
- Photovoltaic (solar) panels to roof
- Submission of delivery and servicing plan pursuant to condition 21- Inclusion of amendments approved under PA/17/00219 dated 7/7/17 and PA/17/00225 dated 7/7/17.

*Land at corner of Royal Mint St, Mansell St and Chamber St – Known as the Royal Mint Gardens site*

3.6 PA/11/00642 – Approved 22/03/2012

Redevelopment of site for a mixed-use development comprising the erection of two buildings of between 3 and 15 storeys, providing 354 residential units (Use Class C3), a 236 room hotel together with 33 serviced apartments (Use Class C1), flexible retail/financial services/restaurant/cafe/drinking establishment/health clinic/business space (1172sqm) (Use Classes A1, A2, A3, A4, D1 and B1), restaurant, bar, gallery, leisure (731sqm) (Use Class A3/A4/D1/D2), community uses including sports and training facilities, neighbourhood police base and office space within the railway arches (1,014sq.m) (Use Class D1/D2/B1), creation of new public open space, alterations to the existing highway, and new pedestrian link, together with associated works including landscaping, providing of parking, servicing and plant area.

3.7 PA/15/02773 - Pending

Erection of a part 11 and part 12 storey building, consisting of the provision of 196 residential units on the first to eleventh floors, 796sqm of retail floor space on the ground floor and 2341sqm of commercial floor space based on the first and second floors. Creation of new public open space, new pedestrian link and new access to DLR (Tower Gateway station), including associated landscaping works, parking provision, secured cycle storage areas, refuse and servicing and plant areas. The application is accompanied by an Environmental Impact Assessment.

## 4. PUBLICITY AND ENGAGEMENT

### Pre-application and local engagement

- 4.1 The applicant undertook pre-application engagement with the Council; as well as extensive engagement with local residents and other relevant stakeholders.

### LBTH pre-application



- 4.2 The first LBTH pre-application site visit and meeting was held in June 2019. Following initial comments from officers in relation to building height, massing, heritage and design, amended drawings were submitted to the Council in July 2019.
- 4.3 A second site meeting was held with Planning Officers from the Council in September 2019 with further advice issued in October 2019.

#### Other public engagement carried out by the applicant

- 4.4 The applicant has engaged with the local community through the design process. This has included sending approximately 100 letters to properties surrounding the application site outlining the proposed development; and inviting residents and businesses to a drop in session held on Monday 16th December 2019.
- 4.5 The submitted Statement of Community Involvement (within the Planning Statement) provides a more detailed summary and outcomes of the consultation undertaken to date.

#### Statutory consultation

- 4.6 98 neighbouring properties were notified about the application and invited to comment. The application has also been publicised in the local press and a site notice was erected in the local vicinity.
- 4.7 Four letters of objection have been received.

#### Issues raised in objection

- Impact of height of and scale of the proposed development in relation to neighbouring buildings and the listed buildings. Concerns of loss of privacy, overlooking, overshadowing and loss of light.
- Pedestrian safety on the pavement during construction.
- Altered pedestrian access to neighbouring areas/buildings.
- Disturbance to bin collection for neighbours.
- Noise impact from roof plant.
- Other adjacency concerns in relation to the proposed courtyard building and its relationship to Grade II listed Church; the rear garden wall of 30 Prescott Street; and DeMazenod House.

*(Officer Comment: These issues are addressed within the 'Planning Assessment' section of this report).*

## **5. CONSULTATION RESPONSES**

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

#### External Consultees

##### **Greater London Archaeological Advisory Service**

- 5.2 Recommended that further consideration is given to the undesignated built heritage assets, i.e. the railway siding, to inform a decision. Two conditions recommended for managing buried archaeology only.

*(Officer Note: Noted and the sought planning conditions will be imposed).*

##### **Greater London Authority**

### Principle of development

- 5.3 The principle of offices and serviced apartments in the CAZ is supported. In regards to the loss of industrial use, it is acknowledged that the small size and constrained location of the site adjacent to railway tracks, bounded on all sides by noise sensitive uses, and with limited access for large HGV vehicles, are factors which limit the prospect of the site to continue in an industrial use. It is also noted that the site is located within the CAZ and POL, and as such, the redevelopment of the site to optimise its potential for increased employment and visitor accommodation is supported. Nevertheless, the loss of the existing non-designated industrial site should be justified in accordance with Policy E7.C.

*(Officer comment: Further information provided in order to justify the loss of non-designated industrial use in accordance with Policy E7.C. Submitted information accepted by the GLA).*

### Urban design and heritage

- 5.4 The proposal represents a high-quality design that is sensitive to the surrounding character, which is supported. Less than substantial harm would be caused to nearby heritage assets, which is outweighed by the economic benefits and improvements to the existing relationship to the adjacent listed buildings. However, the applicant should provide an assessment of the proposal's impact on protected LVMF view 25A.1. The applicant should also consider the potential of retaining the war damaged wall and both archways.

*(Officer comment: Further information provided in response to the LVMF view 25.A.1. issue).*

### Inclusive design

- 5.5 The proposal would provide 3 serviced apartments as accessible units, which is short of the 10% threshold. The applicant should provide further information on whether the 10% threshold can be achieved.

*(Officer comment: one additional accessible unit has been including, providing a total of 4 accessible units and exceeding the 10% policy requirement).*

### Climate change

- 5.6 Further information has been requested on the energy strategy, urban greening and air quality.

*(Officer comment: Further information provided in response).*

### **Historic England**

- 5.7 Do not wish to make any comments on the application.

### **London Underground/DLR Infrastructure Protection**

- 5.8 Do not wish to make any comments on the application.

### **Network Rail**

- 5.9 Do not wish to make any comments on the application.

### **Thames Water**

- 5.10 No objection subject to the securing of condition in relation to a piling method statement; and informative in relation to groundwater discharge and water pressure.

*(Officer Comment: Noted and the sought planning conditions and informatives will be imposed)*

## **The Victorian Society**

- 5.11 Do not wish to make any comments on the application.

## **Transport for London**

- 5.12 The proposed development is car-free which is strongly supported. The Intend to publish London Plan requires provision of at least one disabled persons parking space for the proposed development, whereas the applicant proposes providing no dedicated spaces.

*(Officer comment: Plans subsequently amended to include a dedicated on-site blue badge parking space. Further information is set out in the Planning Assessment below).*

- 5.13 Chamber Street falls short of several key Healthy Streets Indicators. Improvements to Chamber Street should be sought to make it more welcoming and easier to use for people from all walks of life and of all abilities.

*(Officer comment: The applicant subsequently submitted a note detailing how the proposed development supports the delivery of the Mayor's Healthy Street approach through public realm improvements. These improvements will be attached as a condition).*

- 5.14 Cycle parking should be redesigned to ensure that the layout of the Sheffield stands ensures that they are all independently usable. Consider exceeding the Intend to publish London Plan minimum and/or providing complimentary cycles for users of the serviced apartments, given that the site is in the CAZ, on the Strategic Cycle Network and has a high potential for cycling.

- 5.15 On-site deliveries and servicing is supported. Clarity needed that no delivery and servicing vehicles are expected to overrun the footway in order to access the site. Given the constrained nature of the site, its location on the Strategic Cycle Network and its location in the CAZ, Active freight modes should be encouraged, which could include provision of dedicated parking for cargo cycles, which can be significantly longer than ordinary cycles. Deliveries and servicing should take place outside of peak times (0700-0900 and 1600-1800).

*(Officer comment: Further information and justification provided in relation to cycle parking and on-site delivery and servicing. These issues are addressed in the Planning Assessment below).*

- 5.16 A Construction Logistics Plan should be secured by condition.

*(Officer Comment: Noted and the sought planning condition will be imposed).*

## **Internal LBTH Consultees**

### **LBTH Biodiversity**

- 5.17 The disused railway siding is of limited biodiversity value. The loss of the existing vegetation will be a minor adverse impact on biodiversity.

- 5.18 The site's bramble scrub could support nesting common birds. Recommended that vegetation clearance is undertaken outside the nesting season or, if not possible, a survey for nesting birds should be undertaken immediately before clearance. This should be subject to a condition.

- 5.19 Policy D.ES3 requires net gains in biodiversity that contribute to Local Biodiversity Action Plan (LBAP) objectives. Thus the development will need to provide more and/or better habitat than is currently on the site.
- 5.20 The proposals include three biodiverse roofs totalling 88 square metres. While no detailed design for these is provided, the information provided is appropriate.
- 5.21 Other proposals include nest boxes for swifts and house sparrows; and ornamental planters which include a good range of nectar-rich flowers. All proposed biodiversity features will contribute to LBAP objectives, and will be sufficient to ensure overall gains for biodiversity. Conditions proposed in relation to timing of vegetation clearance; and biodiversity mitigation and enhancement.

*(Officer Comment: Vegetation clearance condition is not applicable given that the vegetation has already been cleared from the site within the prescribed period requested by the biodiversity officer. The sought biodiversity mitigation and enhancement condition will be imposed).*

### **LBTH Energy**

- 5.22 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions. The current proposals for CO2 emission reductions exceed the target for a 45% reduction on-site. In order to support the scheme the residual CO2 emissions should be offset through a carbon offsetting contribution of £75,600.
- 5.23 Policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'excellent' rating'. The submitted a BREEAM Pre-Assessments show both the hotel and office elements of the scheme are designed to achieve a BREEAM Excellent rating. This is supported and should be secured via planning condition.
- 5.24 Subject to appropriate conditions, the proposals would be considered in accordance with adopted policies for sustainability and CO2 emission reductions. It is recommended that the proposals are secured through appropriate conditions and planning contributions to deliver:
- Carbon Offsetting contribution of £75,600 to offset the residual emissions
  - Submission of as built calculations (SBEM) to demonstrate the reduction in CO2 emissions have been delivered on-site
  - Submission of Final BREEM Certificates to demonstrate an Excellent rating has been delivered.

*(Officer Comment: Noted and the sought planning conditions and planning obligation will be imposed).*

### **LBTH Employment & Enterprise**

- 5.25 No objection subject to S106 agreement to secure £9,768 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development; and £24,102.60 towards the training and development of unemployed residents in Tower Hamlets.
- 5.26 Non-monetary obligations are set out below:
- 20% of the construction phase workforce will be local residents of Tower Hamlets.
  - 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.

- 5.27 There is an end use obligation to provide 1 opportunity. Monitoring for all obligations will be discussed and agreed with the developer prior to commencement of works.

*(Officer Comment: Noted and the sought planning obligations will be imposed).*

### **LBTH Environmental Health**

#### Air Quality Officer

- 5.28 No objection.

#### Noise Officer

- 5.29 No objection subject to conditions in relation to noise control from fixed plant; and insulation measures for each unit.

#### Land Contamination Officer

- 5.30 No objection subject to a planning condition providing details of a scheme to identify the potential extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed; an associated remediation strategy; and a verification report.

*(Officer Comment: Noted and the sought planning conditions will be imposed).*

### **LBTH Health Impact Assessment**

- 5.31 No objection. A rapid HIA has been submitted in accordance with Local Plan policy D.SG3. The HUDU rapid matrix template is used which we recommend.

### **LBTH Transportation & Highways**

#### Car parking

- 5.32 The proposal is for a car free development which is acceptable. However, the applicant is required by policy to provide accessible parking for registered blue badge holders and a minimum of one space for each use class should be provided on site. This is to ensure that the development is fully accessible to all and considers full inclusivity.

*(Officer comment: Plans subsequently amended to include a dedicated on-site blue badge parking space. Further information is set out in the Planning Assessment below).*

#### Cycle parking

- 5.33 LBTH concur with TfL that the provision needs to be amended so that each stand is fully usable. Additional space is required for adapted / accessible bikes and all access arrangements must be in line with the London Cycle Design Standards.

*(Officer comment: This issue is addressed in the Planning Assessment below).*

#### Servicing

- 5.34 It is proposed that refuse is collected from Chamber Street, stating that this is 'anticipated' to take place prior to 7am. However, Chamber Street is a narrow two way road and the parking of refuse vehicles here will cause an obstruction. No tracking diagrams have been submitted which show the effect of a refuse vehicle parking on Chamber Street on through traffic and we require these plans. Refuse collection should take place on site. Further servicing is proposed to take place from the courtyard and a tracking diagram has been submitted to show that a 12m vehicle could enter and exit the site in forward gear. However, this plan shows that the vehicle would be required to over run the cycle stands to do this and so this movement is not feasible. The vehicle would also be expected to turn left over both lanes of

traffic from a location that would have restricted visibility due to the road layout. We would expect an independent Stage 1 safety audit to be carried out on this proposed access. A robust service management plan would be expected (a draft has been submitted) to ensure that deliveries are booked to ensure that the courtyard proposal is able to accept deliveries as no dedicated bay is shown and only one vehicle can access the yard at any one time. No servicing from the highway will be acceptable in this location.

*(Officer comment: Further information and justification provided in relation to refuse collection to demonstrate that the impact on road users using Chamber Street is minimal, including swept-path analysis. The Highways Officer accepted the additional information subject to condition. See the Planning Assessment below for further information).*

5.35 Basement works are proposed and these abut the public highway. The applicant is advised that there is a requirement for these proposals to be fully assessed by the Highways Structures Group to ensure the integrity of the public highway is maintained. The applicant is informed that this is a separate process to the planning process and the granting of planning permission does not guarantee acceptance of the basement proposals by the highway authority until they have approved the technical details. No works on site can begin until this approval is given.

5.36 A Travel Plan will be required as a condition which highlights how the 95% sustainable mode share will be attained.

*(Office comment: Travel Plan subsequently submitted and will also be conditioned as part of any planning permission).*

5.37 A draft construction management plan has been submitted and a full plan, once a principal contractor is appointed, will be required as a condition. The transport statement says "The CMLP recognises that where possible construction vehicles will be taken off the road so as not to affect vehicle flow on Chamber Street and the surrounding roads." It is imperative that the works do not adversely affect other road users along Chamber Street, particularly the most vulnerable - pedestrians and cyclist. Chamber Street has limited space for pedestrians and LBTH will not sanction any works which adversely affects this. There are a number of other construction sites in the locale and the construction management plan must take the cumulative effects of this into consideration.

*(Officer Comment: Noted and the sought planning conditions will be imposed).*

### **LBTH Waste & Recycling**

5.38 No objections overall. The applicant should consider waste collections vehicle servicing the bin store from within the servicing bay of the proposed development as there appears to be scope for servicing on site.

*(Officer Comment: Noted. The above issue is addressed within the Planning Assessment below).*

## **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
- Tower Hamlets Local Plan 2031
- Any adopted neighbourhood plans

6.3 The list below is not an exhaustive list of policies; it contains some of the most relevant policies to the application:

#### **Tower Hamlets Local Plan 2031**

- S.SG2 Delivering sustainable growth in Tower Hamlets
- D.SG3 Health impact assessments
- D.SG4 Planning and construction of new development
- D.SG5 Developer contributions
- S.DH1 Delivering high quality design
- D.DH2 Attractive streets, spaces and public realm
- S.DH3 Heritage and the historic environment
- D.DH4 Shaping and managing views
- D.DH6 Tall buildings
- D.DH7 Density
- D.DH8 Amenity
- S.EMP1 Creating investment in jobs
- D.EMP2 New employment space
- D.EMP3 Loss of employment space
- D.EMP4 Redevelopment within the borough's employment areas
- D.TC6 Short-stay accommodation
- S.ES1 Protecting and enhancing our environment
- D.ES2 Air quality
- D.ES3 Urban greening and biodiversity
- D.ES4 Flood risk
- D.ES5 Sustainable drainage
- D.ES6 Sustainable water and wastewater management
- D.ES7 A zero carbon borough
- D.ES8 Contaminated land and storage of hazardous substances
- D.ES9 Noise and vibration
- D.ES10 Overheating
- S.MW1 Managing our waste
- D.MW3 Waste collection facilities in new development
- S.TR1 Sustainable travel
- D.TR2 Impacts on the transport network
- D.TR3 Parking and permit-free
- D.TR4 Sustainable delivery and servicing
- Chapter 2: Sub-area 1: City Fringe (visions, objectives and principles)

#### **6.4 LBTH's Supplementary Planning Guidance/ Other Documents**

- Planning Obligations SPD (2016)
- LBTH Employment Land Review (2016)

#### **6.5 London Plan, Consolidated with Minor Alterations (March 2016)**

- 1.1 Delivering the Strategic Vision and Objectives for London
- 2.1 London in its Global, European and UK Context
- 2.5 Sub-regions
- 2.9 Inner London
- 2.10 Central activities zone – strategic priorities
- 2.11 Central activities zone – strategic functions
- 2.12 Central activities zone – predominantly local activities

- 2.13 Opportunity areas and intensification areas
- 2.14 Areas for regeneration
- 3.1 Ensuring Equal Life Chances for All
- 4.1 Developing London's Economy
- 4.2 Offices
- 4.3 Mixed use development and offices
- 4.4 Managing industrial land and premises
- 4.5 London's visitor infrastructure
- 4.7 Retail and town centre development
- 4.12 Improving opportunities for all
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.8 Innovative Energy Technologies
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.1 Strategic Approach to Integrating Transport and Development
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.5 Funding Crossrail
- 6.9 Cycling
- 6.10 Walking
- 6.11 Congestion and traffic flow
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.8 Heritage Assets and archaeology
- 7.9 Access to Nature and Biodiversity
- 7.13 Safety, Security and Resilience to Emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

**6.6 London Plan Supplementary Planning Guidance/Opportunity Frameworks/ Best Practice Guidance documents**



- Mayor's Central Activities Zone SPG (2016)
- Accessible London: Achieving an Inclusive Environment SPG (October 2014)
- Control of Dust and Emissions During Construction and Demolition (July 2014)
- London World Heritage Sites SPG – Guidance on Settings (March 2012)
- Sustainable Design and Construction SPG (April 2014)
- Crossrail Funding (March 2016)
- Mayor's Climate Change Adaptation Strategy
- Mayor's Climate Change Mitigation and Energy Strategy
- Mayor's Water Strategy

## 6.7 **Government Planning Policy Guidance/Statements**

- The National Planning Policy Framework 2019 (NPPF)
- The National Planning Policy Guidance (NPPG) (updated 2019)

### **Emerging policy and guidance**

6.8 Weighting of draft policies is outlined in paragraph 216 of the National Planning Policy Framework (NPPF) (2018) and paragraph 19 of the National Planning Practice Guidance (Local Plans). The degree of weight that can be attached to the Local Plan will depend upon how much progress has been made with the emerging plan and the number of unresolved objections to it, and the degree of consistency with the NPPF (2018). The more advanced the preparation and the fewer the number of objections to plan policies, the greater the weight it may be given in the determination of planning applications.

6.9 The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public took place in January 2019. Generally, the weight carried by the emerging policies within the Draft New London Plan is considered significant as the document has been subject to Examination in Public (EiP), incorporates all of the Mayor's suggested changes following the EiP and an 'Intent to Publish' was made by the Mayor of London. However, some policies in the Draft New London Plan are subject to Secretary of State directions made on 13/03/2020, these policies are considered to have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.

6.10 The following draft policies are relevant to the proposed development:

### **London Plan Intend to Publish (2019)**

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- SD1 Opportunity Areas
- SD4 The Central Activities Zone (CAZ)
- SD5 Offices, other strategic functions and residential development in the CAZ
- D1 London's form and characteristics
- D2 Delivering good design
- D3 Inclusive design
- D5 Accessible housing
- D7 Public realm
- D8 Tall buildings
- D10 Safety, security and resilience to emergency
- D11 Fire safety

- D12 Agent of change
- D13 Noise
- E1 Offices
- E4 Land for industry, logistics and services to support London's economic function
- E6 Locally Significant Industrial Sites
- E8 Sector growth opportunities and clusters
- E10 Visitor Infrastructure
- E11 Skills and opportunities for all
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI8 Waste capacity and net waste self-sufficiency
- SI12 Flood risk management
- SI13 Sustainable drainage
- SI17 Protecting and enhancing London's waterways
- T1 Strategic approach to transport
- T2 Healthy streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning

## **7. PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

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

## Land Use

### *Land use introduction*

- 7.2 The site is located within the CAZ and the core growth area of the City Fringe OA, as designated in the London Plan; and the Aldgate Secondary Preferred Office Location (POL) as designated in the LBTH local plan.
- 7.3 Policy D.EMP3 of the local plan requires that, within the Secondary POL, development should not result in the net loss of viable employment floor space. Policy D.EMP4 of the local plan states that redevelopment within the Secondary POL must be employment-led and deliver the maximum viable level of office floorspace, or other non-residential strategic functions, within the CAZ.
- 7.4 The site has most recently been occupied by a seafood wholesale business (Class B8), although this business has now vacated the site and re-located to another premises within the Borough.
- 7.5 The proposed development comprises 612 sqm of B1 office floorspace, both within the lower floors of the main building and the courtyard building; and 34 serviced apartments (Use Class C1) on the upper floors of the main building.

### *Employment use*

- 7.6 The proposed development comprises a loss of B8 floorspace (483 sqm) and a gain in B1 office floorspace (612 sqm). This results in an overall net gain of 129 sqm employment floorspace thus meeting the requirements of policy D.EMP3.
- 7.7 It is noted from the GLA's Stage 1 response that the loss of B8 floorspace is acceptable in principle in respect of the Intend to Publish London Plan given various factors which limit the prospect of the site to continue in an industrial use, but nevertheless, the loss of the existing non-designated industrial site should be justified in accordance with Policy E7.C. The applicants subsequently provided further justification, noting the small size of the site, nearby sensitive uses; limited access for large HGV vehicles; and the Secondary POL and CAZ designations, which prioritise CAZ strategic uses only. Officers accept this justification, and it is noted that the GLA have no further objections in land use terms.

### *Serviced apartments*

- 7.8 Visitor accommodation is included as a 'strategic use' within the CAZ SPG (2016), which includes serviced apartments.
- 7.9 The London Plan Intend to Publish sets out the Mayors intention to promote tourism across the whole of the city and the need to provide the supporting infrastructure, including visitor accommodation, to achieve this. It is estimated that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041. Of this London-wide need, Tower Hamlets would need to provide 5,158 rooms, second only to Westminster<sup>1</sup>.
- 7.10 Policy E10 of the Intend to Publish London Plan states that within parts of inner London outside the Central Activities Zone, serviced accommodation should be promoted in town centres and within Opportunity Areas where they are well-connected by public transport, particularly to central London.

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<sup>1</sup> GLA Economics. Working Paper 88. Projections of demand and supply for visitor accommodation in London to 2050. GLA, 2017

- 7.11 Policy D.TC6 of the local plan sets out that development of visitor accommodation will be supported in locations within the Central Activities Zone, Canary Wharf (Major Centre), Tower Hamlets Activity Areas and District Centres or along primary routes where adjacent to transport interchanges, providing the size, scale and nature of the proposal is proportionate to its location.
- 7.12 Located within both the CAZ and the City Fringe OA, in an area served by excellent public transport accessibility, the site location is clearly suitable for new visitor accommodation and the proposed level of provision is considered to be proportionate to the location and the physical site context with surround buildings of a comparable scale and not located in a conservation area.

#### *Land use summary*

- 7.13 Whilst there would be a policy preference for a higher proportion of office floorspace within the Secondary POL, on the basis that Policy D.EMP3 is met through a net gain in employment floorspace, and given the relatively constrained floorplates of the upper floors of the main building, the level of office floorspace provision is considered to be acceptable.
- 7.14 Serviced apartments are a 'CAZ strategic use', and therefore, when considered alongside the proposed office provision, the proposed development provides 100% CAZ strategic uses. Furthermore, according to the submitted form, the proposal will result in a net increase in 50 full-time jobs. As such, it is considered that the proposal largely meets the requirements of Local Plan Policy D.EMP4.
- 7.15 On the basis of the above, the proposals are acceptable in land use terms and in accordance with: London Plan Policy 4.5; Policy E10 of the Intend to publish London Plan; and policies D.EMP3, D.EMP4 and D.TC6 of the local plan.

#### **Design**

- 7.16 The NPPF promotes high quality and inclusive design for all development, optimising the potential of sites to accommodate development, whilst responding to local character.
- 7.17 Chapter 12 of the NPPF explains that the Government attaches great importance to the design of the built environment. It advises that it is important to plan for high quality and inclusive design and encourages engagement at all stages of the process.
- 7.18 Chapter 7 of the London Plan and Chapter 3 of the Intend to Publish London Plan place an emphasis on high quality urban design; regard to local character; highest architectural quality; enhanced public realm; materials that complement the local character; quality adaptable spaces; and urban design that optimises the potential of the site.
- 7.19 Policies S.DH1 and D.DH2 of the local plan seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. Policy D.DH6 of the local plan considers building heights and tall buildings to ensure that proposals for tall buildings satisfy a range of criteria.

#### Height, scale and massing

- 7.20 The proposed main building comprises two sections, a 10 storey section to the west closest to Mansell Street and 11 storeys to the east further along Chamber Street. Detailed attention has been given to building height and massing during pre-application discussions, including demonstration of long views and positive improvements to the massing during the evolution of the scheme, such as rationalising the rooftop plant.

- 7.21 The site is a central location within the CAZ and City Fringe OA. The immediate locality is characterised by a high density built form. Through the quality of the architecture and the continuation of the urban block, the proposed development is considered to contribute significantly towards improving the legibility of the area. The area has experienced since 1945 from what might be described as haphazard redevelopment that combined with the one way road gyratory system has produced a somewhat hostile street environment. This proposal would provide a coherent and welcomed well-defined form of back of pavement development that helps address these issues
- 7.22 The 'step up' approach contributes towards the breaking up of the massing on the site; while also creating a natural graduation of height from 99 Mansell Street towards the taller construction of Royal Mint Gardens built recently to the south of the railway line.
- 7.23 The scheme has been assessed against Local Plan Policy D.DH6 (Tall buildings) and has been found to meet the tall buildings criteria relevant for the site location, including the below:
- height, scale and mass and volume proportionate to the location;
  - exceptional architectural quality;
  - enhancing the character and distinctiveness of the area without adversely affecting townscape views;
  - a positive contribution to the skyline;
  - a human scale of development at street level and an attractive and legible streetscape;
  - demonstrating that the development does not adversely impact on the microclimate and amenity of the site and surrounding area;
  - demonstrating that the development does not adversely impact on biodiversity and open spaces;
  - located in an area with high levels of public transport accessibility in a town centres and/or opportunity area;
  - marking the location of a transport interchange; and
  - not undermining the integrity of existing landmark buildings and tall building zones.
- 7.24 As the site is outside a tall building zone, additional criteria apply to the assessment with respect to D.DH6. Again, the proposals comply with the majority of these additional tests including the high level of public transport accessibility, the improvements to legibility within the CAZ location and general conformity with the existing townscape and local building heights including landmark buildings. On the basis of the above, the proposed height, scale and massing is considered to be appropriate.



**Figure 4: Proposed elevation. The background buildings comprise the 99 Mansell Street & 31-33 Prescott Street development (left) and the Roman Catholic Church of the English Martyrs (right).**

### Townscape

7.25 A Heritage, Townscape and Visual Impact Assessment (HTVIA) has been submitted to support the application. The image below demonstrates the schemes impact on verified view 3 looking east along Goodman's Yard.



**Figure 5: Verified View 3 – Existing view west along Goodmans Yard**



**Figure 6: Verified View 3 – Proposed view west along Goodmans Yard  
*Royal Mint development - red wire line***

- 7.26 The western corner of the site is within London View Management Framework: 25A.1 The Queen's Walk (City Hall to the Tower of London) as designated within the London Plan and the London View Management Framework. Following comments from the GLA in the Stage 1 response, the applicant provided supplementary information and imagery to demonstrate that the proposed development is entirely obscured from view by the Tower of London in the foreground, and as such, the proposals would not alter the Protected Silhouette of the Tower of London.
- 7.27 Overall, given the completion of the urban block; the continuation of the adjoining development; the proposed scale and massing; and the high quality architecture, the scheme is considered to contribute towards an improved townscape setting. Further townscape views in relation to heritage assets are set out in the 'Heritage' section below.

#### Siting, layout and appearance

- 7.28 The design intention of the proposed development is to achieve a transition from the adjoining development at 31-33 Prescott Street & 99 Mansell Street (shown on the left of figure 7 below). The upper façade of the main building comprises attractive herringbone patterned brickwork above and below aluminium window openings. The window openings and fenestration detail relate well to the adjoining development and continue to develop the architectural language of the wider site.



**Figure 7: Proposed view west along Goodmans Yard**

- 7.29 The ground and first floor of the main building comprises large framed openings and glazing, with bronze surrounds, that wrap around the ground floor elevation. This provides continuity across the junction of Mansell Street and Chamber Street and would contribute significantly to the public realm in this area. The large floor to ceiling height openings will allow for high levels of natural daylight into the internal working spaces of the ground and first floors.

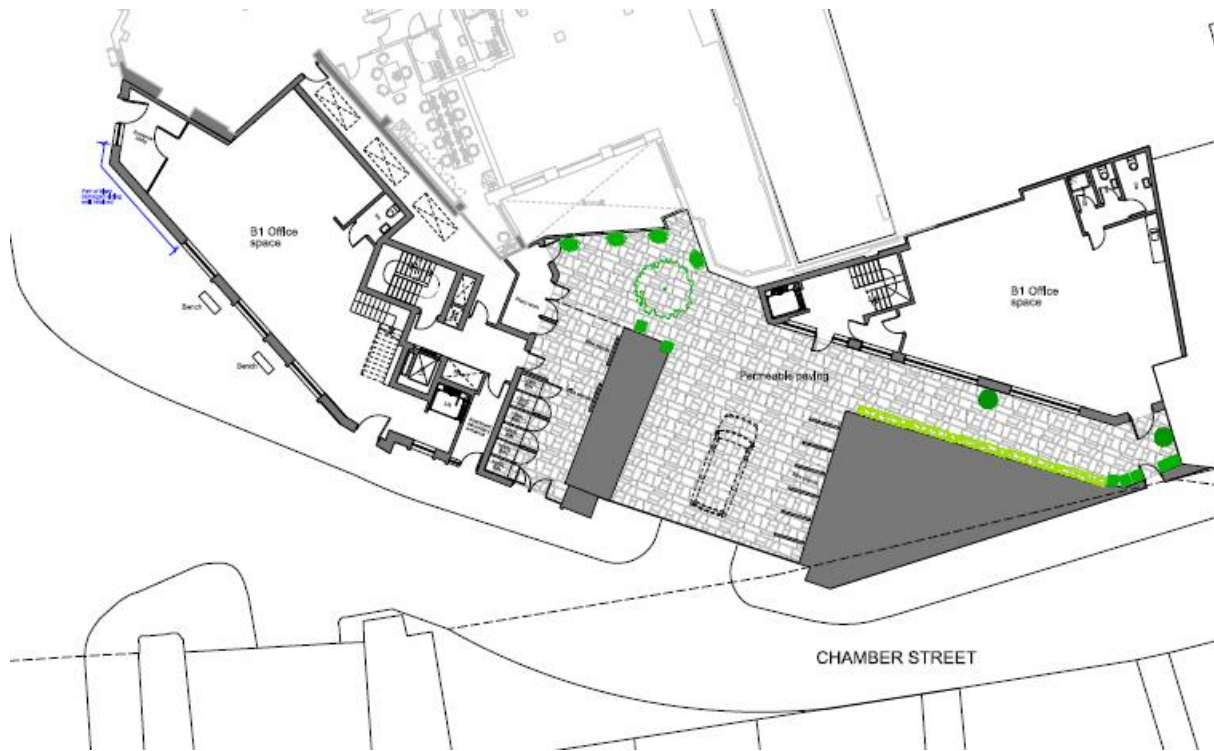


**Figure 8: Design of the lower facade**

- 7.30 The frontage also retains a section of bomb-damaged wall (World War II blitz damage) and incorporates this into the façade of the proposed building as shown on the left side of Figure 8 above. It was originally proposed to relocate the wall to within the courtyard, however, following feedback from local groups, discussion with Council officers and an unsuccessful application to Historic England to list the wall (and railway siding), the applicant submitted an amendment to retain the wall in-situ. The retained wall will be framed with the bronze coloured fins and canopy; and is to include memorial writings etched in the adjacent glass to provide a tribute to local residents who died in the Blitz of World War Two. A method statement for the retention of the wall, and the wording of the tribute, will be subject to condition.



7.31 The eastern existing arch will be retained and refurbished, which, in addition to the retained bomb-damaged wall, is considered to provide an interesting and characterful feature to the proposal. The arch will provide access to an open courtyard and the newly constructed two-storey office 'courtyard' building. The courtyard building will comprise of a light and modern design with the use of timber cladding and glass, thus contrasting positively with the exposed brickwork of the archway and main building. The courtyard building comprises large floor to ceiling height openings thus allowing significant natural daylight to the working spaces.

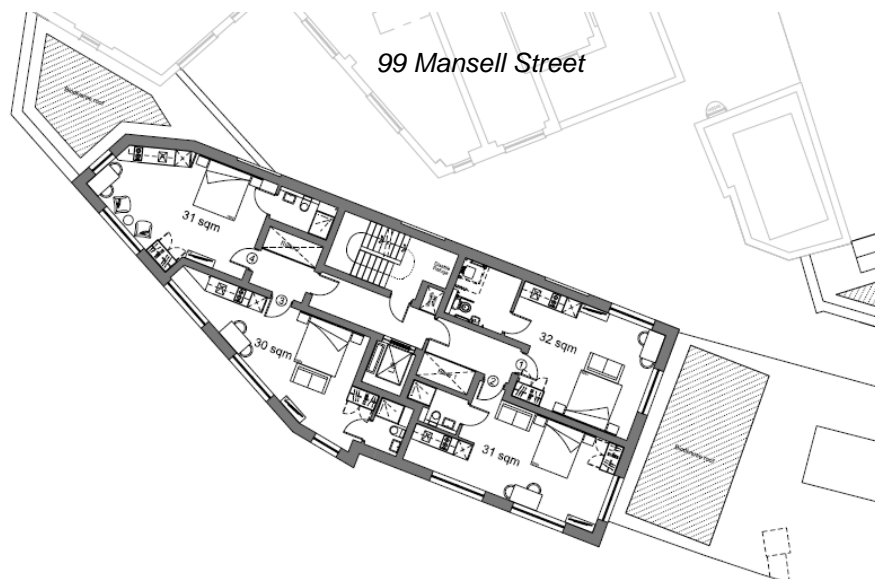


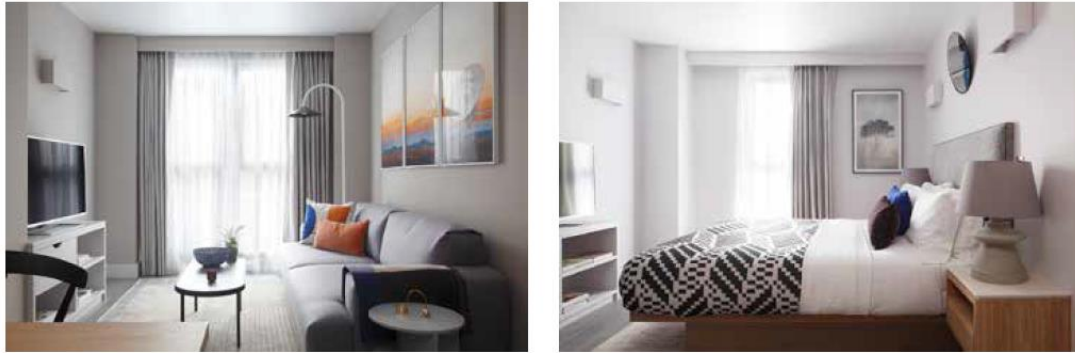
**Figure 9: The ground floor arrangement of the proposed development showing the main building (left); internal courtyard entrance (centre); and courtyard building (right).**



**Figure 10: View of the courtyard building**

7.32 For the serviced apartments on the upper floors of the main building, the typical floorplate contains four apartments arranged around a central core. The apartments are approximately 30 sqm. The applicant's intention is to achieve the same level of high quality internal spaces shown in the adjacent development. The proposed floorplates are somewhat constrained owing to the necessity to retain outlook to existing serviced apartments at 99 Mansell Street. See Figure 11 below for proposed layouts and photographs of the interiors at 99 Mansell Street.





**Figure 11: Above: Proposed second floor showing the arrangement of serviced apartments. Below: Interiors of 99 Mansell Street serviced apartments**

- 7.33 The proposals comprise a landscaping scheme consisting of façade greening on the first floor roof, biodiverse brown roofs on the first, second and tenth floors and container planting at ground floor level in the internal courtyard. A new green wall on the lower floor façade facing 99 Mansell Street is also proposed.

#### Design Summary

- 7.34 In light of all the above, officers are supportive of the proposed high quality architectural detailing to the main building and the courtyard building. There is a successful continuation of the block; and the double height glazing on the Chamber Street frontages would create a successful interface with the public realm thus improving the pedestrian experience in this area. The height and scale is considered to be appropriate to its location, and would serve to significantly improve the legibility of this prominent corner.
- 7.35 The proposals are therefore in accordance with policy D.DH2 and D.DH6 of the local plan. Planning of conditions would be attached to any planning permission that may be granted to ensure that high quality design, materials and landscaping are secured.

#### **Heritage**

- 7.36 The Council has a statutory duty to consider a proposal's impact on listed buildings, including their settings and conservation areas. This is contained in Sections 66(1) and 72(1) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which is reflected in central, regional and local policy and guidance.
- 7.37 Section 16 of the NPPF headed "Conserving and enhancing the historic environment" contains guidance in consideration of development proposals and their effect on the historic environment. Section 16 of the NPPF is consistent with the aforementioned statutory duty in demanding determining planning authorities afford great weight to the impact of development upon the significance of heritage assets.
- 7.38 Paragraph 185 of the NPPF states that in determining planning applications local planning authorities need to take into account:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

- 7.39 Paragraphs 189 and 190 require local authorities when assessing the effects of development on a heritage asset, to give weight to an asset's conservation in proportion to its significance. Heritage assets include designated heritage assets such as listed buildings, World Heritage Sites, Scheduled Monuments and conservation areas. Paragraph 200 requires local authorities to seek opportunities for development within the setting of heritage assets to better reveal their significance, noting that developments that do enhance setting should be treated favourably.
- 7.40 Paragraph 193 provides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It emphasises that the weight given should be proportionate to the asset's significance, and that clear and convincing justification will be required for loss and harm to heritage assets.
- 7.41 Paragraphs 193-196 address the balancing of harm to designated heritage assets against public benefits. If a balancing exercise is necessary, considerable weight and importance should be applied to the statutory duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) where it arises.
- 7.42 Proposals that would result in substantial harm or total loss of significance should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraph 195). The Planning Practice Guidance tells us that the test of whether a proposal causes substantial harm is very high and will often not arise. The Court has ruled in *Bedford BC v Secretary of State for Communities and Local Government* [2013] that such harm is that which would have such a serious impact that its significance was either altogether or very much reduced,
- 7.43 Where less than substantial harm arises, this harm should be weighed against the public benefits of a proposal, including its retention in its optimum viable use (paragraph 196).
- 7.44 Policies 7.8 of the London Plan, HC1 of the Intend to Publish London Plan, and S.DH3 of the local plan seek to protect the character, appearance and setting of heritage assets and the historic environment.
- 7.45 The site is not located within a conservation area. There are two Grade II listed buildings, the Roman Catholic Church of the English Martyrs ('listed Church') and 30 Prescott Street located directly to the rear of the site. A warehouse structure existing on the site currently backs onto both listed buildings.

#### Significance

- 7.46 The listed Church dates from 1876 by Edward Wesley Pugin. The significance of the heritage asset is derived from its architectural merits which is a high quality Victorian Neo-Gothic 'town' church, attractively detailed with a dominant presence in the streetscape. The stained glass windows, and octagonal bell tower with a spirelet make a particular contribution to the architectural and aesthetic quality of the church. 30 Prescott Street is a four storey townhouse which dates from the early 19<sup>th</sup> century, built from yellow stock brick with a coped parapet and concealed roof. The significance of this heritage asset is derived from its historic high-status residential dwellings in the late 18th and 19th centuries.

#### Impact of the proposed development

7.47 The submitted HTVA provides an assessment of the significance of heritage assets within the surrounding area; and the impact of the proposals on these assets, including verified visual representations of seven views. Relevant verified views from the HTVIA, looking north, south, east and west, are shown below

7.48 Verified view 4 below shows that there would be small glimpse of proposed development (green wireline) in views south of the listed buildings along West Tenter Street. However, there is a notable separation distance and the proposed development would be in the backdrop of existing development at 99 Mansell Street and 31-33 Prescot Street.



Figure 12: Verified View 4 – Existing view south along West Tenter Street (west pavement).



Figure 13: Verified View 4 – Proposed view south along West Tenter Street (west pavement).  
*Proposed development: Green wire line*

7.49 Verified view 5 looking west along Prescot Street is the most prominent view of the church spire. The proposed development would be entirely obscured from this view.



**Figure 14: Verified View 5 – Existing view west along Prescott Street (north pavement).**



**Figure 15: Verified View 5 – Proposed view west along Prescott Street (north pavement).**

7.50 Verified view 6 below looks east from the junction of Mansell Street and Goodman's Yard. This viewpoint shows most clearly the proposed development and the listed buildings together within the same urban block; and demonstrates the slender elevation shown by the proposed development in this view.



Figure 16: Verified View 6 – Existing view east at the junction of Goodman's Yard and Mansell Street



Figure 17: Verified View 6 – Proposed view east at the junction of Goodman's Yard and Mansell Street  
*Royal Mint Gardens development: red wire line.*

7.51 As shown in verified view 7 below, the proposed development would be visible in views looking north, over the top of the railway viaduct, and would to a minor extent obscure part of the listed Church from this view.



Figure 18: Verified View 7 – Existing view at the junction of Royal Mint Street and Mansell Street.



Figure 19: Verified View 7 – Proposed view (cumulative) at the junction of Royal Mint Street and Mansell Street.

*Proposed development: green wire line; Royal Mint Gardens development: red wire line*

### Assessment

- 7.52 The GLA Stage 1 report concluded that there would be 'less than substantial harm' to the significance of the listed buildings. This is on account of the visual impact to the setting of the listed buildings, albeit the limited visibility of the listed buildings and the presence of other buildings of significant scale in views towards this building. The report then states that this



would be outweighed by the economic benefits of the scheme, as well as improvements to legibility and the quality of the scheme design.

- 7.53 The townscape analysis undertaken within this report demonstrates that the proposed development would not be visible from Prescott Street; and in views from the east and north, the degree of separation and improvement to townscape results in a negligible impact. In regards to views from the south, any impact from the proposed development is likely to be completely diminished following the completion of the Royal Mint Gardens development as shown in Figure 19 above.

#### *Grade II listed Church*

- 7.54 With respect to the impacts on the Grade II listed Church, it is apparent that the contribution the setting of the Church makes to its heritage significance is most readily appreciated in views from Prescott Street (to the east) and West Tenter Street (to the north) as illustrated in Figures 12 and 14 above. It is concluded in the paragraph above that there is a negligible impact from these views.
- 7.55 Further to the above, the setting of the church has been already been somewhat compromised to the south and west with views from these directions impeded by the existing development at 99 Mansell Street and 31-33 Prescott Street, the DLR viaduct and the existing development on the northern side of Prescott Street. Whilst the roof and ridgeline of the Church building can still be seen from long views to the south, the completion of the Royal Mint Gardens scheme, as noted above, will remove this view of the church entirely.
- 7.56 In addition to the above, the somewhat informal appearance and construction of the storage unit immediately adjoining the church building to the south, along with the expanse of its footprint, are to the detriment of the immediate setting of the Church.
- 7.57 It is noted that the addition of the part 10, part 11 storey main building would impact on some views of the Church building from the west, as can be seen in Figure 1 of this report, where the Church is currently visible above the railway siding.
- 7.58 However, given the proposals to remove the existing storage unit at the rear of the Church and replace with the new courtyard building, which would be of a reduced scale in terms of both maximum height and footprint, it is considered that this element of the proposals would act to improve the setting of the Grade II listed Church to the rear. Further to the above, the creation of the courtyard (illustrated in Figure 9 above) would allow for new opportunities to appreciate the rear of the Church, and coupled with the opening up of the railway siding to access, would allow for increased opportunities to view the rear of the Church and a reduction in built form in this location.

#### *30 Prescott Street*

- 7.59 With respect to the Grade II listed building at 30 Prescott Street, much of the proposed development would be shielded from direct impacts on this property by the existing 8 to 9 storey buildings at 99 Mansell Street. While there would be a slight imposition above and beyond the existing silhouette of these buildings, again there are marked improvements immediately to the rear in terms of the removal of the existing storage unit and its replacement with a more clean structure in the form of the courtyard building. Accordingly any impact on setting would be neutral.

#### *99 Mansell Street & 31 to 33 Prescott Street (PA/16/000757)*

- 7.60 It is noted in the assessment undertaken for the adjacent development at 99 Mansell Street & 31 to 33 Prescott Street (ref: PA/16/00757) that the stepping up of the scheme preserved

the setting of both 30 Prescott Street and the listed Church.. It is also stated within the committee report for this application that *“given the building’s narrow frontage onto Prescott Street and its location at the western end of the site, away from the listed house and church, together with the high architectural quality of the development, it is considered that the proposals would not appear unduly overbearing within the setting of the listed buildings and would preserve their special historic and architectural interest.”* In relation to the above, it is noted that the proposed development continues the architectural language and form of the adjacent development along Chamber Street, including the narrow frontages.

#### *Heritage Summary*

- 7.61 On the basis of all the above, and taking into account the previous assessment carried out for ref: PA/16/00757, it is considered with the benefit of advice received from specialist officers from the Borough Conservation and Design Team that the proposed layout, form, scale and materials of proposed would respond appropriately to the local context; and noting the minor improvements in terms of setting, particularly to the south of both the Grade II listed Church and 30 Prescott Street. The proposals are therefore in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas Act (1990), policy 7.8 of the London Plan (2016) and policy S.DH3 of the local plan.
- 7.62 Historic England and The Victorian Society expressly raise no objections to the proposed development.
- 7.63 Note also that in response to objections received, the applicant has provided further information in response to the proposed relationship between the proposed courtyard building; and the listed Church and rear garden to 30 Prescott Street to the north. In both cases, it is considered that there will be an improved situation when compared to the exiting relationship between the warehouse shed and the aforementioned listed buildings. This includes constructing against an existing brick wall adjacent to the Church that is fully within the application site, albeit extending the wall upwards by 300mm to ensure sufficient waterproofing. In regards to 30 Prescott street, biodiverse roof are proposed across the western end of the roof of the courtyard building to provide an attractive aspect from the rear windows of 30 Prescott Street. The above details will be conditioned to ensure an appropriate relationship.

#### Archaeology

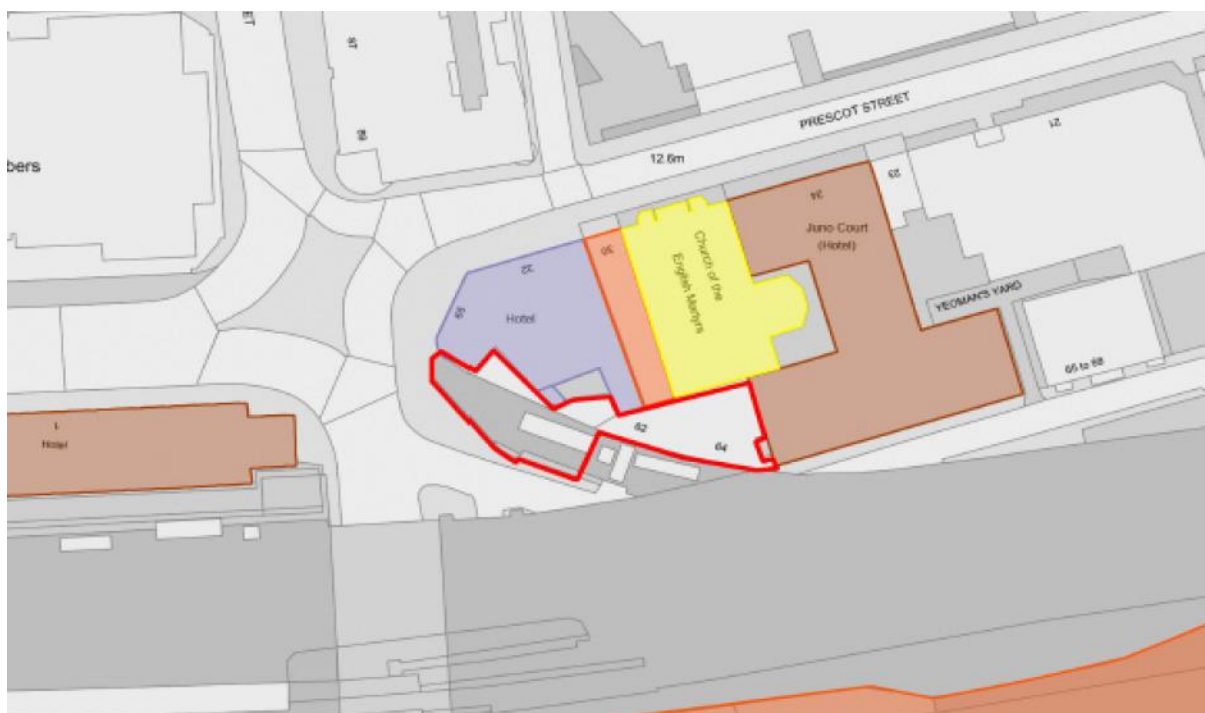
- 7.64 With respect to the heritage implications of the scheme pertaining to archaeology, the site is located within an archaeological priority area in the emerging local plan. It is therefore considered that the development could cause harm to archaeological remains. Furthermore, GLAAS have raised no objection to the granting of planning consent subject to applying two suggested conditions to ensure that further appropriate archaeological investigations are undertaken.

#### **Neighbour Amenity**

- 7.65 Policy D.DH8 of the local plan seeks to protect the amenity of surrounding residents and building occupants from development. It states that development should not result in an unacceptable loss of privacy; enable an unreasonable level of overlooking; or unacceptable material deterioration of sunlight and daylight conditions to neighbouring properties. The policy is concerned only with impacts to habitable rooms of residential properties, or community facilities.

### Neighbours Amenity

- 7.66 Given the CAZ location, the site is predominantly surrounded by non-residential uses including serviced apartments and the listed church to the north, and a hostel to the east along Chamber Street. However, there is a residential unit located at 30 Prescott Street directly to the north of the site. These uses are illustrated on Figure 20 below.
- 7.67 Therefore, in accordance with policy D.DH8, the impact to 30 Prescott Street and the Roman Catholic Church of the English Martyrs will be considered.
- 7.68 The taller element of the proposed development, i.e. the 'main building', is concentrated in the west of the site closest to the 99 Mansell Street development, another serviced apartment building. The main building is approximately 20 metres from the rear wall of 30 Prescott Street and 15 metres from the west elevation of the church.
- 7.69 The section of the site (east) in closest proximity to 30 Prescott Street and the church is where the courtyard building is proposed to be located. This building is only 2 storeys in height and has also been oriented away from the subject buildings, including no north-facing fenestration.
- 7.70 Taking account of the minimum separation distances in relation to the main building, and the scale and design of the courtyard building, it is not considered that the development would give rise to any significant adverse impacts to the two subject buildings in regards to overlooking, loss of privacy, outlook or an undue sense of enclosure.



**Figure 20: Use map in relation to the application site (extract from the submitted DSA)**

### Effect on Daylight and Sunlight to Neighbouring Dwellings

- 7.71 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).

- 7.72 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.
- 7.73 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.74 Annual probable sunlight hours (APSH) is a measure of direct sunlight that a given window may expect over a year period. The BRE handbook recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. The BRE handbook recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.
- 7.75 The following significance criteria banding is used when summarising the overall daylight and sunlight effects to the surrounding buildings;
- Negligible; 0-20% loss against existing
  - Minor adverse; 20-30% loss against existing
  - Moderate adverse; 30-40% loss against existing
  - Major adverse; >40% loss against existing
- 7.76 The applicant has submitted a full Daylight and Sunlight Assessment (DSA) to support the application. Officer analysis of this report is set out below.

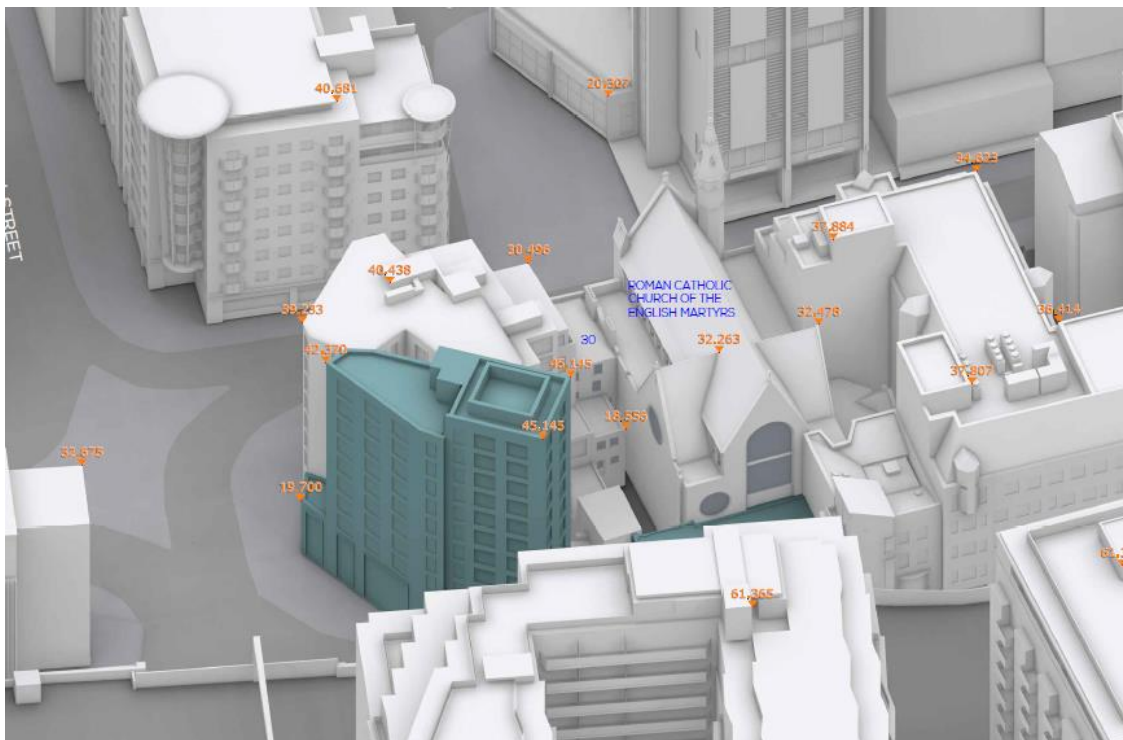


Figure 21: 3D image of proposal with surrounding properties

- 7.77 Within the assessment, only two properties have been identified as being relevant. Again, these are 30 Prescott Street and the Roman Catholic Church of the English Martyrs to the north and north-east of the site.
- 7.78 The DSA confirms that 30 Prescott Street comprises residential uses on the first, second and third floors, with commercial uses on the ground floor. The Church has been included in the assessment, despite not being of residential use, 'due to its link to the residential uses in 30 Prescott Street and an increased expectation for natural light'
- 7.79 It is also noted that 87 Mansell Street, located north of the site, comprises residential uses on the first to eighth floors, however this property has been discounted from the analysis on the basis that the rooms and windows are shielded from impacts by the proposed development by the existing building (99 Mansell Street) in between. This is accepted by officers. The 'shielding effect' can be seen in the 3D image above (Figure 21), and there is a minimum separation distance of 33 metres between the proposed development and the subject building.

### 30 Prescott Street

- 7.80 Of the three rooms assessed, two rooms (dining room and bedroom) will achieve BRE compliance to both daylight methodologies (VSC and NSL). The remaining room (kitchen) is served by three windows, one of which will meet the BRE guidelines for VSC. The two remaining windows experience minor departures of the guidelines (25.8% and 28.4% reductions). However, the room will comply with the BRE's NSL test.
- 7.81 Overall, there is full NSL compliance for all rooms in this property and only two rooms which experience minor VSC alterations, which are very unlikely to cause significant harm to daylight amenity.

**Table 1: VSC impacts of proposed development**

	Negligible (0-20% loss)	Minor (20-30%)	Moderate (30-40%)	Major (40% +)	Total windows
30 Prescott Street	3	2	0	0	5

**Table 2: NSL impacts of proposed development**

	Negligible (0-20% loss)	Minor (20-30%)	Moderate (30-40%)	Major (40% +)	Total rooms
30 Prescott Street	5	0	0	0	5

- 7.82 In terms of APSH, four windows, serving the kitchen, dining room and bedroom, are relevant for assessment as they are oriented within 90 degrees of due south. The windows serving the dining room and bedroom will see either no alterations in annual or winter sunlight or remain compliant with the criteria upon implementation of the proposed development.
- 7.83 In regards to the kitchen windows, both windows will see a change in annual sunlight from 25% to 17% and 27% to 16%. The alteration in winter APSH at both windows is from 3% to 1% and 5% to 2%. The BRE suggests a target value of 25% for annual and 5% for winter for a suburban type environment.
- 7.84 According to the DSA, due to their orientation and architecture of the neighbouring church, which projects to one side of these windows and thus obstructs their access to sunlight, these windows are reliant on light received over the site and are therefore sensitive to even modest new massing on the site. Nonetheless, the impacted windows serve a kitchen, which

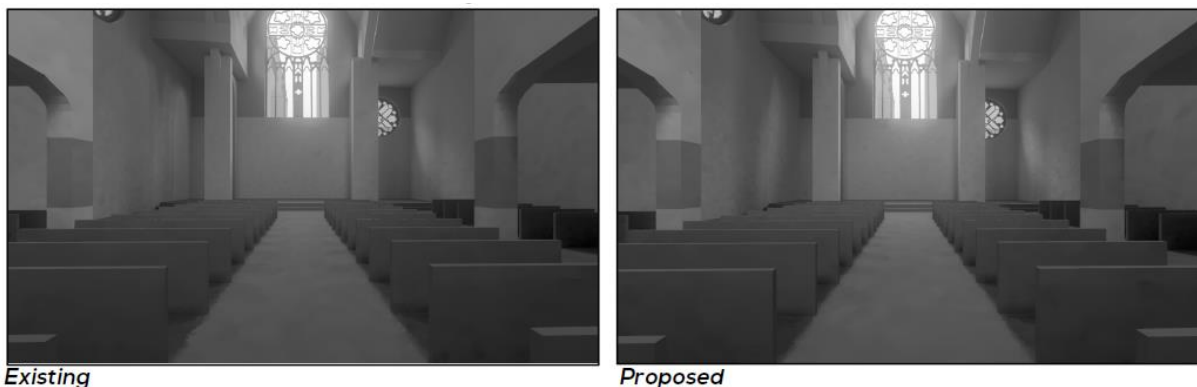
is viewed as less important by the BRE guidelines with regards to sunlight, when compared to living rooms which have the main requirement for sunlight.

- 7.85 An objection was also received in regards to the loss of light to the rear garden of 30 Prescott Street. In response, the daylight and sunlight consultant undertook a 'Sun on Ground' assessment in accordance with the BRE guidelines to understand the effect of the proposed development on the rear garden of 30 Prescott Street. The assessment shows there is only 0.5sqm of garden which meets the BRE criteria at present which is confined to a small corner of the garden and is therefore not a usable area of the garden. The proposed development is therefore considered have a negligible impact on the sunlight received to the rear garden. This is accepted by officers.

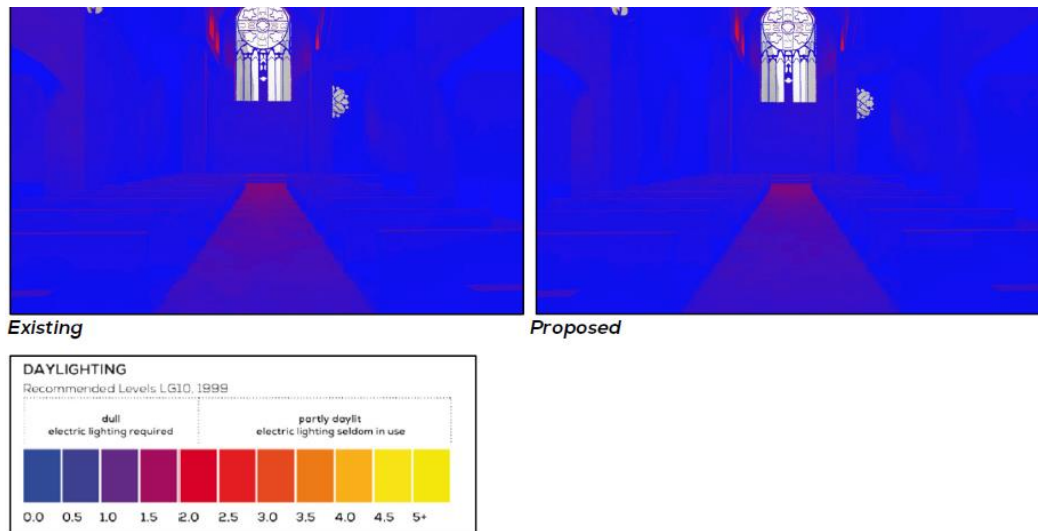
#### Roman Catholic Church of the English Martyrs

- 7.86 Given the importance and complexity of the adjacent church, the consultants utilised a more detailed and accurate Radiance Study to assess the effect of the proposed scheme on the light and the visual experience within. According to the submitted DSA, this assessment has been used extensively in other planning applications within London and is widely accepted to be a material consideration when assessing the impact of development on adjoining properties.

- 7.87 The Radiance Study demonstrates that the proposed scheme will reduce the ADF within the ground floor of the Church, by 0.1% ADF. This applicants state that 0.1% ADF is imperceptible within a space such as this, as shown in Figure 22 below. This is accepted by officers.



**Figure 22: Ground Floor Human Visual Response Images**



**Figure 23: Ground Floor False-Coloured Daylight Image Factor Images**

### Daylight and sunlight summary

- 7.88 In summary, 30 Prescott Street experiences full NSL compliance and only minor reductions in VSC levels in the proposed situation. Where VSC reductions do occur beyond the guidelines, these are minor in nature, and the subject room has another window which does meet the criteria.
- 7.89 There are some alterations in sunlight at 30 Prescott Street beyond the BRE guidance, however, the impacted rooms serve a kitchen which is less important in relation to sunlight as set out in the BRE guidance.
- 7.90 With regards to the church, the Radiance Study demonstrates that there would be a negligible effect on the daylight within the church.

### Solar Glare Assessment

- 7.91 A Solar Glare Assessment has been submitted in order to ascertain whether solar reflections given off the proposed building's façade will be visible from sensitive viewpoints which may affect road users and train drivers.
- 7.92 The report concludes that there are potential instances of solar reflections at the Goodmans Yard junction for road users, as well as eastbound and westbound trains. However, these instances of reflections would be broken up by the nature of the façade which prevent the full solar disk being reflected from the windows and reduce the duration of reflections. In addition, all instances of sun reflections occur above the 5° visor cut-off line. It is therefore considered that the proposed scheme is unlikely to cause any instances of solar glare.

### Amenity summary

- 7.93 On the basis of all the above, it is considered that the proposed development would not lead to unacceptable material deterioration in daylighting and sunlighting to neighbouring properties; nor would the development give rise to any significant adverse impacts in regards to overlooking, loss of privacy, outlook or an undue sense of enclosure. The proposals are therefore in accordance with policy D.DH8 of the local plan.

## Highways and Transportation

- 7.94 The NPPF and Policy 6.1 of the London Plan seek to promote sustainable modes of transport and accessibility, and reduce the need to travel by car. Policy 6.3 of the London Plan requires transport demand generated by new development to be within the relative capacity of the existing highway network. London Plan Policy 6.13 states that developments need to take into account business delivery and servicing. In the Intend to Publish London Plan, policies T2, T5, T6 and T7 consider healthy streets, cycling, car parking and deliveries and servicing respectively.
- 7.95 Policies S.TR1, D.TR2, D.TR3 and D.TR4 of the local plan together seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity; requires the assessment of traffic generation impacts; and also seeks to prioritise and encourage improvements to the cycling and pedestrian environment.
- 7.96 The applicant has submitted a Transport Statement, a Delivery and Servicing Plan and a Construction Management and Logistics Plan. In response to comments from TfL and LBTH Highways, the applicant subsequently submitted a Transport Project Note and Travel Plan.

### Car parking

- 7.97 The proposed development is car-free which is supported. The proposal includes one on-site accessible parking space which will be made available for employees of the office space and hotel visitors and retained exclusively for those who are blue badge holders. On-site concierge will be available to support visiting blue-badge holders, including moving a car to an available parking space and returning it upon request; and moving a car during a delivery. There is also blue badge parking available within 120-250m of the site.
- 7.98 LBTH Highways accepted the above, requesting that the blue badge bay must be formally marked on site as such and retained and maintained for the approved use only for the life of the development.

### Cycle parking

- 7.99 In accordance with the London Plan Intend to Publish, the proposed development is required to provide at least 13 cycle parking spaces, including with 10 long-term and three short-term spaces. The proposed development provides 14 spaces in the form of 8 Sheffield stands, located in two locations in the courtyard.
- 7.100 It is considered that Sheffield stands are the most accessible type of cycle parking and will accommodate all types of cycles (including larger and adapted). The cycle storage is located in a convenient and secure location within the courtyard area. The proposed is therefore considered to comply with cycle standards and is in accordance with Policy D.TR3 of the local plan.

### Servicing and deliveries

- 7.101 Servicing and deliveries are proposed to take place on-site in accordance with the Intend to publish London Plan Policy T7 and Local Plan Policy D.TR4. The submitted Delivery and Servicing Plan demonstrates that the courtyard is able to accept deliveries and that there will be no deliveries from the highway. This will be secured by condition.
- 7.102 Following comments from LBTH Highways, the applicant provided additional details in regards the refuse collection. In summary, all refuse will be collected before 7am which will be conditioned as part of any permission that may be granted. Given that a private



contractor will collect the refuse, the vehicle will be much smaller than a standard refuse vehicle used by Tower Hamlets. The submitted swept-path analysis demonstrates that the vehicle is able to park on Chamber Street outside the bin store. At the point where a refuse vehicle parks, Chamber Street is 5.6m wide, and therefore, westbound traffic will not be affected, and a refuse vehicle will only stop on Chamber Street for a short period. Thus, it is considered that the impact on road users using Chamber Street will be minimal, particularly as this will be undertaken outside of peak hours.

- 7.103 On the basis of the above, the Highways Officer raises no further issues and the proposals are considered to be in accordance with Policy D.TR4 of the local plan in regards to servicing and deliveries.

#### Travel Plan

- 7.104 The submitted Travel Plan outlines the measures to be taken to encourage sustainable travel and help meet the targets. A final Travel Plan will be required as a condition detailing the changes referred to in terms of targets within the applicant's response.

#### Construction Management and Logistics Plan

- 7.105 The submitted Construction Management and Logistics Plan outlines the measures to be taken by the contractor for traffic management during the construction stage, including access routes, temporary traffic/highway arrangements, parking and traffic estimates, and hours of operation.
- 7.106 Objections were raised in regards to the impact of the construction on pedestrian safety and access, as well as disturbance to bin collection for neighbours. In response to the access issue raised, the amended CMLP proposes to keep pedestrian footpath along Chamber Street open throughout the construction period. Further to the above, the applicant intends to work with the developers of the adjoining Royal Mint Street development to ensure disruption from construction traffic is minimised.
- 7.107 A condition requiring a final CMLP in consultation with TfL and LBTH Highways will be required to be submitted and agreed prior to any works taking place on site. The wording of this condition will ensure that the above issues are considered in order to minimise disturbance to neighbours in minimised.

#### Summary

- 7.108 TfL are satisfied with the proposed highway provisions subject to conditions; and public realm improvements in accordance with Healthy Streets objections. The details of these improvements will be conditioned. Proposed cycle parking provision for the scheme complies with Intend to Publish London Plan and emerging Local Plan standards.
- 7.109 The scheme complies with relevant London Plan and Intend to Publish London Plan policies; and Policies D.TR2, D.TR3 and D.TR4 of the Local Plan.
- 7.110 Planning conditions will be imposed to secure on-site servicing; refuse collection before 7am; a Construction Management and Logistics Plan; a Travel Plan; the delivery of compliant cycle parking. This is to ensure the scheme encourages use of sustainable modes of transportation; minimises impacts upon neighbours and the surroundings road network; and safeguards pedestrian and other road users safety.

## **Environment**

### Energy and Sustainability

- 7.111 The NPPF sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change.
- 7.112 The climate change policies as set out in Chapter 5 of the London Plan 2016. Policy D.ES7 of the local plan requires zero carbon for all development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions, and the remaining regulated carbon dioxide emissions to 100%, to be off-set through a cash in lieu contribution.
- 7.113 Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.
- 7.114 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions. The current proposals for CO2 emission reductions exceed the target for a 45% reduction on-site. In order to support the scheme the residual CO2 emissions should be offset through a carbon offsetting contribution of £75,600.
- 7.115 Policy D.ES7 states that ‘all new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM ‘excellent’ rating’. The submitted a BREEAM Pre-Assessments show both the hotel and office elements of the scheme are designed to achieve a BREEAM Excellent rating. This is supported and should be secured via planning condition.
- 7.116 Subject to appropriate conditions securing the energy and sustainability proposals, and the CO2 emission reduction shortfall being met through a carbon offsetting contribution, the proposals would be considered in accordance with Chapter 5 of the London Plan, Policy D.ES7 of the local plan and Policy SI2 of the London Plan Intend to Publish.

### Noise

- 7.117 An Acoustic Design Report has been submitted with the planning application. This is a preliminary design report which considers the acoustic survey compared to the recommended design criteria. A full design report will be issued once the design has progressed.
- 7.118 The proposed plant has been consolidated onto one roof, at the highest level away neighbouring buildings to minimise noise disturbance as much as possible. The plant will be enclosed within acoustic screening to further reduce any noise disturbance.
- 7.119 The Council’s Environmental Health Team have reviewed the documentation and raise no objections subject to conditions in relation to noise control from the fixed plant; and insulation measures for each unit.

### Contaminated Land

- 7.120 In accordance with the requirements of the NPPF and Policy D.ES8 of the local plan, the application has been accompanied by a land contamination assessment which assesses the likely contamination of the site.
- 7.121 The Council’s Environmental Health Officer has reviewed the submitted assessment, and advises that subject to conditions providing details of a scheme to identify the potential

extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed; an associated remediation strategy; and a verification report, there are no objections to the scheme on grounds of contaminated land issues.

### Flood Risk & Water Resources

- 7.122 A Flood Risk Assessment & Sustainable Drainage Strategy has been submitted in support of the application. The prepared assessment considers the proposed development represents no risk in terms of flooding.
- 7.123 The proposal would be acceptable with regard to flood risk, sustainable drainage, sewerage and water supply and use and as such accord with relevant policy and guidance as set out in NPPF, Policies 5.12, 5.13 of the London Plan and Policies D.ES4, D.ES5 and D.ES6 of the local plan.

### Biodiversity

- 7.124 The Borough's Local Biodiversity Action Plan (LBAP) (2019), Policy 7.19 of the London Plan, and Policy D.ES3 of the local seek to protect and enhance biodiversity value through the design of open space and buildings and by ensuring that development protects and enhances areas of biodiversity value in order to achieve a net gain in biodiversity.
- 7.125 The proposals include: three biodiverse roofs totalling 88 sqm, nest boxes for swifts and house sparrows; and ornamental planters which include a reasonably good range of a good range of nectar-rich flowers, and the green façade of ivy and other climbers will provide nectar and potential nest sites.
- 7.126 All the above proposed biodiversity features will contribute to LBAP objectives, and will be sufficient to ensure overall gains for biodiversity, subject to a condition in relation to biodiversity mitigation and enhancement.

### Waste

- 7.127 The proposed refuse store is located on the ground floor in the service yard. The applicant has considered the capacity of the refuse store in accordance with local plan standards.
- 7.128 The applicant, who will be operating and managing the building, will contract Everyday Waste Management to collect bins from the bin store. Everyday Waste Management is already contracted to collect waste and recycling in the applicant's adjacent building, 31-33 Prescott Street and 99 Mansell Street. The arrangement with Everyday Waste is to collect bins on a daily basis.
- 7.129 The submitted documents have been reviewed by the Council's Waste Team. It was queried whether waste collections vehicles could service the bin store from within the servicing bay of the proposed development, as opposed to parking on the highway. As set out within Highways and Transportation section above, the proposed arrangement is considered to be appropriate from a highways perspective subject to relevant conditions to ensure that refuse will be collected before 7am.
- 7.130 Given the above, the proposed waste arrangements are considered satisfactory and consistent with D.MW3 of the emerging local plan in regard to managing waste.

## **Infrastructure Impact**

- 7.131 The proposed development would be liable for Community Infrastructure Levy (CIL) in accordance with the Tower Hamlets CIL Charging Schedule and Mayor of London's CIL2 Charging Schedule. The actual amount of CIL will be confirmed once all relevant details are approved and any relief claimed.
- 7.132 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.
- 7.133 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:
- £9,768 towards construction phase employment skills training
  - £24,102.60 towards end-user phase employment skills training
  - £75,600 toward carbon emission off-setting
- 7.134 The applicant has agreed, to accord with the requirements set out in the Borough's Planning Obligations' SPD, to make reasonable endeavours to (a) procure at least 20% of goods and services locally and (b) use 20% local (i.e. Borough) labour in construction.
- 7.135 There is an end use obligation to provide 1 opportunity in regards to apprenticeships, work placement or job opportunities.

## **Human Rights & Equalities**

- 7.136 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.
- 7.137 The requirement to use local labour and services during construction and at end phase enables local people to take advantage of employment opportunities, supports community wellbeing and social cohesion.
- 7.138 The scheme proposes a dedicated on-site blue-badge parking space, as well as on-site concierge to support with parking if required.
- 7.139 The scheme is designed with regard to the principles of inclusive design, including consideration for people with a disability including wheelchair accessibility to all the ground floor and lifts, toilet and showering facilities services and on site disabled car parking provision.
- 7.140 Of the total 34 serviced apartments proposed across the 2nd to 10th floor of the proposed development, 3 apartments will be accessible and comply with Part M of the Building Regulations.
- 7.141 The proposed development would not result in adverse impacts upon equality or social cohesion.

## **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. £9,786 towards construction phase employment skills training
- b. £24,102.60 towards end-user phase employment skills training
- c. £75,600 toward carbon emission off-setting
- d. £5,500 monitoring fee

Total financial contributions: £109,470.60 plus monitoring contribution

### **8.3 Non-financial obligations:**

- a. Access to employment
  - 20% local procurement
  - 20% local labour in construction
  - 1 x end user phase job opportunity plus 1 x apprentice through construction period
- b. Transport matters:
  - S278 Agreement (including public realm treatment and upgrading of footway).
- c. Compliance with Considerate Constructors Scheme

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal 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 Planning Conditions**

#### Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. The blue badge bay must be formally marked on site and retained and maintained for the life of the development.
4. Cycle storage shall be provided prior to the occupation of the development and made permanently available for the occupiers of the building. Life of development retentions of bicycle spaces.
5. All refuse shall be collected before 7am.
6. All deliveries and servicing (with exception of refuse collection), must be made on-site.
7. The serviced apartments shall only be used to provide temporary sleeping accommodation for no more than 90 consecutive days.

#### Pre-commencement

8. Construction Management and Logistics Plan in consultation with TfL and Network Rail.
9. Archaeological scheme of investigation in consultation with GLASS.
10. Land contamination scheme, including site investigation and risk assessment

11. Piling Method Statement in consultation with Thames Water.
12. Detailed foundation designs (prior to deep level piling) in consultation with GLASS.

#### Pre-superstructure works

13. Details and samples of all facing materials and architectural detailing.
14. Method statement in relation to the construction of the courtyard building and relationship to the listed buildings to the north; and the retained bomb-damaged wall.
15. Memorial writings in consultation with GLAAS.
16. Landscaping scheme, including details of all hard and soft landscaping; tree planting; green roofs and walls; planting schedule; street/outdoor furniture; lighting; fences and walls; and maintenance arrangements.
17. Full details of biodiversity mitigation and enhancements.
18. Details of proposed cycle parking which are to be designed in accordance with London Cycle Design Standards.
19. Highway public realm improvements in relation to TfL's Healthy Streets objectives. Consultation with LBTH Highways and TfL.
20. Full details of the wheelchair accessible/adaptable rooms with its associated bathrooms.

#### Prior to first occupation of building

21. Ground contamination remedial works and verification report.
22. Secure by Design accreditation.
23. Travel Plan detailing the changes referred to in terms of targets.
24. Noise compliance and mitigation measures in relation to fixed plant and insulation measures for each unit and the courtyard building, taking into account proximity of neighbouring buildings.

#### Within 6 months of completion

25. Submission of as built calculations (SBEM) to demonstrate the reduction in CO2 emissions have been delivered on-site.
26. Submission of Final BREEM Certificates to demonstrate an Excellent rating has been delivered.

## **8.7 Informatives**

1. Subject to s278 agreement
2. Subject to s106 agreement
3. CIL liable
4. Thames Water Informatives

## **APPENDIX 1**

### **LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL**

#### **EXISTING DRAWINGS**

1. 2188 – Location Plan;
2. 2188-PA-01 – Existing Ground Floor Plan;
3. 2188-PA-02 – Existing Plan at top of siding;
4. 2188-PA-03 – Existing Elevations;
5. 2188-PA-04 – Existing Chamber Street Elevation;
6. 2188-PA-05 – Section of Existing Shed;

#### **PROPOSED DRAWINGS**

1. 2188-PA-06 – Proposed Basement;
2. 2188-PA-07 – Proposed Ground Floor Plan;
3. 2188-PA-08 – Proposed First Floor Plan;
4. 2188-PA-09 – Proposed Second Floor Plan;
5. 2188-PA-10 – Proposed Floors 4, 5 & 6;
6. 2188-PP-11 – Proposed Floors 6, 7 & 8;
7. 2188-PP-12 – Proposed Floors 9, 10 & Roof;
8. 2188-PA-13 – Side Elevation;
9. 2188-PA-14 – Side Elevation;
10. 2188-PA-15 – Rear Elevation;
11. 2188-PA-16 – Chamber Street Elevation;
12. 2188-PA-17 – Proposed Elevation and Section of Courtyard Building;
13. 2188-PA-18 – Section AA;
14. 2188-PA-19 – Section BB;
15. 2188-PA-20 – Window Detail;
16. 2188-PA-21 – Ground/First Floor Curtain Walling Detail;
17. 2188-PA-22 – Plan of Bin Store;
18. 2188-PA-23 – Proposed Rear Elevation & Additional Section of Courtyard building;
19. 2188-PA-24 – Detail Retention of Existing Blast Damaged Wall;
20. 2188-PA-25 – Floor Plans Showing Surface Types for Urban Greening;
21. 2188-SK-28 – Courtyard Building: Gutter detail with Church wall.

#### **SUPPORTING DOCUMENTS**

- Acoustic Design Report prepared by ICP Acoustics dated 05/12/2019;
- Air Quality Assessment prepared by REC Ltd dated February 2020;
- Archaeological Desk Based Assessment prepared by LP Archaeology Ltd dated November 2019;
- BREEAM: Ecology Report prepared by Quants Environmental dated November 2019;
- Delivery and Servicing Plan prepared by Conisbee dated 27/11/2019;
- Design and Access Statement prepared by Marldon dated 18/12/2019;
- Design and Access Statement (Addendum) prepared by Marldon dated 01/04/2020;
- Desk Study and Ground Investigation Report prepared by GEA dated 29/11/2019;
- Daylight and Sunlight Assessment prepared by GIA dated 27/11/2019;
- Energy Statement prepared by MLM Group dated 22/11/2019;
- Fire Strategy Report prepared by MLM Group dated 03/04/2020;
- Flood Risk Assessment & Sustainable Drainage Strategy Report prepared by Pryce & Myers dated November 2019;
- Health Impact Assessment prepared by WYG dated December 2019;
- Heritage, Townscape and Visual Impact Assessment prepared by Montagu Evans

- dated November 2019;
- Landscape and Management Plan prepared by Plunket Gardens dated November 2019;
  - Overarching Travel Plan prepared by Conisbee dated 02/04/2020;
  - Piling Method Statement and Risk Assessment prepared by MEC Piling dated 22/10/2019;
  - Planning Statement prepared by Rolf Judd dated December 2019;
  - Preliminary Ecological Appraisal prepared by Quants Environmental dated November 2019;
  - Solar Glare Assessment prepared by GIA dated 12/11/2019;
  - Thermal Comfort Assessment (Overheating) prepared by MLM Group dated 04/12/2019;
  - Transport Assessment prepared by Conisbee dated 27/11/2019;



## APPENDIX 2: Existing site photos



**Figure A: View of the existing railway siding. The 99 Mansell Street and 31-33 Prescott Street development, and the rear section of the Roman Catholic Church of the English Martyrs roofline, can be seen to the rear of the railway siding.**

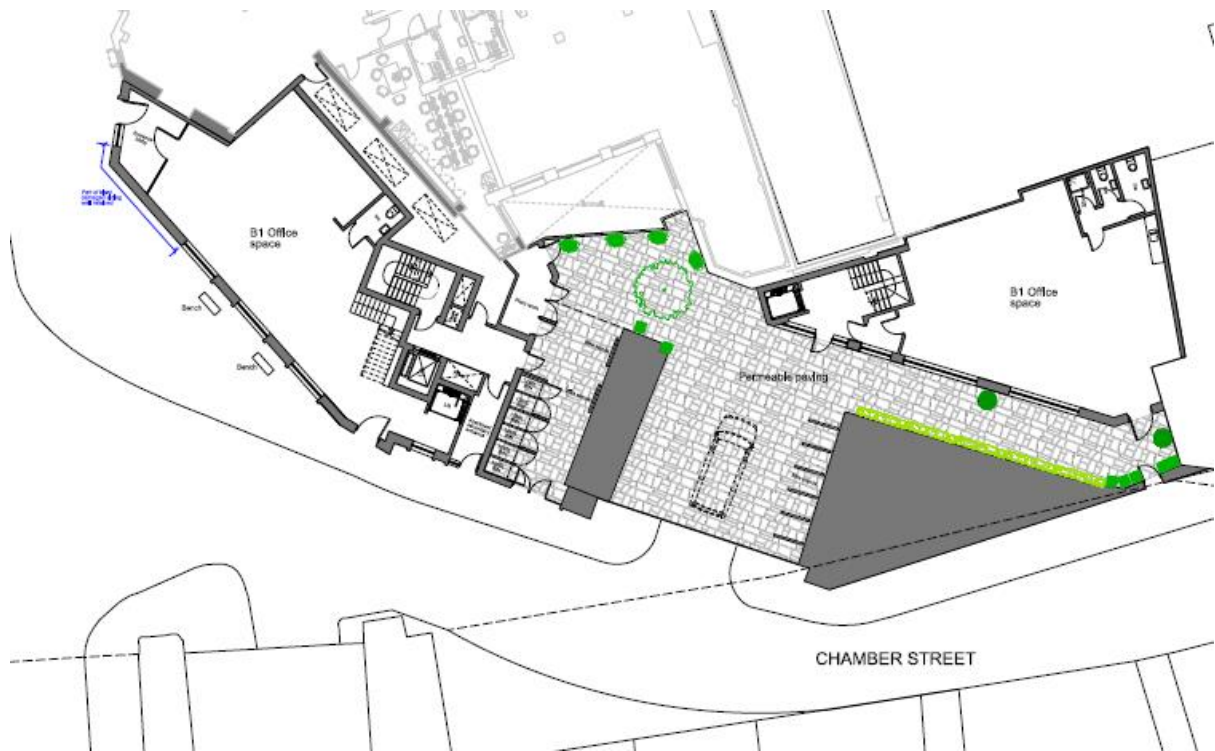


**Figure B: View of the existing railway siding archways fronting Chamber Street**

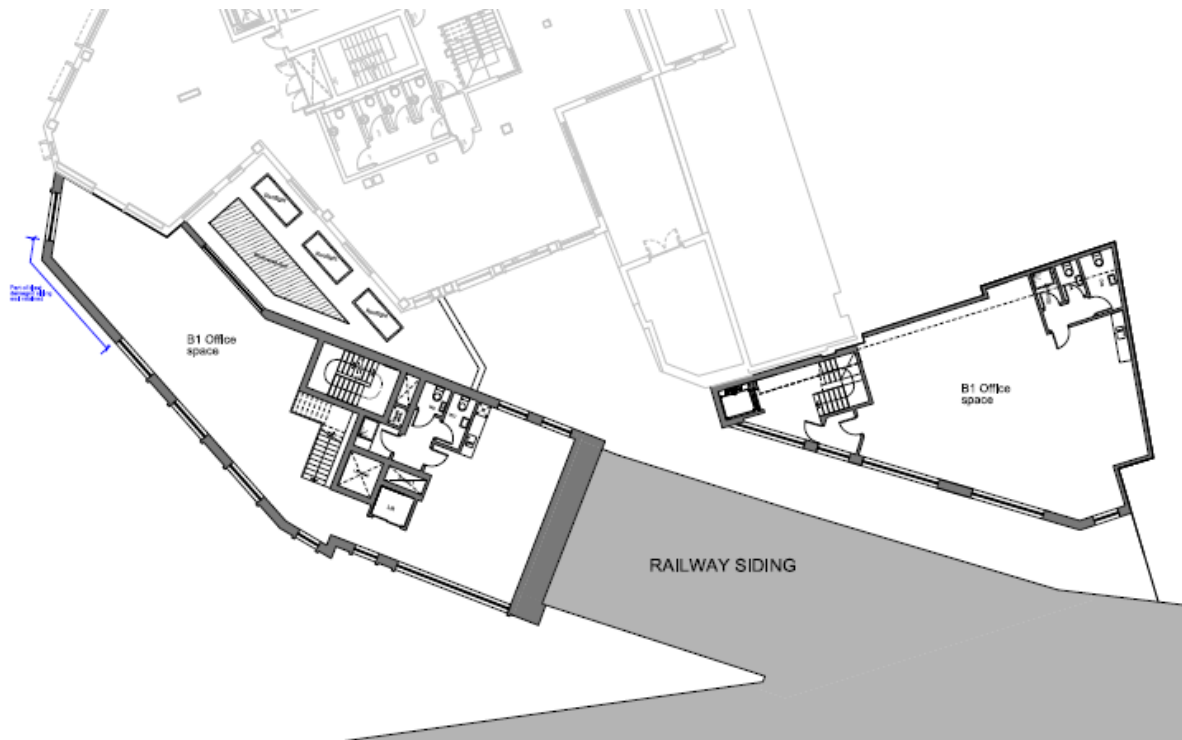


**Figure C: View of the existing railway siding (right) and 99 Mansell Street and 31-33 Prescott Street development (left)**

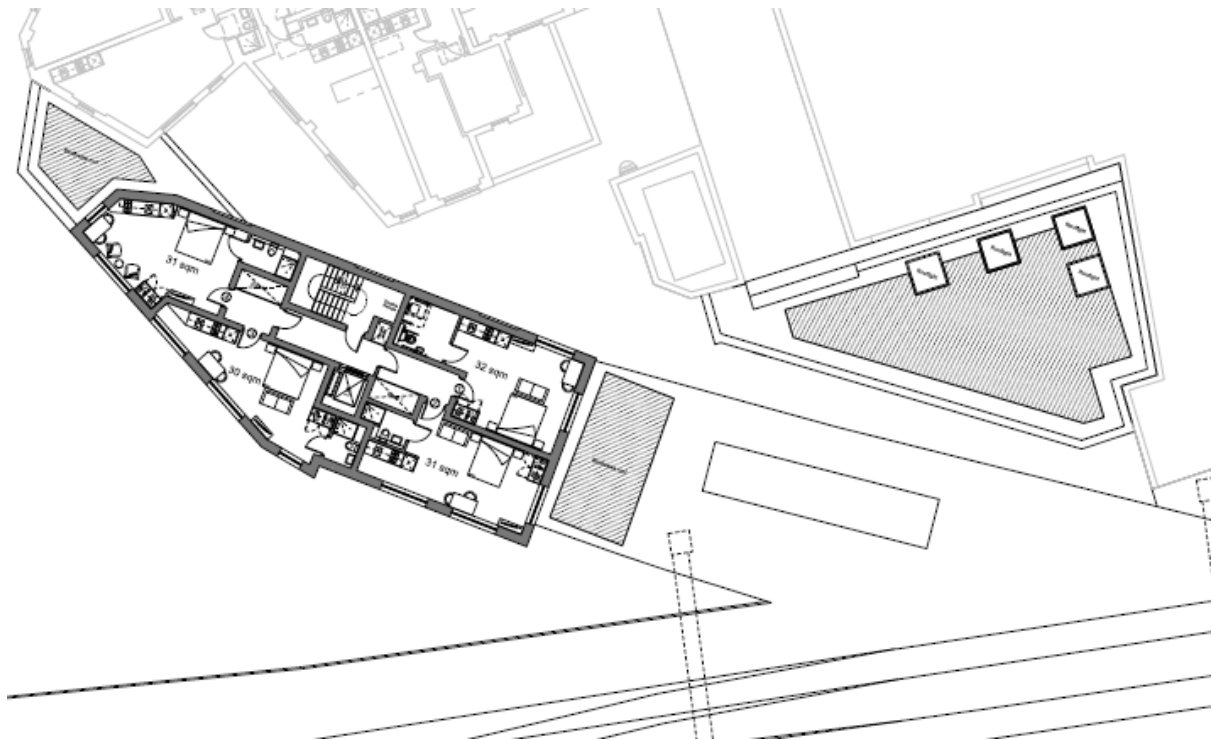
### **APPENDIX 3: Proposed plans, elevations and sections**



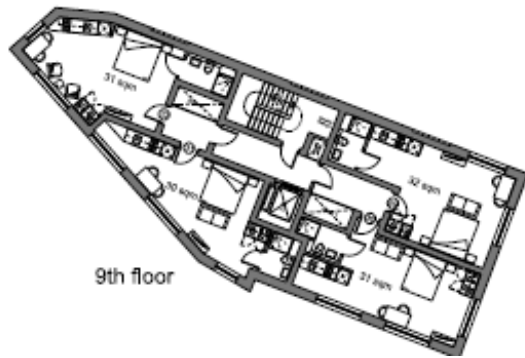
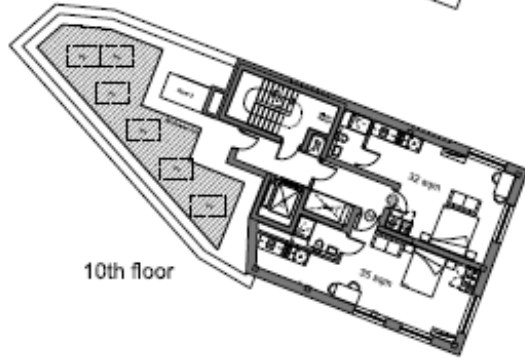
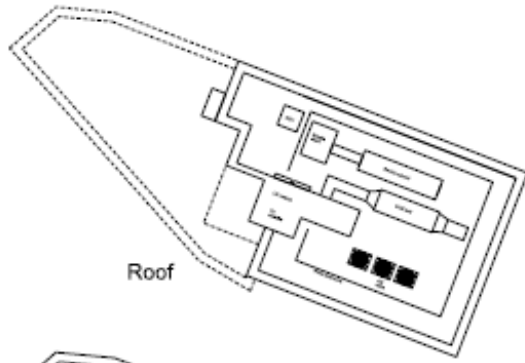
**Figure D: Proposed ground floor plan**



**Figure E: Proposed first floor plan**



**Figure F: Proposed second floor plan**



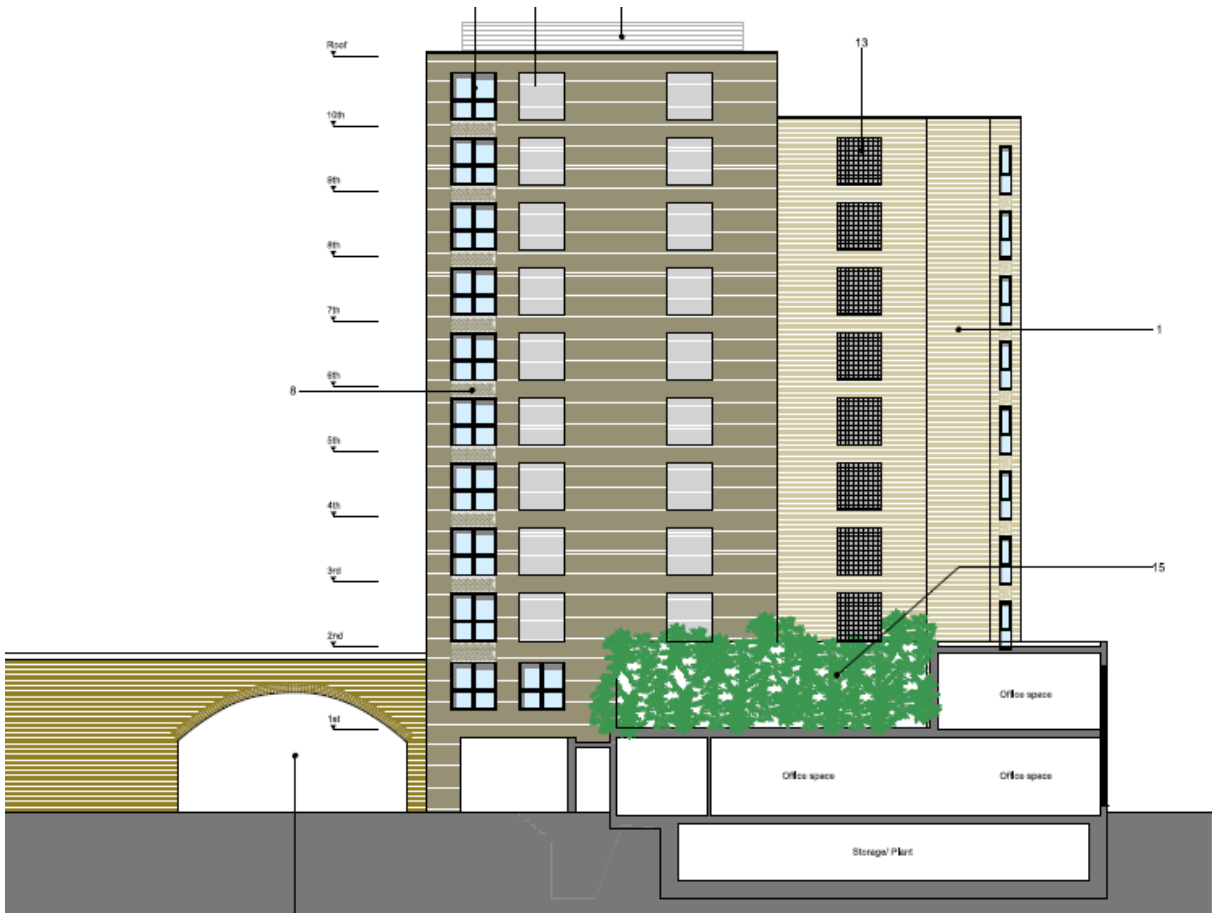
**Figure G: Proposed floors 9, 10 and roof**



Figure H: Proposed Chamber Street elevation



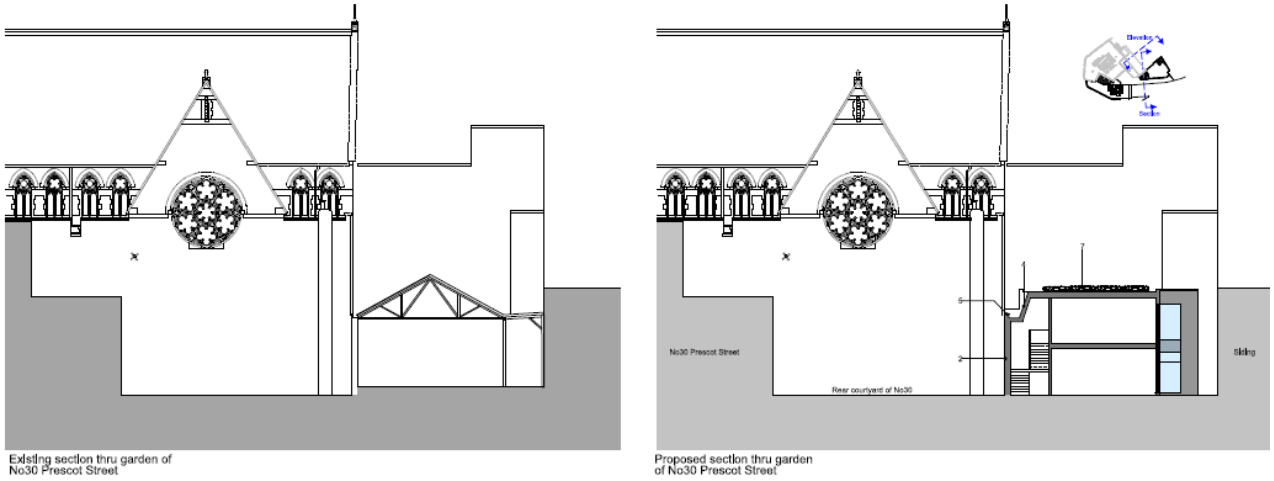
Figure I: Proposed side elevation



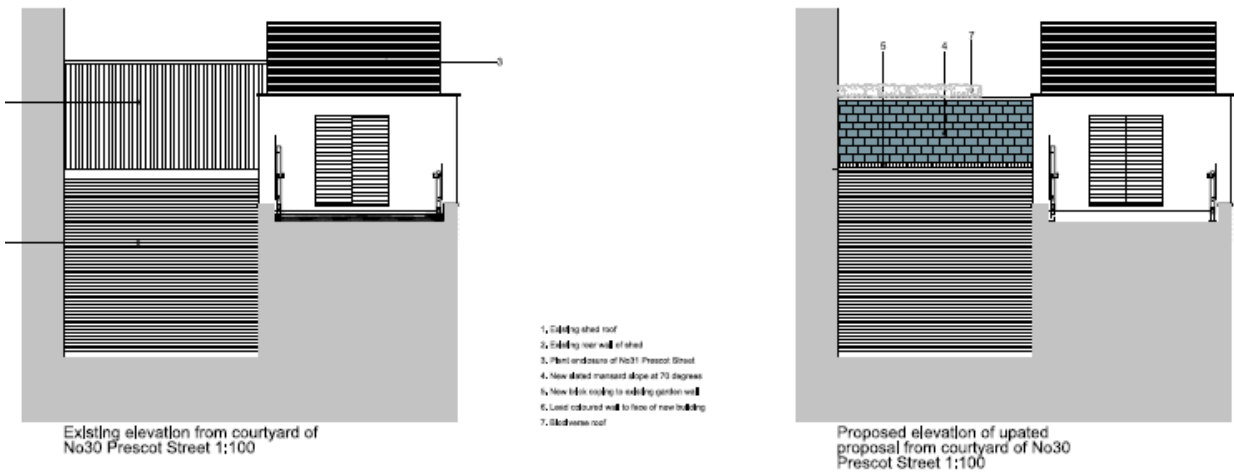
**Figure J: Proposed rear elevation**



**Figure K: Proposed elevation and section of courtyard building**



**Figure L: Sections through the garden of No. 30 Prescott Street. Existing – left; Proposed – right.**



**Figure M: Elevation from courtyard of No. 30 Prescott Street. Existing – left; Proposed – right.**



