

STRATEGIC DEVELOPMENT COMMITTEE

Tuesday, 17 March 2020 at 6.30 p.m.
**Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG**

The meeting is open to the public to attend.

Members:

Chair: Councillor John Pierce

Vice Chair : Councillor Abdul Mukit MBE

Councillor Kevin Brady, Councillor Val Whitehead, Councillor Zenith Rahman, Councillor Rabina Khan, Councillor Sabina Akhtar and Councillor Tarik Khan

Substitutes:

Councillor Dipa Das, Councillor Dan Tomlinson and Councillor Leema Qureshi

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Friday, 13 March 2020**

Please contact the Officer below to register. The speaking procedures are attached

The deadline for submitting material for the update report is **Noon Monday, 16 March 2020**

Contact for further enquiries:

Zoe Folley, Democratic Services,

1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG

Tel: 020 7364 4877

E-mail: Zoe.Folley@towerhamlets.gov.uk

Web:<http://www.towerhamlets.gov.uk/committee>

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an electronic
agenda:



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

Audio/Visual recording of meetings.

Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page.

Mobile telephones

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Access information for the Town Hall, Mulberry Place.



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Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through the complex to the Town Hall, Mulberry Place

Blackwall station: Across the bus station then turn right to the back of the Town Hall complex, through the gates and archway to the Town Hall.

Tube: The closest tube stations are Canning Town and Canary Wharf .

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Meeting access/special requirements.

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Fire alarm

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To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

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QR code for smart phone users

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 5 - 8)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 14)

To confirm as a correct record the minutes of the meeting of the Strategic Development Committee held on 12 February 2020.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 15 - 16)

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Place along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
- 3) To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee.

PAGE NUMBER	WARD(S) AFFECTED
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4. DEFERRED ITEMS

There are none.

5. PLANNING APPLICATIONS FOR DECISION

17 - 22

5 .1 267-269 East India Dock Road (PA/19/01838)

23 - 80

Lansbury

Proposal:

(Amended description): Internal and external alterations to the existing residential units at no. 267 East India Dock Road and proposed erection of a 163-bedroom hotel (C1 use class) comprising of a part four, and part-eighteen storey building over basement, with associated roof top plant room, ground floor servicing, car and bike parking and landscaping.

Recommendation:

Grant Planning Permission subject to conditions and borehole survey

Next Meeting of the Strategic Development Committee

Tuesday, 21 April 2020 at 6.30 p.m. to be held in Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain Corporate Director of Governance and Monitoring Officer, Telephone Number:
020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON WEDNESDAY, 12 FEBRUARY 2020

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor John Pierce (Chair)
Councillor Abdul Mukit MBE (Vice-Chair)
Councillor Val Whitehead
Councillor Zenith Rahman
Councillor Rabina Khan
Councillor Sabina Akhtar
Councillor Leema Qureshi (Substitute for Councillor Kevin Brady)

Other Councillors Present:

Councillor Peter Golds
Councillor Andrew Wood

Apologies:

Councillor Kevin Brady
Councillor Tarik Khan

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Katie Cooke	– (Planning Officer, Place)
Kevin Crilly	– (Planning Officer, Place)
Gareth Gwynne	– (Area Planning Manager (West), Planning Services, Place)
Rachel Mckoy	– (Head of Commercial & Contracts, Legal Services Governance)
Simon Westmorland	– (West Area Team Leader, Planning Services, Place)
Zoe Folley	– (Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No interests were declared.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Strategic Development Committee held on 23rd January 2020 be agreed as a correct record and signed by the Chair, subject to the following: in relation to Item 6.1 Quay House, Admirals Way, London.

Pg 5 of the Minutes: Replace: 'the owners (of the Wardian Building) had been notified of the proposals and had not submitted any comments'

with:

'had not submitted an objections'.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee RESOLVED that:

- 1) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
- 2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision
- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

There are none.

5. PLANNING APPLICATIONS FOR DECISION

5.1 Former News International Site, 1 Virginia Street, London, E98 1XY (PA/19/00766)

Paul Buckenham, (Development Manager) introduced the application for the approval of reserved matters for Plot E of London Dock to provide a secondary school with associated works - pursuant to Condition 3 of planning permission PA/19/00764, related to the provision of details of the appearance, landscaping, layout, scale and mix of the school. Due to the number of representations, the application had been brought to the Committee for determination. Since the Committee report had been published a further two representations in objection had been received bringing the total to 45 letters of representation. The representations did not raise any new material issues and the outcome of the consultation would be reported during the presentation.

Katie Cooke (Planning Services) presented the report, describing the site location and surrounds. The principle of development had been set by the site allocation and part outline part detailed (hybrid) application approved in 2014. The matters reserved for determination only concerned: appearance, landscaping, layout, scale and mix of the school and concerned Plot E.

Three rounds of consultation were carried out and 44 representations were received, including one general comment. Issues raised included: concerns around height of the proposal, the amenity impacts and lack of consultation.

Officers considered that the proposals reflected the outline permission in terms of: the appearance, scale, the layout. This included the creation of landscaping and public realm to facilitate pupil access. The proposals would maintain a high quality environment and would comply with the planning policy.

The sunlight and daylight impacts on neighbouring properties were assessed as part of the s.73 application which was approved in November 2019 This had not changed. Therefore Officers remained of the view that the impacts in this regard as well as the impacts generally on amenity, would be minimal due to the conditions

Given the merits of the application, the Committee were recommended to approve the reserved matters application.

The Chair invited registered speakers to address the Committee.

Amanda Atkins addressed the Committee in objection on behalf of the residents of Telford Yard. Whilst not opposed to the provision of the school, she expressed concern about the impact on the Telford Yard that was a local heritage building. This was on the basis of the amenity issues, including noise from the proposed ventilation plant for the scheme. She also objected to the scale of the proposed school and the choice of location in one of the worst

polluted areas in London and the highway impacts. The issues had worsened since 2014.

Councillor Peter Golds, expressed concerns about the layout, appearance and landscaping issues. He stated that the local highway was one of the most polluted highways in London. The issues had worsened over recent years. This application failed to take into account the air quality issues. The pupils would suffer as a result. He also considered that there had been a fall in pupil numbers in the west of the borough, so this may result in an oversupply of school places.

Jennifer Woods (Planning consultant) spoke in support of the application. She provided further assurances that the plans complied with the hybrid application. She also provided assurances about the measures set out in the various control documents, that included an updated environmental assessment that had been robustly tested, and the quality of the design.

Vanessa Ogden (Executive Head Teacher, Mulberry School Academy) also addressed the Committee in support. She reported on the proposed school management arrangements. In particular the measures to ensure pupil safety. It was also confirmed that a number of the facilities would be open to the public. Every effort would be made to consult and listen to views about the management of the school.

Committee's Questions to Officers

In response to questions about the pollution issues, it was reported that:

- An update environmental statement had been submitted, as part of the minor material amendment's (Section 73) application
- Various locations were assessed, and the findings showed that these issues would accord with guidance
- A condition had been attached to ensure windows of the school would be sealed facing the Highway. The Council's Environmental Health Team considered that the measures were appropriate.

In response to questions about the width of the pavement and the access issues, it was noted that

- Access to and from the site would be controlled by conditions, through such measures as the use of marshals to manage student movements
- It was considered that the layout of the scheme should provide sufficient space for pupils to come and go (due to measures such as the setting back of the building and the provision of space to prevent students congregating on the highway).

In response to questions about the coach parking arrangements, the following issues were noted.

- Condition 57, of the outline permission, (as amended), concerned this issue. Details of the changes were set out in the Committee report. In summary the Council in consultation with TfL and LBTH Highways had advised the applicant to explore a more suitable place for coach parking given the issues with the narrowness of Virginia Street and Pennington Street.
- It was confirmed that condition 57 requires that a Road Safety Audit must be submitted, exploring the options for a suitable location for coach parking, for prior approval by the Council.

In response to further questions, it was noted that should this reserved matters application be approved, as part of the previous permission, conditions shall be secured in respect of public access to the facilities in accordance with the Sports England advice.

Questions to the applicant's representative

In response to questions about air pollution, Ms Ogden commented that, with the mitigation proposed, the pupils should benefit from clean air.

Regarding the access arrangements, she confirmed that the scheme had been carefully planned to ensure: the provision of safe and secure access for pupils and areas for the public to use. Other measures secured to facilitate pupil safety included: the closure of access points to the highway during the PM departure and the provision of a new pedestrian crossing across the highway.

On a vote 7 in favour, and 0 against, the Committee **RESOLVED:**

1. That the reserved matters application is **GRANTED** at Former News International Site, 1 Virginia Street, London, E98 1XY for the following development subject to the conditions and informatives set out in the Committee report.
 - Application for the approval of reserved matters for Plot E of London Dock to provide a secondary school with six forms of entry and a sixth form, a basement, public realm and school play space facilities, parking and associated highways works pursuant to Condition 3 of planning permission PA/19/00764, related to the provision of details of the appearance, landscaping, layout, scale and mix of the school. (PA/19/00766)

6. OTHER PLANNING MATTERS

6.1 Pre - Application Presentation: Stroudley Walk Market, Stroudley Walk, London (PF/18/00163)

The Committee noted the contents of the report and pre-application presentation

The meeting ended at 9.20 p.m.

Chair, Councillor John Pierce
Strategic Development Committee



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson. Members of the public in support	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under [Council Constitution, Part C Section 35](#) Planning Code of Conduct

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair’s discretion. The procedure for considering applications for decision shall be as follows:
 Note: there is normally no further public speaking on deferred items or other planning matters


- (1) Officers will introduce the item with a brief description.
- (2) Officers will present the report supported by a presentation.
- (3) Any objections that have registered to speak to address the Committee
- (4) The applicant and or any supporters that have registered to speak to address the Committee
- (5) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (6) The Committee may ask points of clarification of each speaker.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council’s website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then ‘browse meetings and agendas’ then ‘agenda management timetable’.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none"> • Development Committee Procedural Rules – Part C of the Council’s Constitution Section 35 Appendix B. • Terms of Reference for the Development Committee - Part B of the Council’s Constitution Section 19 (7). 	 <p>Council’s Constitution</p>



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

- 3.1 This is general advice to the Committee which will be supplemented by specific advice at the meeting as appropriate. The Committee is required to determine planning applications in accordance with the Development Plan and other material planning considerations. Virtually all planning decisions involve some kind of balancing exercise and the law sets out how this balancing exercise is to be undertaken. After conducting the balancing exercise, the Committee is able to make a decision within the spectrum allowed by the law. The decision as to whether to grant or refuse planning permission is governed by section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:

- the provisions of the Development Plan, so far as material to the application;
- any local finance considerations, so far as material to the application; and
- to any other material considerations.

- 3.2 What does it mean that Members must have regard to the Development Plan? Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains material policies (policies relevant to the application) and there are no other material considerations, the application should be determined in accordance with the Development Plan.

The Local Development Plan and Other Material Considerations

- 3.3 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
 - The London Plan 2016;

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
 - The Managing Development Document adopted in 2013.
- 3.4 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are material to each planning application, and to other material considerations. National Policy as set out in the National Planning Policy Framework 2019 (**NPPF**) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.5 One such consideration is emerging planning policy such as the Council's Local Plan¹ and the Mayor of London's New London Plan². The degree of weight which may be attached to emerging policies (unless material considerations indicate otherwise) depends on the stage of preparation of the emerging Development Plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the framework. As emerging planning policy progresses through formal stages prior to adoption, it accrues weight for the purposes of determining planning applications (NPPF, paragraph 48).
- 3.6 Having reached an advanced stage in the preparation process, the Local Plan now carries more weight as a material consideration in the determination of planning applications. However, the policies will not carry full weight until the Local Plan has been formally adopted. The New London Plan is at a less advanced stage of the adoption process.
- 3.7 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to take. Part of a Planning Officer's expert function in reporting to the Committee is to make an assessment of how much information to include in the report. Applicants and objectors may also want to direct Members to other provisions of the Development Plan (or other material considerations) which they believe to be material to the application.
- 3.8 The purpose of Planning Officer's report is to summarise and analyse those representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations.
- 3.9 Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local Finance Considerations

- 3.10 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration and both New Homes Bonus payments (**NHB**) and Community Infrastructure Levy (**CIL**) fall within this definition.

¹The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits' was submitted to the Secretary of state for Housing, Communities and Local Government to undergo an examination in public on 28 February 2018. As part of the examination process, the planning inspector held a series of hearing sessions from 6 September to 11 October 2018 to discuss the soundness of the Local Plan. The planning inspector has put forward a series of modifications as part of the examination process in order to make it sound and legally compliant. These modifications are out to consultation for a 6 week period from 25 March 2019.

² The draft New London Plan was published for public consultation in December 2017, The examination in public commenced on 15 January 2019 and is scheduled until mid to late May 2019.

- 3.11 Although NHB and CIL both qualify as “*local finance considerations*”, the key question is whether they are “material” to the specific planning application under consideration.
- 3.12 The prevailing view is that in some cases CIL and NHB can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a ‘material consideration’, it must relate to the planning merits of the development in question.
- 3.13 Accordingly, NHB or CIL money will be ‘material’ to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed Buildings and Conservation Areas

- 3.14 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.15 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.16 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and Natural Environment

- 3.17 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 3.18 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority “*must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”.

Crime and Disorder

- 3.19 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a “*dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)...*”

Transport Strategy

- 3.20 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and Human Rights

- 3.21 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (**Equality Act**) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.22 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.
- 3.23 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.24 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations). Subject to certain transitional arrangements set out in regulation 76 of the 2017 Regulations, the 2017 regulations revoke the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations).
- 3.25 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.26 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Third Party Representations

- 3.27 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to

take into account any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; and
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

- 3.33 Members are reminded that other areas of legislation cover aspects of building and construction and therefore do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.
- 3.34 The Committee has several choices when considering each planning application:
- To grant planning permission unconditionally;
 - To grant planning permission with conditions;
 - To refuse planning permission; or
 - To defer the decision for more information (including a site visit).

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at the Agenda Item: Recommendations and Procedure for Hearing Objections and Meeting Guidance.

5. RECOMMENDATION

5.1 The Committee to take any decisions recommended in the attached reports.



[click here for case file](#)

Application for Planning Permission

Reference	PA/19/01838
Site	267-269 East India Dock Road
Ward	Lansbury
Proposal	(Amended description): Internal and external alterations to the existing residential units at no. 267 East India Dock Road and proposed erection of a 163-bedroom hotel (C1 use class) comprising of a part four, and part-eighteen storey building over basement, with associated roof top plant room, ground floor servicing, car and bike parking and landscaping.
Summary Recommendation	Grant Planning Permission subject to conditions and borehole survey
Applicant	Acquired London Ltd
Architect/agent	Agenda 21
Case Officer	Katie Cooke
Key dates	Application validated 06/09/19 First round of public consultation finished on 30/10/19 Second round of public consultation finished on 12/12/19

EXECUTIVE SUMMARY

The proposed development comprises the erection of a 163-bedroom hotel (C1 use class) comprising of a part-four and part-eighteen storey building over basement, with associated roof top plant room, ground floor servicing, parking and landscaping, and extension and alterations to existing residential dwellings in 267 East India Dock Road.

In land use terms, given the sites location within the Chrisp Street district centre, a proposed hotel is considered appropriate for this location. The proposed C1 uses would be in conformity with the London Plan emerging policy E10 and current policy 4.5 and is supported by the GLA. The proposed uses would meet policy D.TC6 of the Tower Hamlets Local Plan (2031).

The height, massing and design are considered to appropriately respond to the local context. The building is considered to deliver a unique and high quality design which would be a positive contribution to the area.

In terms of daylight and sunlight, the proposal does not result in any material reductions to sunlight in reference of the BRE Guide to the neighbouring properties

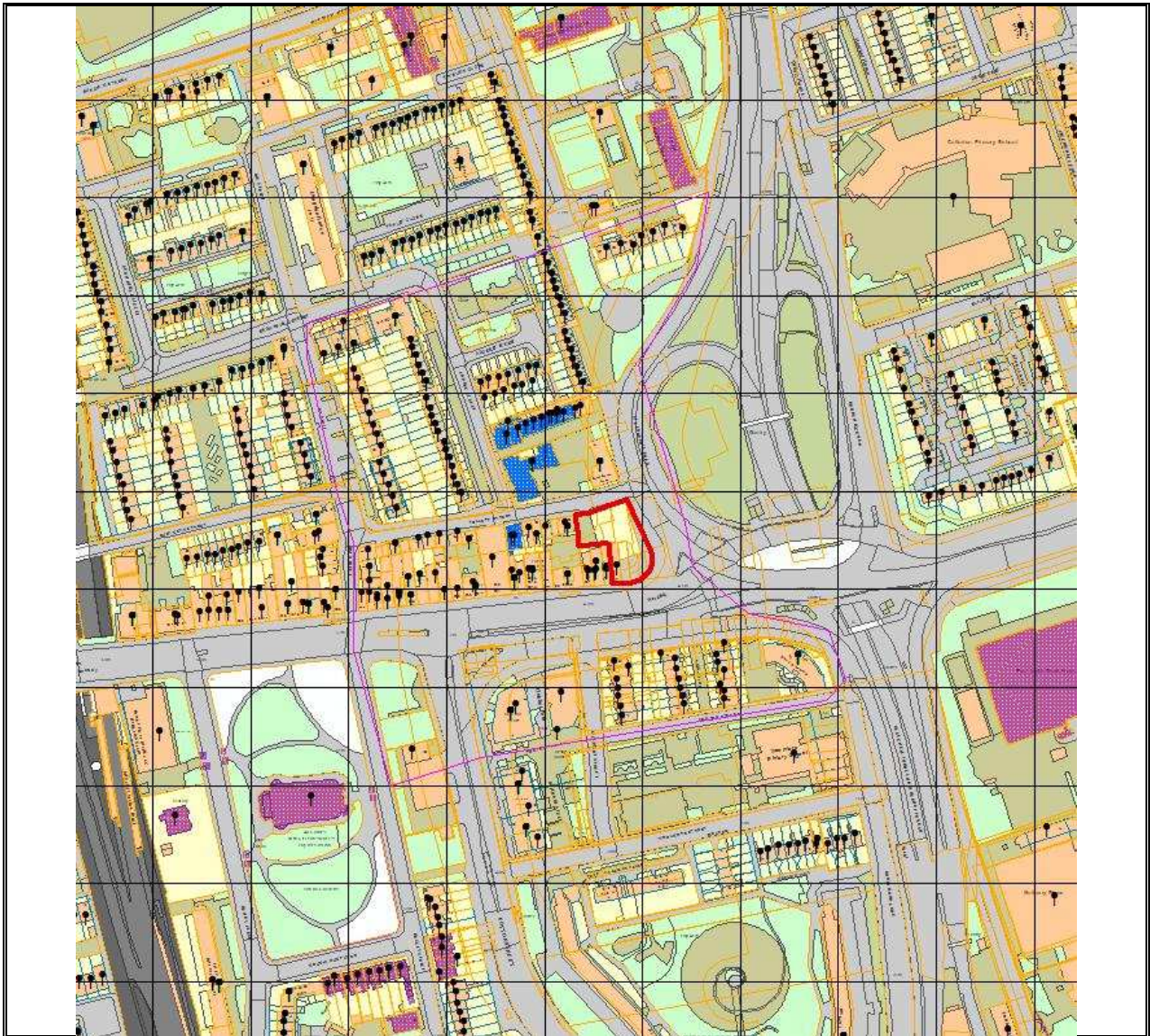
Parking access and servicing are considered to be acceptable subject to conditions and the submission of a Travel Plan.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements. Biodiversity enhancements are also proposed which are considered sufficient to meet policy requirements.








The scheme would be liable to both the Mayor of London's and the Borough's community infrastructure levy. In addition, it would provide a necessary and reasonable planning obligation to local employment and training.

Given the challenging location of the site, the future use is restricted. For example, residential would not be acceptable given the poor air quality levels. The proposals will provide regeneration benefits to the Crisp Street District Centre and Opportunity Area by bringing a largely derelict site back into active use which would improve the streetscape, economy and public realm.

SITE PLAN



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<ul style="list-style-type: none">  Planning Application Site Bound:  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/19/01462</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were</p>	 <p>TOWER HAMLETS London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 09 March 2020</p>

1 SITE AND SURROUNDINGS

- 1.1 The application site, approximately 0.1 hectares in size, is located on the northern side of East India Dock Road. Previously the site accommodated a public house which was demolished in 2011. Since then, this eastern part of the site has been vacant with the western part (no. 267 East India Dock Road), being used as a commercial unit at ground level with residential above.
- 1.2 The Site is bordered to the north by Follett Street, to the east by the A102 St Leonards Roads and to the south by the A13 East India Dock Road which is part of Transport for London's Strategic Road Network (TRLN). The Site is situated at the junction of St Leonards Road and Follet Street.
- 1.3 The Site is not listed nor located within a conservation area. Notwithstanding this, there are four Conservation Areas within the vicinity of the application site: the St Frideswide's Conservation Area, located immediately to the north and approximately 20 m to the west of the Site; the Balfron Tower Conservation Area, located approximately 60 m north; the All Saints Poplar Conservation Area, located approximately 95 m south-west of the Site; and the Naval Row Conservation Area, located approximately 200 m south-east of the Site.
- 1.4 The nearest station is All Saints, located 400 metres to the west of site is served by DLR routes between Stratford and Canary Wharf, via Poplar. Blackwall DLR station is also located approximately 550m south-east of the site between Beckton and Tower Gateway and Woolwich Arsenal and Bank, via London City Airport. Both stations have step free access.
- 1.5 The closest bus stops to the site are located on East India Dock Road and Bazely Street serving routes 15, 108, 115, D6, N15 and D8, all located within 300m walking distance of the site. The nearest cycle hire docking stations are at Chrisp Street Market (18 spaces) and at Naval Row (21 spaces). Cycle Way 3 (Barking to Tower Hill) is located approximately 400m south of the site on Poplar High Street. The site has a Public Transport Accessibility Level (PTAL) of 5.
- 1.6 The site is in a highly accessible location with excellent access to a range of public transport services (including bus and DLR) as well as facilities and services along East India Dock Road and in Chrisp Street Market.
- 1.7 The site is within the eastern part of the London Borough of Tower Hamlets and is located within the Mayor of London's Lower Lea Valley Opportunity Area. It is also situated to the north of the Isle of Dogs and South Poplar Opportunity Area
- 1.8 The Site is located within Flood Zone 2 and classified as 'more vulnerable'. The Flood Risk Assessment submitted with the application shows that the risk of the Development flooding from all sources is negligible.

2. PROPOSAL

- 2.1 The application proposes the redevelopment of the site for the erection of a 163-bedroom hotel (C1 use class) comprising of a part-four, part-eighteen storey building over basement, with associated roof top plant room, ground floor servicing, parking and landscaping, and extension and alterations to existing residential dwellings in 267 East India Dock Road.
- 2.2 The main pedestrian access is provided on a prominent corner at the junction of East India Dock Road and St Leonards Street on the site's southern frontage to East India Dock Road. This will provide access to the reception area. The vehicular access to the site will be taken from Follett Street, as per the existing vehicular arrangements for the site. The existing vehicular access will be widened and improved, with dropped kerbs and tactile paving provided across the access. The access will lead into the servicing and delivery area and to the disabled car parking spaces, bicycle store and bin store.
- 2.3 The residential units at 267 East India Dock Road will continue to be accessed from East India Dock Road with secure cycle parking provided at the front and bin stores to the rear of the property which can be serviced from the access from Follett Street.
- 2.4 It is intended that the resulting development would be car free. However the scheme includes two blue badge accessible car parking bays for the hotel scheme. The spaces will be provided to the northern boundary of the application site, off Follett Street.
- 2.5 The internal yard/ service area is proposed as shared space with high-quality finishes and generous planters. This space will serve as rear access to properties within 261-267 East India Dock Road neighbours and ground floor commercial uses
- 2.6 The proposals also include a complete upgrade of the urban realm around the building, including new paving, new trees, planters, benches and external lighting. The Development will also involve an extensive green roof, at 4th-floor level.
- 2.7 The existing residential dwellings have a new access and communal area fronting East India Dock Road. The existing studios, at the rear of the 267 East India Dock Road will have their rear windows enlarged and side windows removed. These studio apartments remain unaltered in all other respects.
- 2.8 The existing dwellings at the front of 267 East India Dock Road are enlarged and remodelled to ensure all habitable rooms are served by good sized windows and where possible external terraces provided.
- 2.9 In summary, in terms of materials, the proposal incorporates dark brickwork, patterns and textures, juxtaposed with light brickwork and smooth precast concrete frames.

3 RELEVANT PLANNING HISTORY

269 East India Dock Road

- 3.1 **PF/17/00056** - Pre application for a proposed 20 storey hotel
- 3.2 **PA/08/01234** - Demolition of existing two storey vacant public house and redevelopment of the site by the erection of a part three, part four, part seven storey building for mixed use comprising 24 self-contained flats (14 x one bedroom, six x

two bedroom and 4 x three-bed) and 180m² of commercial floor space at ground floor level to include cafe, restaurant(Class A3), Take-away(Class A5) and drinking establishments (A4) ancillary open space and two blue badge disabled parking spaces. Approved on 22.09.08

267 East India Dock Road

- 3.3 **PA/09/00080** – Construction of two additional floors plus loft floor, together with a four storey side and rear extension, to provide three x studio and four x one bedroom flats. Approved on 19.03.09
- 3.4 **PA/08/01356** – Erection of three additional floors plus loft floor to main building, with a 5 storey side/rear extension and internal alterations, to provide 5no. studio flats and 5no 1 bed flats. Refused on 24.12.08
- 3.5 **PA/03/00256** – Erection of two additional floors to main building with a four-storey rear extension to provide 4 no. studio flats and 3 no. one bedroom flats. Approved on 11.02.05
- 3.6 **PA/99/01542** - The erection of a two-storey residential extension to form 2 No. 1 bedroom s/c flats together with a 4-storey addition to provide an enclosed staircase. Approved on 29.05.01

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 356 planning notification letters were sent to nearby properties on 16.09.19. Site notices were displayed around the site on 01.10.19 and a press notice was advertised on 19.09.19.
- 4.2 A second public consultation was undertaken in November 2019 for a period of 14 days following the amended description of development.
- 4.3 The number of representations received in response to notification and publicity of the application is as follows:
- 2 letters of objection
 - 1 letter of support
- 4.4 The comments raised in objection to the proposal can be summarised as follows:
- Noisy building works
 - Invasion of privacy for rooms that overlook private areas (i.e. balconies adjacent to hotel)
 - Negative impact on property prices
 - Increase traffic and strangers in area
 - Impact on local business
 - Increase noise late at night
 - Increase in litter, air pollution, light and noise pollution
 - Request to be relocated to a new home during construction

4.5 The letter of support stated:

- It will make added value to the area and will create direct and indirect jobs for local community.

4.6 A programme of consultation with the wider community ran from 18th July to 15th August 2019, starting with the distribution of leaflets to local households, public buildings and businesses, introducing the scheme and advertising the consultation exhibition. A public consultation exercise was undertaken by the applicants on 25 July 2019.

4.7 The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since 2017.

5 CONSULTATION RESPONSES

LBTH Design

5.1 The proposed building reinstates street frontage along St Leonard Road with a double height lobby/reception, which has a positive contribution for this prominent corner.

5.2 Raised a number of concerns, including:

General arrangement

- Arrangement of bin/bike store on EID Road unacceptable – how does collection work – existing and proposed? Concerns over vehicles stopping on double red lines / agreement to allow council vehicles to collect from the hotel yard needed? Will council vehicles fit? Need new tracking done
- Size of residential lift looks small
- Poor solution for access route from Follett Street (pedestrian unfriendly service yard/ over scaled undercroft opening vs historic fabric / no active street frontage) – undercroft height needs reducing and made narrower , but large enough to allow emergency vehicles through

Built form and elevation

- R/ship between shape of tower and angled plinth
- Too many different types of fenestration on plinth and extended no 247 – should be read as 1 building
- Proposed copper cladding in recessed gap on 3rd floor is unsuccessful - design change required
- West and north elevations of tower are ‘less active’ are treated like rear elevations
- Further details of window openings required

5.3 These are addressed in design section of this report.

LBTH Transportation and Highways

5.4 Initially raised concerns regarding:

- Concerns with vehicles turning left out of the service yard onto Follett Street;
- Further details regarding the management of the accessible /blue badge parking spaces;
- A Condition restricting groups traveling by coach;
- Doors opening outwards onto the public highway on East India Dock Road;

- Bins/cycle layout for residential units on East India Dock Road
- A proportion (5%) of the cycle parking spaces to be accessible

- 5.5 The applicant submitted updated information taking on board above issues.
- 5.6 Whilst 2 accessible car parking spaces meet policy requirements given the number of uses additional spaces may be required. Details of how accessible parking spaces are managed should be included within the final travel plan and secured by condition/S106. Details of cycle storage, changing facilities and access should be secured by condition.
- 5.7 A Servicing Management Plan should be secured by condition to ensure there is no impact on the public highway and to reduce unnecessary vehicle trips.
- 5.8 Taxi journeys and coach drop offs will be discouraged and has been agreed with the applicant that they will not publicise such drop offs/parking on marketing material. The applicant should promote and encourage sustainable forms of transport through the use of wayfinding signage indicating the closest public transport links. A condition shall be attached restricting coach drop offs/pick-ups.

LBTH Waste Policy and Development

- 5.9 Initially raised concerns in relation to the bin stores to the residential units and the servicing. However the applicant submitted a revised waste management strategy which has since been reviewed by officers who are now satisfied with the proposals.

LBTH Environmental Health (Air Quality)

- 5.10 No objections subject to conditions.
- 5.11 The air quality officer stated in his comments that not all of the national air quality objectives apply to this application as it is a hotel (non- long term habitable place to reside). The air quality objectives that are assessed for this type of development are predicted to be met. Should this site wish to be/apply for change in planning use to residential then a further air quality assessment will be required to assess air quality for that use.

LBTH Environmental Health (Noise/Vibration)

- 5.12 No objection subject to recommended conditions

5.13 LBTH Environmental Health (Contaminated Land)

- 5.14 No objection subject to conditions

LBTH Sustainable Urban Drainage

- 5.15 A detailed surface water drainage scheme will need to be submitted to LPA prior to works commencing as such a pre-commencement condition will be necessary to secure this.

LBTH Biodiversity

- 5.16 The application site has no significant existing biodiversity value. No objection subject to biodiversity enhancements being secured by condition

LBTH Energy Efficiency

5.17 The revised proposals are generally supported and should be secured through appropriate conditions and planning contributions for:

Delivery of anticipated 56% reduction in onsite CO2 emissions incl. submission of a post completion verification report with the as built calculations to demonstrate the reduction in CO2 emissions have been delivered on-site (demonstrate compliance with Local Plan D.ES7).

- Prior to commencement submit a statement setting out:
 - Proposals for how energy demand and carbon dioxide emissions post-construction will be monitored annually (for at least five years).
 - Proposals explaining how the site has been future-proofed to achieve zero-carbon on-site emissions by 2050. (London Plan policy SI2 requirements for monitoring and future-proofing)
- S106 contribution of £219,600 to achieve net-zero carbon development

5.18 In relation to sustainability, current policy DM29 seeks for the highest standards of sustainable design and construction. Emerging policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'excellent' rating'.

5.19 The submitted a BREEAM Pre-Assessment shows the scheme is designed to achieve a BREEAM Excellent Rating with a score of 74.9%. This is in accordance with policy and should be secured via Condition.

LBTH Policy

5.20 No objection

LBTH Town Centres

5.21 No objection

LBTH EIA (Wind)

5.22 No objection

LBTH HIA

5.23 No objection

LBTH Trees

5.24 No comments received

Environment Agency

5.25 No objection

Historic England/GLAAS

5.26 Initially GLAAS requested that further information is provided due to the lack of information provided as part of the planning application. As such, the application provided an updated Heritage Statement.

- 5.27 GLAAS confirmed that the updated Heritage Statement was acceptable and that a borehole programme to inform on the harm created by the scheme is provided.
- 5.28 In order to work proactively with the applicant and given the significant costs/amount of work required to undertake the borehole assessment pre planning permission being granted, officers will request that should planning permission be granted, the applicant must carry out this borehole programme post committee/prior to the decision notice being issued. GLAAS will continue to be consulted throughout the process and appropriate conditions will be attached to the permission following the results of the survey.

London City Airport

- 5.29 No objection subject to 2 conditions (details of cranes and bird management strategy in relation to green and brown roofs).
- 5.30 However the proposed wording was considered onerous by virtue of making all green and brown roofs unattractive to birds. Notwithstanding this, a condition will be attached requiring the applicant to provide details of the green and brown roofs and what measures shall be used to discourage birds to the site.

Cadent Gas

- 5.31 No objections

Thames Water

- 5.32 No objection subject to condition

TfL – Land Use Planning

- 5.33 Provide justification for the need for an on-site drop off/ pickup area for a minibus
- 5.34 Undertake Swept path analysis to demonstrate how vehicles using Blue Badge holder spaces can enter and egress the spaces safely.
- 5.35 Undertake an ATZ assessment as part of their TA and from this identify walking and cycle route deficiencies and appropriate improvements that should be funded or delivered with this development. Improvements identified within the ATZ assessment will need to be incorporated into the site's S278 works by Tower Hamlets and the applicant following discussion with TfL and the A13 DBFO team. A breakdown of two-way public-transport trips by bus and the DLR should be provided.
- 5.36 Public realm works proposed outside the site boundary are on TfL highway and would be subject to a legal agreement between TfL and the applicant and those located on the A13 DBFO (Design Build Finance Operate) network will need to be agreed with the DBFO contractor. Land adjacent to no.269 EIDR will need to be stopped up prior to the release of DBFO/ RMS managed land and the commencement of any public realm improvement works. Any change to the TLRN will require a s278 agreement with TfL. More detail is required regarding the proposed relocation of TfL and DBFO managed assets.
- 5.37 Long and short stay cycle parking quantum must comply with the requirements of the draft London Plan. The location of cycle parking should be reconsidered to address

user safety concerns as a result of the current conflict of use with operational deliveries. The details of all cycle parking should be indicated within the secured Parking Design and Management Plan.

- 5.38 Secure the provision of Electric vehicle charging points, passive provision and blue badge spaces by conditions.
- 5.39 Improve the Travel Plan in light of comments and secured by S106 Agreement.
- 5.40 Both a DSP and CLP in full should be secured by condition prior to the commencement of works on site. The location of the off-site holding area should be mapped within the full CLP and should be approved by LBTH before operations commence. TfL owned trees on St Leonards Road must be protected during construction works.
- 5.41 Secure appropriate Mayor CIL payment from the proposal toward Crossrail.

Greater London Authority

- 5.42 The principle of developing the site in the Isle of Dogs & South Poplar Opportunity Area to provide a new 163 bedroom hotel and opportunity area location is acceptable.
- 5.43 GLA requested an operational statement is provided setting out the proposed scope of the hotel, however, officers are satisfied that the operation of use is controlled by the use class, as such, an operational statement has not been requested. However, in order to ensure that the hotel is used for short term stays, a condition shall be attached to the permission securing the use.
- 5.44 Whilst the scale and massing is acceptable in strategic planning terms, the architectural treatment requires refinement. The proposals would not harm nearby heritage assets.
- 5.45 The drop-off/ pick-up area should be fully justified- Its removal could reduce conflicts with disabled parking and the residential right of way. Cycle parking provision should be revised and the quantum increased to comply with draft London Plan policy. Amendments to the Transport Assessment are required.
- 5.46 The applicant should provide further detail on the proposed ASHP and PV provision. The shortfall in CO2 reductions should be met through an offset contribution.
- 5.47 Energy officers at the GLA requested that the applicant provide the following:
 - should confirm the emissions factors used and submit the GLA spreadsheet.
 - should assess the Be Lean case and ensure they are using the correct baseline.
 - Dynamic overheating analysis and further passive measures are required to reduce the cooling demand.
 - should further investigate connection to district heating and provide details on their future-proofing for this.
 - should consider the potential for PV.
 - Further information required on the heat pumps proposed.

- Details in relation to the Urban Greening Factor to be provided

Notwithstanding the above which can be resolved by conditioning a revised energy statement, the Council's Energy officer is satisfied with the details provided subject to the conditions and the cash in lieu payment of £219,600.

Metropolitan Police (Designing Out Crime)

5.48 No objection subject to condition

London Fire Brigade

5.49 No objection

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 The NPPF (2019), which the Development Plan needs to be in accordance with, sets out the Government's planning policies for England and how these should be applied and provides a framework within which locally-prepared plans for housing and other development can be produced. The purpose of the planning system is to contribute to the achievement of sustainable development which has the following three overarching objectives: economic, social and environmental.

6.3 The adopted Development Plan comprises:

- The London Plan (2016, LP) and
- Tower Hamlets Local Plan 2031(adopted January 2020)

6.4 The key adopted development plan policies relevant to the determination of this proposal are:

Land Use

Local Plan policies - S.SG1, D.TC6, S.EMP1, D.SG3

London Plan policies – LP3.14, LP4.5, LP4.7, LP2.13, LP2.15, LP2.16,

Design and Heritage - (*layout, townscape, massing, heights and appearance, materials, heritage*)

Local Plan policies - S.DH1, D.DH2, S.DH3, D.DH4, D.DH6, D.DH8

London Plan policies – LP7.1 - 7.8

Amenity - (*privacy, outlook, daylight and sunlight, noise, construction impacts*)

Local Plan policies - D.DH8,

London Plan policies – LP7.6, LP 7.14, LP7.15

Transport - (*sustainable transport, highway safety, car and cycle parking, servicing*)

Local Plan policies - S.TR1, D.TR2, D.TR3 D.TR4

London Plan policies – LP 6.1, LP6.3, LP6.5- LP6.13

Environment - *(energy efficiency, air quality, odour, noise, waste, biodiversity, flooding and drainage, Thames Water and contaminated land)*

Local Plan policies – S.SG2, D.SG3, S.ES1, D.ES7, D.ES2, D.ES9, D.ES3, D.ES4, D.ES5, D.ES7, D.ES8

London Plan policies – LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21,

6.5 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)

Emerging Policy

6.6 On the 9th of December, the Mayor published his 'intend to publish' version of the London Plan. This version of the Plan is now being considered by the Secretary of State, who may, on or before 16th March 2020, issue a direction to the GLA to amend the Plan if required. The Plan cannot be published (adopted) until any such direction has been addressed. It is anticipated therefore that the final Plan will be published circa April 2020. The policies in this emerging document, given its advanced stage, carry substantial weight.

6.7 The key emerging London Plan policies relevant to the determination of this application are:

Land Use - *(hotel)*

- New London Plan policies – E10, SD7, SD1, H1, H10

Design and Heritage - *(layout, townscape, massing, heights and appearance, material heritage)*

- New London Plan policies – D1A+B, D2, D3, D4, D7, D8, D9, D10, D11, HC1

Amenity - *(privacy, outlook, daylight and sunlight, noise, construction impacts)*

- New London Plan policies – D13.

Transport - *(sustainable transport, highway safety, car and cycle parking, servicing)*

- New London Plan policies – T1, T2, T3, T4, T5, T6, T6.1, T6.4, T6.5, T7, T9

Environment - *(energy efficiency, air quality, odour, noise, waste, biodiversity, flooding and drainage, Thames Water and contaminated land)*

- New London Plan policies – SI2, SI3, SI12, SI13, G6

7 PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Design
- iii. Heritage
- iv. Neighbouring Amenity
- v. Transport and Servicing
- vi. Infrastructure Impact

- vii. Microclimate
- viii. Human Rights and Equalities

Land Use

- 7.2 The proposal is to redevelop the site for the erection of a 163-bedroom hotel (C1 use class) comprising of a part-four, part-eighteen storey building over basement, with associated roof top plant room, ground floor servicing, parking and landscaping, and extension and alterations to existing residential dwellings in 267 East India Dock Road.

London Plan Policy

- 7.3 London Plan (2016) Policy 4.5 'London's Visitor infrastructure' broadly supports visitor accommodation and recognises the contribution it makes to supporting the economy and stimulating growth. The policy seeks to ensure visitor accommodation is in appropriate locations such as: town centres; in areas with good PTAL; the CAZ fringe; and near to major visitor attractions of regional or sub-regional importance. Specifically it seeks to achieve 40,000 net additional hotel bedrooms by 2036, with at least 10% wheelchair accessible.
- 7.4 Draft London Plan policy E10 broadly re-iterates the existing policy albeit it updates the demand for additional rooms. The evidence for increased demand is from the GLA Working Paper 88 which outlines the projections for demand and supply until 2050. The estimate is 58,000 additional rooms will be required by 2041.
- 7.5 The site is located within the Lower Lea Valley Opportunity Area and within the Crisp Street district centre with a PTAL of 5, indicating excellent public transport accessibility. Such areas have been identified for their ability to accommodate significant development of residential and non- residential uses.

Local Policy

- 7.6 Policy D.TC6 states that short stay accommodation will be supported in the following locations:
- Central Activities Zone (CAZ)
 - Canary Wharf (Major Centre)
 - Tower Hamlets Activity Areas
 - District centres
 - or along primary routes where adjacent to transport interchanges
- 7.7 The policy further highlights a number of criteria that new short stay accommodation developments would be required to meet:
- a. the size, scale and nature of the proposal is proportionate to its location
 - b. it does not create an over-concentration of such accommodation, taking account of other proposals and unimplemented consents in the local area

- c. it does not compromise the supply of land for new homes (in accordance with our housing trajectory) or jobs and our ability to meet the borough's housing and employment targets, and
- d. the applicant can demonstrate adequate access and servicing arrangements appropriate to the scale, nature and location of the proposal.

Assessment

Proposed C1 Uses

- 7.8 Given the sites location within the Lower Lea Valley Opportunity Area and within the Chrisp Street district centre a proposed hotel use is considered appropriate for this location. The scale of the building would be similar to other high density developments within the area and would comply with criterion a of policy D.TC6.
- 7.9 Part b of Policy D.TC6 is related to the number of existing hotels and whether there would be an over-concentration of such uses. The applicant has submitted an Economic Statement which has highlighted a lack of product diversity within the local market, and a need for a mid-range product. The GLA Working Paper 88 highlights that there is a demonstrable need for hotel accommodation across inner London. The site's proximity to Canary Wharf, London City Airport and with direct connections to central London means the site is suitably located to serve both leisure and business visitors.
- 7.10 The application site is constrained by East India Dock Road (A13) to the south) and St Leonards Road (A12) and the Blackwall Tunnel Approach to the east and limits the potential developable area. Given the limited opportunities to provide good quality public realm and external child play space due to the limited plot size and the site constraints, and given the poor air quality levels of the area, it is not considered that a new residential use would be easily delivered on the site. In their consultation response to previous applications, the GLA have indicated that they are not minded to accept a residential use on this site due to the poor air quality that it suffers.
- 7.11 With respect to Part c of policy D.TC6, the proposal is not land allocated for housing in the Local Plan. In addition its location adjacent to the A12 means it is unlikely that housing would be suitable in this location with respect to noise and air quality.
- 7.12 Part d is assessed within the Transport and Servicing section of this report and demonstrates that the uses would have appropriate servicing and access.

Existing Housing

- 7.13 Policy S.H1 of the Local Plan seeks to protect residential floor space or family units. This is mirrored in policy 3.14 of the London Plan (2016).

Conclusions

- 7.14 The proposed hotel and apartment accommodation would support growth and would help meet the projected demand for additional rooms within London. The scale and nature of the proposal is considered appropriate for the location of the site within the Chrisp Street District Centre.
- 7.15 The development will be a mid-range hotel which will attract business travellers and tourists to the local area who might not otherwise visit this part of London. The

provision of the hotel will deliver considerable social and economic benefits in terms of direct employment opportunities in the hotel and restaurant as well as the increased visitor spend at local shops and restaurants resulting from the additional footfall.

- 7.16 The proposal would be in conformity with the London Plan emerging policy E10 and current policy 4.5 and is strongly supported by the GLA. The proposed uses would meet policy D.TC6 of the Tower Hamlets Local Plan (2031). In land use terms the proposal would be acceptable.

Design

- 7.17 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.18 Policy S.DH1 of the Local Plan (2020) requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Development should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 7.19 Policy D.DH4 requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted. Development will be required to demonstrate how it:
- a) complies with the requirements of the London View Management Framework and World Heritage Site Management Plans (Tower of London and Maritime Greenwich)
 - b) positively contributes to the skyline of strategic importance, forming from the silhouettes of tall building clusters around Canary Wharf (as defined on the Policies Map)
 - c) preserves or enhances the prominence of borough-designated landmarks and the skyline of strategic importance in the borough-designated views (as defined in Figure 6)
 - d) preserves or enhances local views identified in conservation area appraisals and management guidelines
 - e) preserves or enhances visual connection of the public realm with water spaces, and
 - f) preserves or enhances townscape and views to and from the site which are important to the identity and character of the
- 7.20 The Tall Buildings policy D.DH6 sets out the criteria for assessing the appropriateness of a tall building. The policy further directs tall buildings towards the designated tall building zones.
- 7.21 Specifically part 3 of policy D.DH6 relates to developments outside the tall building zones and states that tall building proposals (including those on site allocations) will be supported provided they meet the criteria set out in Part 1 and can demonstrate how they will:

- a. be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas
- b. address deficiencies in the provision of strategic infrastructure
- c. significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
- d. not undermine the prominence and/or integrity of existing landmark buildings and tall building zones (taking account of the principles set out in Figure 8).

Height, Scale and Massing

- 7.22 By virtue of the site falling outside of the Blackwall Tall Building Zone, part 3 of policy D.DH6 is of particular relevance.
- 7.23 In relation to 3a of this paragraph, and, as set out earlier in this report, the site has a PTAL of 5 and is located within Chrisp Street District Centre.
- 7.24 In terms of 3b, the site will address deficiencies in the provision of strategic infrastructure through the financial contributions sought through the Mayoral CIL and Tower Hamlets own CIL, as well as financial and non-financial contributions secured through the s106.
- 7.25 3c requires that proposals strengthen the legibility of the District Centre, in this case, the site is located at the eastern end of the Chrisp Street District Centre, at a major traffic intersection (entrance to the Blackwall Tunnel) and serves as a gateway into the district Centre as one arrives from the east along the A13, and north and south from the A12. . The proposals would create a 'sense of arrival' and sign the beginning of the wider Chrisp Street Market regeneration scheme which was approved (planning reference: PA.16.01612) on 25/03/19.
- 7.26 Furthermore, the Site is located in an Opportunity Area and is in an area of relatively tall buildings including the Blackwall Reach redevelopment. There are several examples of tall buildings in the vicinity, including the SWAN Housing Association Blackwall Reach Building (14 storeys) and the All Saints Tower (14 storeys) on East India Dock Road, Balfron Tower (26 storeys) on St Leonard's Road, and Panoramic Tower near the Chrisp Street Market (21 storeys). The proposed hotel would therefore constitute a local landmark but the scale of the development would be in keeping with the wider context.
- 7.27 With reference to 3d of Policy D.DH6, the proposals would complement the surrounding tall buildings around the site. It would be within the range evident among existing buildings in the area.
- 7.28 The massing of the proposal seeks to provide a four-story plinth element and an 18 storey-height tower. The height of these elements would relate well to nearby lower and medium scale buildings to the west and north of the application site, while helping to break up the overall scale of the proposed development.
- 7.29 Whilst the site is not located within a conservation area, it is adjacent to the St Frideswide's Conservation Area, located immediately to the north. As set out in the

Heritage Statement, Officers agree with the assessment in the Applicant's Heritage Statement that the scheme will have a neutral to slightly beneficial impact on the Conservation Area.

- 7.30 The proposals seek to improve the space to the east and the start of the District Centre leading to All Saints Station. The building is in line with the District Centre frontage and forms a book end. It integrates the wider context presented by the other three towers at each corner of the urban block defined by the Balfroon Tower (listed building), Panoramic Tower on Hay Currie Street and All Saints Station tower and the future taller Chrisp Street Market tower .

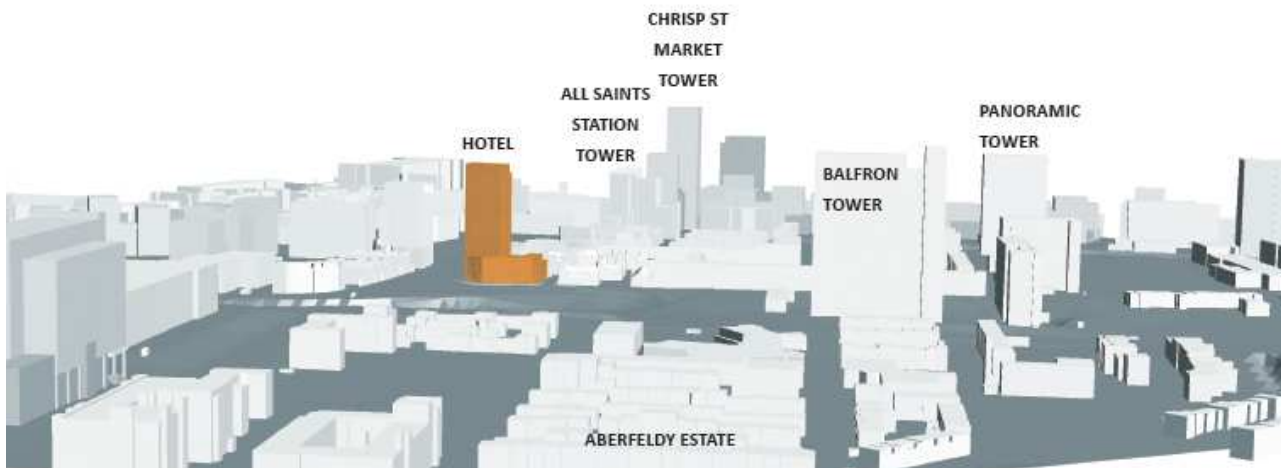


Figure 1: An eastward view of the site and surrounding towers

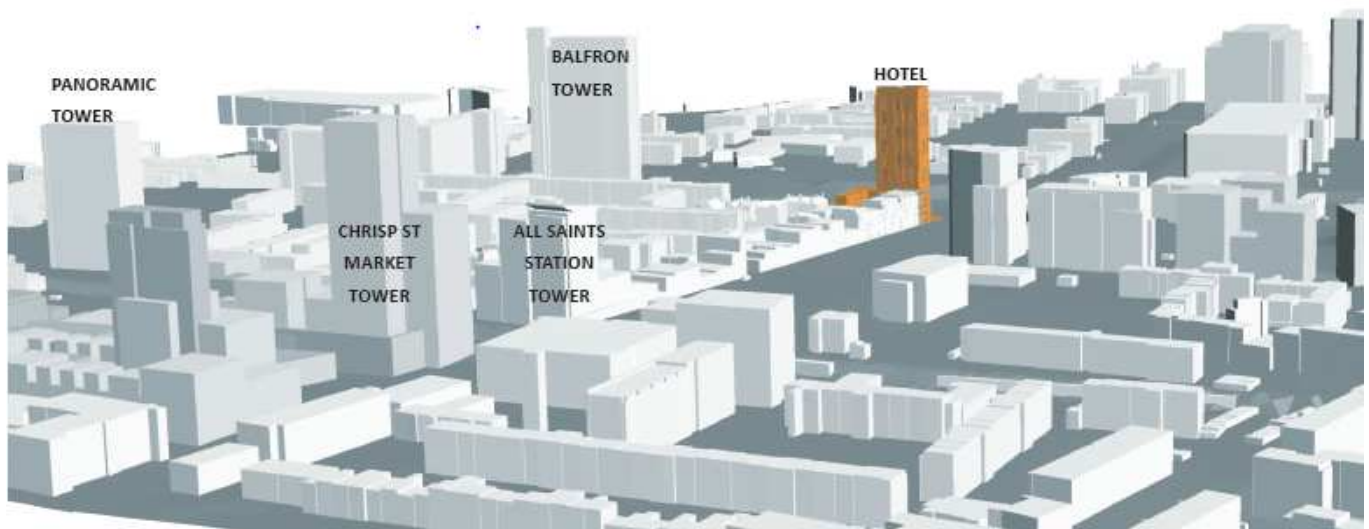


Figure 2: A westwards view of the site

- 7.31 As part of the initial consultation comments, the Council's design officer acknowledged that the proposed four-storey plinth continues the adjacent low rise building heights along East India Dock Road and Follet Street, reflecting the immediate site context of which is coherent low-rise streetscape and rooflines, with heights between two to four storeys.
- 7.32 LBTH Design officers have raised concerns about the height of the 18 storey tower outside the tall building zone and consider that it fails to deliver an appropriate massing approach which is sensitive to the context of its surroundings.

Notwithstanding this, planning officers have assessed the proposals against the relevant planning policies and against what benefits the scheme would bring to the wider area.

- 7.33 Officers consider that the proposed tower would fit in with the surrounding height, bulk and massing of nearby buildings, which include a number of towers, in the wider vicinity of the site whilst not detracting from the nearby tall building zone. At present, the majority of the site lies vacant and provides minimal attraction to the District Centre.
- 7.34 The GLA have acknowledged that the 18 storey tower represents a significant step change from the prevailing height of adjoining and immediately surrounding properties of 4-5 storeys. Furthermore they have stated that there is precedent for this scale within the wider townscape context and the height does not raise a strategic concern.
- 7.35 In addition to the above, LBTH design officers raised concerns with regards to No access to the rear of 261, 263 & 265 East India Dock Road. Concerns were also raised with regards to conflict between pedestrian movement and the service yard with particular reference to the over-scaled undercroft opening compared to the adjacent historic fabric, and no proper active street frontage on the ground floor. As the proposed ground floor uses facing Follet Street are dominated by solid wall and service yard, it seems to treat the street as a rear service space. Therefore, it has a negative impact on the street frontage, pedestrian activity and the historic fabric along Follet Street.



Figure 3: View of the revised Follett Street frontage and Hotel forecourt

- 7.36 Officers met with the applicant post submission of the application to discuss consultee comments, which included the Follett Street elevation. Since this meeting,

the applicant has amended the elevation with additional glazing at street level to add some active frontage. The gateway leading to the shared courtyard has been reframed with a lower line (at 4.50m clearance instead of 5.0m) and narrowed opening (by 1m) with white concrete columns supporting the structure above framing the entrance and hiding the bin store door from views along Follett street. Planners consider the proposals to be an improvement and raise no objection.

- 7.37 When assessing the Follet Street elevation against the prevailing building heights of this street, planning officers are satisfied that this element of the building alone, would sit within the context of the neighbouring heights.
- 7.38 Furthermore, the GLA have not raised issue in relation to this elevation. The GLA do not consider that the proposals have an impact on the designated assets in the surrounding area and agree that the proposals will have a neutral to beneficial impact on the adjacent St Frideswides' Conservation Area.

Appearance and materials

Tower

- 7.39 The tower is split in to two volumes in line with its internal circulation and structure, thus highlighting the street corner and enhancing its slenderness. The composition of the tower with two interlocking volumes is highlighted by contrasting choice of brickwork.
- 7.40 A darker brick of the plinth is used with a different, modern pattern and texture for the book formed by the West-facing frontage, addressing the long-distance approach from All Saints Station. The elevation is composed of two-storey groups with vertically continuous windows alternating with splay panels (adding depth and shadows) and hit-and-miss brickwork adding a rougher texture in panels catching the light. The horizontal banding completes the composition. As it is highly visible from the main thoroughfare at pedestrian level, the western elevation is designed to change appearance during the day, depending on the incidence of light and sun reflection on the dark brick.
- 7.41 The darker element forms a contrasting backdrop for the lighter half of the tower. A strong grid of cream-white smooth pre-cast concrete matrix organises the façade with deep reveals split between full height windows and light cream-coloured brickwork with a flush light mortar finish. The light-coloured element thus greets people crossing the Blackwall Tunnel Approach.

Podium

- 7.42 The lower part of the building is designed to form a transition between the continuity of the Follett Street and high street frontages and the new St Leonards elevation. The three-storey part uses a grey-brown brick as a unifying element between the three different frontage configuration.
- 7.43 Along the East India Dock Road frontage, the existing poor quality brickwork of the property at no. 267 is replaced with a new facade, blending the residential element within the composition. The corner is formed by a strong plain element to form the book end of the shopping parade. A recessed brick Hotel sign is proposed as large, yet subtle, feature.

- 7.44 Turning the corner, the main frontage steps away from the kerb and forms a forecourt for the Hotel. The double height space of the hotel foyer opens onto the road junction. A series of deep and textured brick columns raise the first floor above a strong continuous cream white pre-cast lintel. As the facade runs north, the large glazing reduces with vertical panels addressing the change of layouts behind. A series of copper-coloured metal planters brightens the pedestrian experience along St-Leonards Road.
- 7.45 The Council's design officer raised no objections to the proposed materials, however a condition will be attached as requested by the GLA requiring submission of samples in order to safeguard amenity and ensure the scheme delivers the highest quality architectural treatments.
- 7.46 The design officer raised further issues in relation to the built form and elevation. Firstly, the relationship between the shape of the tower and the angled form of the plinth appears arbitrary. It seems that the tower has landed on the plinth by accident when viewed from specific perspectives. Secondly, there are too many different types of fenestration on the plinth and the extended no. 247. It appears confusing, as they should be read as one building. The elevation on the extended no. 247, which lacks proper architectural details, appears crude and poorly designed. Thirdly, the proposed copper cladding used for the 'recessed' gap on the third floor is considered less successful; it does not provide a neat and sleek contrast as a joint between the plinth and the tower. Fourthly, the west and north elevations of the tower are considered to be less 'active' and they are treated as rear elevations, which are not appropriate for a prominent tower
- 7.47 As part of the post submission dialogue with the applicant, they have since submitted updated drawings and a revised Design and Access Statement. The plinth has been revised to improve the detailing of the residential part at 267 East India Dock Road, with similar window detailing to the Follett Street elevation, adding depth, reveals and precast lintels and cills. Above this part, the copper cladding to the third floor recessed gap between the plinth and the tower has been omitted and replaced with a secret-fixed back-painted opaque glass, with a light-grey blue colour to contrast with the grey-brown brickwork in both texture and tone.
- 7.48 Also, in order to address the comments made by the GLA and LBTHs design officer in relation to the fenestration, the tower has been revised with two extra vertical lines of windows on the northern elevation, replacing brickwork, and 6 no. additional double-height windows to break up the massing of the western elevation.
- 7.49 In terms of the design officer's comment regarding how the shape of the tower and the angled form of the plinth appears arbitrary, planning officers consider that the tower and the plinth first of all address the East India Dock Road frontage and hence the perpendicular orientation. This is also the same broad north/south orientation of the other tall buildings in the area, such as the Blackwall Reach corner of Cotton St and East India Dock Road and Balfron Tower.
- 7.50 In addition, the tower has the rational and elegant shape which is derived from the internal plan – hence the rectilinear shape. However given the unusual shape of the site (formed by the road network and dictated by turning curves and sightlines), the architects took the opportunity to make it address the corner at the lower levels, providing more space for facilities and recognising the shape of the site.

7.51 In terms of the façade to 267 East India Dock Road, the proposed materials incorporate dark brickwork, patterns and textures, juxtaposed with light brickwork and smooth precast concrete frames.



Figure 4: Eastern elevation from St Leonards Road



Figure 5: Main elevation from corner of East India Dock Road and St Leonards Road.

General Arrangement

- 7.52 In terms of layout, the podium element of the design will offer a transition between the human scale of Follett Street and the larger scale of the tower, which will be set back from the frontage of Follett Street. The podium relates to the existing four-storey buildings on East India Dock Road while the tower element will be confined to the south eastern end of the site so that the appearance at street level will be of a human scale proportionate to the existing scale of development along Follett Street and East India Dock Road. Overall the layout to the building would respond well to the surrounding context and the ground floor reception area would be clearly legible.
- 7.53 Whilst the proposed building reinstates the street frontage along St Leonard Road with a double height lobby/reception and is seen as having a positive contribution for this prominent corner; officers (highways, design and planning) considered the arrangement and treatment of the proposed bin store on the East India Dock Road to be poorly considered. It is overly prominent and inappropriate for the main street frontage of the District Centre.
- 7.54 In light of the above, the applicant revised the plans and proposals and amended the ground floor layout, moving the bin stores to the rear of the 267 East India Dock Road with no door opening onto the public highway to enable both spaces to be separate and secure.
- 7.55 In terms of the layout for the residential units, access will remain as existing from East India Dock Road. The existing residential dwellings will have a new access and communal area front the East India Dock Road. Residents will enter through a secure front door and pass through a secure cycle parking area where residents can store their bikes before passing through to the central core where the stairs and a lift are located.
- 7.56 The number of residential units for 267 East India Dock Road will remain as 7 and will be subject to internal reconfigurations to ensure all habitable rooms are served by good size windows and meet the minimum room sizes. Given that the east flank wall of these properties will now be shared with the adjoining hotel, the rear windows on the northern elevation will be enlarged to improved amenity.
- 7.57 The internal yard/ service area off Follett Street is proposed as shared space with high-quality finishes and generous planters forming a green screen backdrop and canopy welcoming guests and rear access to properties within 261-267 East India Dock Road neighbours and ground floor commercial uses
- 7.58 The proposals also include a complete upgrade of the urban realm around the building, including new paving, new trees, planters, benches and external lighting. The Development will also involve an extensive green roof, at 4th-floor level.
- 7.59 With regard to the hotel, the main entrance point is from East India Dock Road. Visitors will enter here into the lobby and reception. The lobby / reception area will be a double height space with offices on the northern parts.

- 7.60 The typical floor plates from ground to third floor wrap around from East India Dock Road to Follett Street, then from 4th -18th floor, the hotel rooms are provided on just the East India Dock Road/St Leonards Street side.
- 7.61 A basement is provided in respect to just the hotel and includes back of house spaces, kitchen and the restaurant.
- 7.62 In terms of inclusive access, and in response to GLAs comments, the applicant has since submitted further detailed layouts illustrating where the 10 % wheelchair-accessible rooms are (16 no.). 6 no. additional rooms in the tower are also *de facto* accessible, delivering a total of 22 no. out of 163. This will be conditioned.
- 7.63 As part of the GLA's Stage 1 response, they requested that the applicant submit a Fire Statement to ensure that the proposal complies with Policy D11 of the London Plan which requires proposal to achieve the highest standard of fire safety. As such, a condition shall be attached.

Safety and Security

- 7.64 The site is open to the public at all times. The project offers a positive change of environment from the existing condition and will enhance the public realm, adding active frontage to the three street frontages. Street lighting shall be re-positioned to allow for a better night-time illumination in relation to the new building.
- 7.65 The Follett Street forecourt offers pedestrian access to the neighbours at no. 261-267 East India Dock Road. Passive surveillance is provided by the administration at mezzanine level and greeting staff in the foyer. The large glazed openings convey the impression to passers-by that this forecourt is over looked and will be discreetly policed. Detailed landscape design and external lighting will reinforce this impression.
- 7.66 The bike store is covered and secured by lockable doors. The bins store is entirely enclosed and accessible to the hotel staff only. A discreet CCTV installation will add security for the Hotel management team.
- 7.67 Overall the activation of this vacant site and the surrounding public realm is positive and this will increase the level of natural surveillance in and around the site.
- 7.68 A condition will be attached to the schedule requesting that a Secure by Design accreditation is achieved.

Landscaping

- 7.69 The north entrance forecourt is a shared semi-covered space, which primarily hosts vehicular entrance/exit., namely the 2 accessible parking spaces, in continuity with the foyer. All servicing of the hotel also operates from this space with a large delivery bay tucked away from the main footfall.
- 7.70 This space is designed as urban courtyard to provide a sense of arrival to both guests and neighbours using this space on their way to their homes. High-quality paving materials, coupled with generous planters and a green screen along the boundaries to the neighbours' rear yards ensure a robust finish and welcoming sense of arrival.

7.71 Around the site, the Foyer supplemented by a hard landscaping enhancement scheme up to the kerb, including the 3no. *preserved Plane trees*. The focus is ensure that the new finish is robust and brought up to the similar high quality as recently delivered in the neighbouring estate leading to Crisp Street.

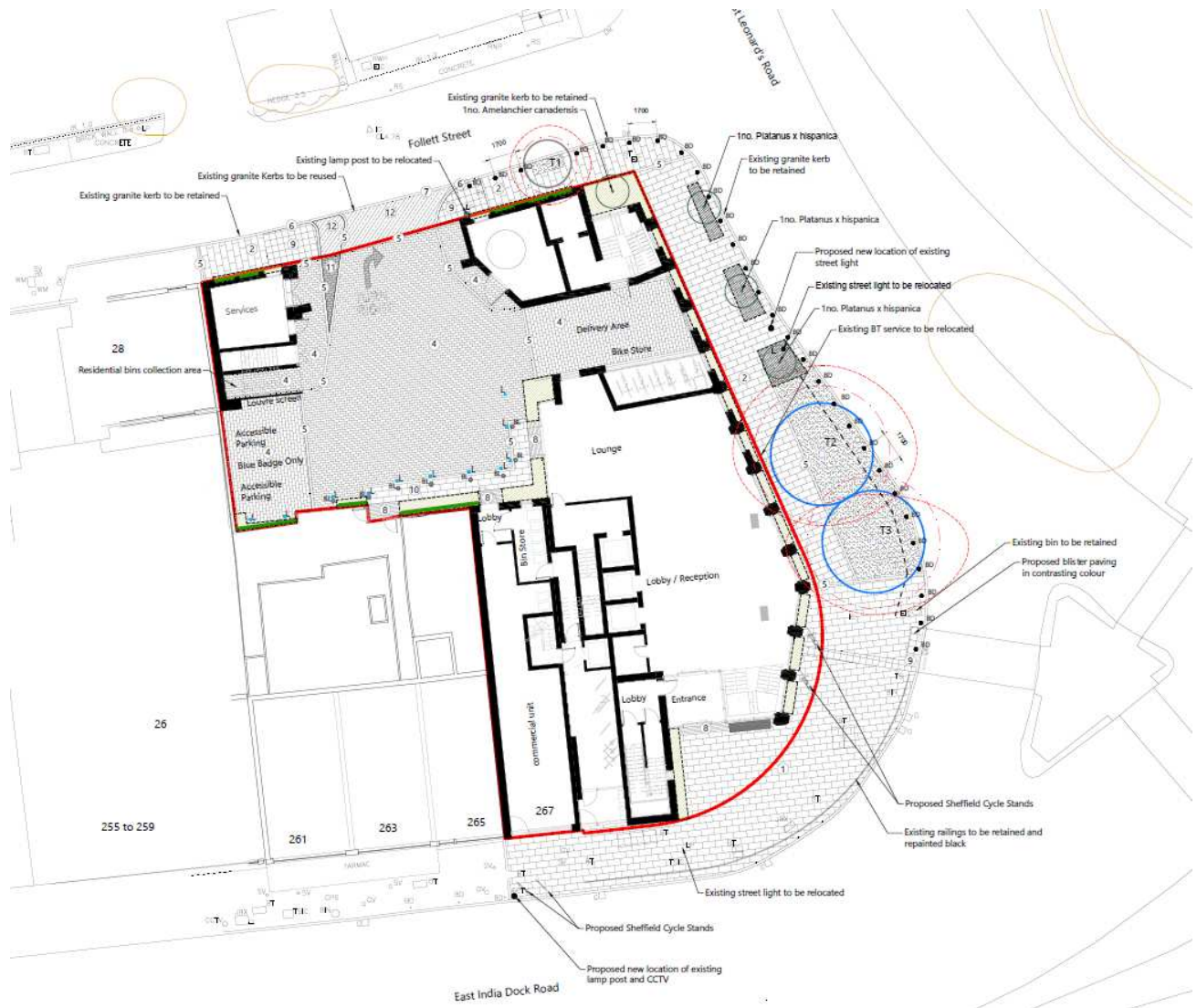


Figure 6: Landscape plan

7.72 Should planning permission be granted, the applicant is required to liaise with TfL and RMS regarding proposed public realm works. TfL requested a condition should be secured to require the applicant to enter into a s278 agreement with TfL before any approved works are undertaken within either the TfL or RMS highway authority boundary. As such, this will be conditioned

Conclusion

7.73 The scale of the building is considered to be proportional to its location adjacent to the Tall Building Zone and within the Crisp Street District Centre. The design is considered to be a unique and high quality design which provides a human scale at street level through the glazed building base and a visually interesting tower. The landscaping works are considered to be a positive improvement which would provide

improved pedestrian access and visual amenity to the East India Dock Road/St Leonards Road frontage.

- 7.74 As such, the proposed development meets the requirements of tall building policy D.DH6 (parts 1 and 3) of the Local Plan (2020), policy 7.7 of the London Plan (2016) and policy D9 of the New Draft London Plan (2019).

Inclusive Design

- 7.75 Policy 7.2 of the London Plan (2016), and policy S.SG2 of the Tower Hamlets Local Plan seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 7.76 The ground floor is set at grade level and offers step free, wheelchair access. Furthermore, the proposed development will provide 2 accessible car parking space which is reserved for use by disabled visitors.
- 7.77 Since submission of the planning application, the applicant has provided more detailed layouts illustrating where the 10 % wheelchair-accessible rooms are (16 no.). 6 no. additional rooms in the tower are also *de facto* accessible, delivering a total of 22 no. out of 163. A condition securing these units is recommended.
- 7.78 It is considered that the proposal would result in a scheme that would be well connected to its surroundings and would provide hotel accommodation that can be used safely and easily and with dignity for all regardless of disability, age, gender, ethnicity or economic circumstances in accordance with policy.

Heritage

- 7.79 Policy S.DH3 of the Local Plan (2020), policy 7.8 of the London Plan (2016) and policy HC1 of the New Draft London Plan (2019).require development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Strategic Views

- 7.80 The verified views report considered the likely significant effects of the proposed development on a number of representative townscape views.
- 7.81 These views were chosen after an initial much wider exercise was done for the pre application consultation across a dozen more locations around the site. These demonstrated to the pre-app case officer that the proposed tower would not interfere with the settings of the various listed buildings, most notably All Saints Church and Balfron Tower.

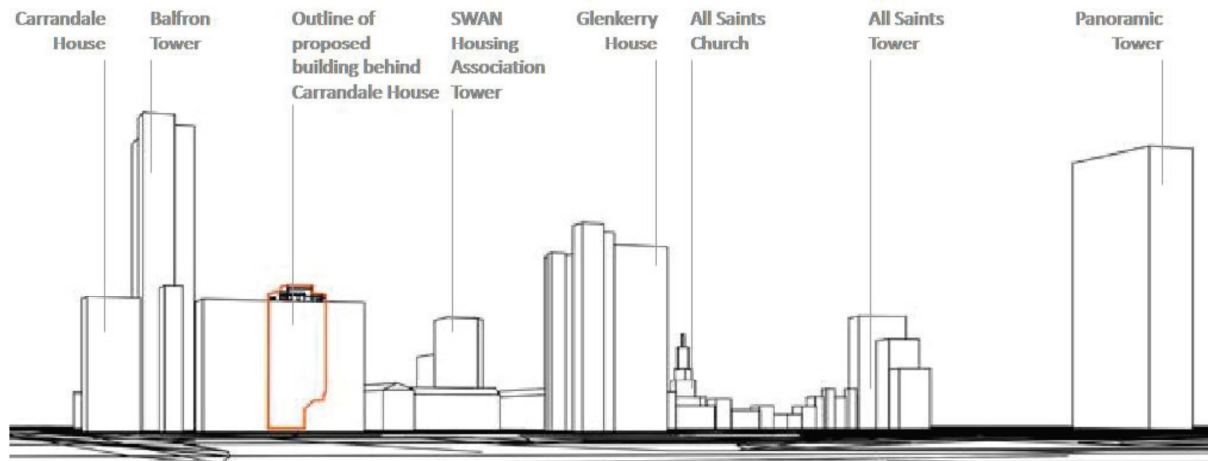


Figure 7: Far view from Gillender Street, looking south

7.82 The height of the development does not raise a strategic concern.

Surrounding Conservation Areas

7.83 The existing vacant site and 267 East India Dock Road is considered to possess no heritage or townscape value of merit. The site does not accommodate any statutory listed buildings, but there are a number situated within the local area; however the application is not considered to affect them or their setting given the nature of the area and surrounding developments.

7.84 The site does not lie within a conservation area and is sufficiently distant from neighbouring conservation areas (Balfron Tower, All Saints Poplar and Naval Row) to not impact on their setting.

7.85 Officers agree with paragraphs 8.1.2 - 8.1.5 of the submitted Heritage Statement which states:

“The effect of the development proposals on the known and potential heritage resource will be a material consideration in determination of the planning application. This study has identified no overriding cultural heritage constraints which are likely to prohibit development.

Settings of heritage assets

This assessment has established that the Proposed Development will not impact the significance of any designated heritage assets through development within their settings.

The scheme is considered to have a neutral, to slightly beneficial, impact upon the adjacent St. Frideswide’s Conservation Area and the Locally Listed Buildings contained within its boundaries; the re-establishment of the street frontage onto Follett Street, reuse of an unsightly and abandoned plot, and re-enclosing or what was formerly an enclosed streetscape, will be a positive change within the Conservation Area.

No. 267 East India Dock Road

No. 267 East India Dock Road retains only limited original fabric, and has been greatly impacted by later modernisation, repair, and rebuild. The

building is neither designated nor included on any local lists or the HER. The existing building is a poorly designed and unremarkable development. The form of the building is at odds with its historic form and retains little historic legibility. The building has some potential to contain original fabric, masked by later alterations. However, it is unlikely to contain any significant phasing or fabric of archaeological interest. Well preserved remains of buildings of a similar date are prevalent within London and are well understood.

The modification of No. 267 East India Dock Road will have no impact upon the adjacent Frideswide's Conservation Area – the building makes no contributions to its significance in its present form and has no meaningful historic functional associations with the Conservation Area.”

- 7.86 In summary, the scale and form of development would at least preserve the setting and significance of the surrounding Conservation Areas when considered as a whole. Though the site is currently largely cleared, the proposed development will introduce new accommodation that improve the appearance of the Site in views from within the St Frideswide's Conservation Area

Archaeology

- 7.87 Development plan policies require measures to identify, record, protect, and where appropriate present the site's archaeology. The application site does not lie within an Area of Archaeological Importance
- 7.88 The Greater London Archaeological Advisory Service (GLAAS) was consulted and stated that the Heritage Statement is disappointing in both its scope and content as it relates to archaeology. This is something that could have been addressed through pre-application consultation with GLAAS, which is something especially necessary for archaeological contractors not familiar with London.
- 7.89 As such, the applicant provided more archaeological information as requested and resubmitted the Heritage Statement.
- 7.90 GLAAS have since confirmed that they now have an acceptable desk-based assessment, and that assessment recommends a borehole programme to inform on the harm created by the scheme.
- 7.91 Given the scale and nature of works required to undertake the borehole study, should members support the proposals and agree that planning permission should be granted, officers have agreed that the borehole programme can be carried out post committee but before the decision is issued.
- 7.92 A condition will be attached to the decision (post the completed borehole assessment study) as GLAAS consider fit.

Neighbouring Amenity

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

Daylight and Sunlight

- 7.94 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.95 A number of residential properties surround the site which can be impacted by the development, these have been tested as part of the application, and the results have been independently reviewed on behalf of the Council, these are discussed below.
- 7.96 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.
- 7.97 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.

Impact on neighbouring properties

- 7.98 The Environmental Statement has evaluated loss of daylight and sunlight to existing properties using the BRE Report BR 209, Site Layout Planning for Daylight and Sunlight, a guide to good practice. The Council appointed the BRE as an independent Daylight and Sunlight consultant to review the applicant's Daylight/Sunlight Information.
- 7.99 The following significance criteria banding was used when summarising the overall daylight and sunlight effects to the surrounding buildings;
- Negligible; 0-20% loss against existing
 - Minor adverse; 20-29% loss against existing
 - Moderate adverse; 30-40% loss against existing
 - Major adverse; >40% loss against existing
- 7.100 Within sections 4.2 and 4.3.1 of the Schroeders Begg report (daylight sunlight report submitted by the applicant) reference has been made to 'alternative targets'. The BRE guide specifies in Appendix F.F1 that alternative values may be used 'based on the special requirements of the proposed development or its location'. The report places emphasis on residual levels of daylight, with The Whitechapel Estate appeal (Ref: APP/E5900/W/17/3171437) being given as an example.
- 7.101 The daylight and sunlight report identifies 8 neighbouring buildings that are in residential use and are close enough to the site to have their daylight and sunlight affected. These are:
- 51 Follett Street
 - Tabard Court, 1 Lodore Street
 - 18 Follett Street
 - 20 Follett Street

- 22 Follett Street
- 255-259 East India Dock Road
- 261-267 East India Dock Road
- 6-9 Indigo Mews, Ashton Street & 19-20 Bulivant Street

Daylight

7.102 The tables below show a summary of the impacts of the proposals for each of the 8 properties listed above:

VSC Summary Table	Number of Windows Tested	Windows that meet BRE Guidelines		VSC Windows No. of Windows Experiencing Adverse Impacts		
		No.	%	20-29.99% loss (minor adverse losses)	30-39.99% loss (moderate adverse losses)	>40% loss (substantial losses)
51 Follett Street	12	1	8%	0	4	7
Tabard Court, 1 Lodore Street	26	26	100%	0	0	0
18 Follett Street	15	15	100%	0	0	0
20 Follett Street	3	3	100%	0	0	0
22 Follett Street	4	4	100%	0	0	0
255-259 East India Dock Road	33	27	82%	6	0	0
261-267 East India Dock Road	17	8	47%	4	1	4
6-9 Indigo Mews, Ashton Street & 19-20 Bulivant St.	32	32	100%	0	0	0
Total	142	116	82%	10	5	11

Daylight Distribution Summary Table	Number of Rooms Tested	Rooms that meet BRE Guidelines		DD Rooms No. of Rooms Experiencing Adverse Impacts		
		No.	%	20-29.99% loss (minor adverse losses)	30-39.99% loss (moderate adverse losses)	>40% loss (substantial losses)
51 Follett Street	7	6	86%	0	0	1
Tabard Court, 1 Lodore Street	16	16	100%	0	0	0
18 Follett Street	6	6	100%	0	0	0
20 Follett Street	2	2	100%	0	0	0
22 Follett Street	4	4	100%	0	0	0
255-259 East India Dock Road	27	27	100%	0	0	0
261-267 East India Dock Road	15	11	73%	1	1	2
6-9 Indigo Mews, Ashton Street & 19-20 Bulivant St.	18	18	100%	0	0	0
Total	95	90	95%	1	1	3

51 Follett Street

7.103 The results show that 11 of the 12 windows assessed will not meet the BRE standard for reduction in VSC. Of these, 7 will experience a substantial impact and 4 will experience a moderate adverse impact. Schroeders Begg have focused on the retained daylight levels for windows that do not meet the recommended standard. These illustrate VSC values of between 15.90 and 23.7.

7.104 For NSL, 1 of the 7 rooms assessed will not meet the BRE standard and will experience a substantial impact. This is a bedroom where daylight is considered less important.

7.105 Officers consider the impact on daylight to this building to be moderate to substantial adverse.

7.106 No comments or objections were received from this property as part of the consultation carried out.

Tabard Court, 1 Lodore Street

7.107 The results show that this property will fully comply with the BRE standard for both VSC and NSL.

7.108 It should be noted that windows W1 and W2 on the ground to third floors of the southern building have been discounted as serving small kitchens of circa 8m² on the basis that rooms less than 13m² are not considered to be habitable. Schroeders Begg have specified within section 4.2 of their report that they are not aware of the exact internal arrangement of this building so use and size of these rooms may be based on assumptions.

7.109 On the basis that it is correct to discount these windows/rooms from analysis the impact is considered negligible.

18 Follett Street

7.110 The results show that this property will fully comply with the BRE standard for both VSC and NSL.

7.111 It should be noted that windows W1 and W2 and skylight W6, W7, W8 and W9 on the ground floor have been discounted as serving a small kitchen of circa 8m² on the basis that rooms less than 13m² are not considered to be habitable. Schroeders Begg have specified within section 4.2 of their report that they are not aware of the exact internal arrangement of this building so use and size of this room may be based on assumptions.

7.112 On the basis that it is correct to discount these windows/room from analysis the impact is considered negligible.

20 Follett Street

7.113 The results show that this property will fully comply with the BRE standard for both VSC and NSL and therefore the impact is considered negligible.

22 Follett Street

7.114 The results show that this property will fully comply with the BRE standard for both VSC and NSL.

7.115 It should be noted that Schroeders Begg have discounted ground floor window W2 from their analysis as being a secondary window within the kitchen. DPR have reviewed the window map for this property and this window appears to be of the same size as the 'main' window W1. The BRE advise that if a room has two or more windows of equal size, the mean of their VSCs may be taken. In this case, the existing VSC value would be 12.01 and the proposed VSC value 8.94, giving a percentage reduction of 26%.

7.116 The impact to this property is considered negligible with one instance of minor adverse.

255-259 East India Dock Road

7.117 The results show that 6 of the 33 windows assessed will not meet the BRE standard for reduction in VSC and will experience a minor adverse impact. Schroeders Begg have focused on the retained daylight levels in this property, which are between 14.09 and 21.24.

7.118 The impact to this property is generally considered negligible with isolated instances of minor adverse impacts in VSC terms.

261-267 East India Dock Road

- 7.119 The results show that 9 of the 17 windows assessed will not meet the BRE standard for reduction in VSC. 4 of these will experience a substantial impact, 1 will experience a moderate adverse impact and 4 will experience a minor adverse impact. Schroeders Begg have focused on the retained daylight levels for windows that do not meet the recommended standard. With the exception of 2 windows, the VSC values are between 15.58 and 26.31.
- 7.120 For NSL, 2 rooms will experience a substantial impact, 1 room will experience a moderate adverse impact and 1 room will experience a minor adverse impact. The lower ground floor living room R1 experiences a reduction of 79% from the existing value. Schroeders Begg have argued that this is largely due to a room depth of circa 7.5m and the room being located within a small lightwell. This inherently limits the access of light and it is likely that any meaningful massing on the site would cause adverse impacts. The ground floor living room R3 experiences a reduction of 55% from the existing value and this too is constrained by a room depth of 5.1m. The remaining 2 rooms that experience an adverse impact are bedrooms where daylight is considered less important.
- 7.121 It should be noted that windows W2, W3 and W6 on the first and second floors, and windows W3 and W6 on the third floor have been discounted as serving small kitchens of circa 5-7m² on the basis that rooms less than 13m² are not considered to be habitable. Schroeders Begg have specified within section 4.2 of their report that they have used plans obtained from the planning portal to help determine room configuration.
- 7.122 Officers consider the impact on daylight to this building to be substantial adverse.

6-9 Indigo Mews, Ashton Street & 19-20 Bulivant Street

- 7.123 The results show that this property will fully comply with the BRE standard for both VSC and NSL and therefore the impact is considered negligible.

Overshadowing

- 7.124 The submitted daylight sunlight report has undertaken a shadow analysis for the neighbouring amenity spaces around the development.
- 7.125 The report includes a summary table within the main body of the report and associated transient shadow drawings.
- 7.126 The results show that only Tabard Court and 51 Follett Street receive at least 2 hours of sunlight to at least 50% of their area in the existing scenario on 21 March and will continue to do so with the proposed development in place.
- 7.127 As a result the required standards are met and the impact of overshadowing is negligible.

Sunlight

- 7.128 All properties with the exception of 261-267 East India Dock Road and 19-20 Bulivant Street have been assessed for sunlight. The report includes detailed tables of results in the appendices identifying those windows that meet the BRE criteria.

7.129 The results show that all windows assessed will fully comply with the BRE standard and therefore the impact in sunlight is considered negligible.

Conclusions on Daylight, Sunlight and Overshadowing.

7.130 The sunlight analysis shows that the BRE standards will be met and most instances and where the proposal does not fully comply, officers have taken this into consideration and on balance consider that the benefits of the scheme outweigh and adverse impacts.

7.131 The overshadowing analysis shows that the BRE standards will be met and therefore there will be no unacceptable material deterioration

7.132 The scheme proposal will have a significant impact on 51 Follett Street and 261-267 East India Dock Road in daylight terms. The impact to these properties is considered to be moderate to substantial adverse. However, it is officers view that the proposed development would provide significant regeneration benefits and given the specific circumstance described above, the proposed impacts on daylight and sunlight would be considered acceptable in this instance.

Overlooking

7.133 The separation distances from rear windows of 267 East India Dock Road to the hotel windows closest to the north (i.e. Follett Street side) would be 12m stepping away. However the windows facing the rear of 267 are windows to circulation space rather than bedrooms (the bedrooms are on the Follett Street side).

7.134 Furthermore, any overlooking between the hotel bedroom windows on 2nd and 3rd floors and the rear windows of 261-267 East India Dock Road has been reduced as opaque glazing up to 1.7m is proposed.

Noise and Vibration

7.135 The application is supported by an Environmental Noise Survey which was reviewed by the Council's Environmental Health Noise team. It is not envisaged that the completed development would significantly impact on neighbouring amenity from noise and vibration. Nonetheless, the noise officer has requested 3 conditions be attached to the planning permission in relation to the residential and hotel elements of the scheme.

Wind/Microclimate

7.136 The application is supported by a Wind Microclimate Assessment incorporating a computational fluid dynamics (CFD) study and consideration of cumulative schemes. The assessment reviewed the conclusions that the site would be tolerable for the proposed uses and soft landscaping as mitigation. However given the location of the site and given that the building abuts the street, further landscaping on top of what has been provided was not possible. As such, officers consider that on balance, given the proposals would be bringing a vacant site on the edge of Chrisp Street District Centre back into use and providing improved public realm, the proposals are acceptable in terms of microclimate.

Construction Impacts

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

Transport and Servicing

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

7.139 As part of the consultation of the application, the Council's Highways officer and TfL raised the following key comments:

- Concerns with vehicles turning left out of the service yard onto Follett Street;
- Access
- Further details regarding the management of the accessible /blue badge parking spaces;
- A Condition restricting groups traveling by coach;
- Doors opening outwards onto the public highway on East India Dock Road in respect to 267 East India Dock Road and the residential units;
- A proportion (5%) of the cycle parking spaces to be accessible; and
- Conditions for cycle parking, blue badge parking, a Travel Plan and Servicing Management Plan.
- Active Travel Zone (ATZ)

Car Parking

7.140 The development would be 'car free' with the exception of two disabled access spaces. This is in line with policy D.TR3 of the Local Plan (2020). An electric vehicle charging point has been provided for the 2 blue badge spaces.

7.141 The provision of electric charging points to the accessible spaces would be required and secured by condition as requested by TfL.

7.142 The applicant has confirmed that guests and visitors will be informed during the booking process and on-line promotion, of the car free nature of the hotel and told that car parking on-site is prohibited, except for blue badge holders. Visitors, with a blue badge and wishing to park on-site, will be informed that they must reserve a parking space during the booking process and will be available on a 'first come, first serve' basis and that access to the space is not guaranteed.

7.143 These details will be provided within the Servicing and Management Plan, which will be conditioned.

Servicing and Deliveries

7.144 The proposed development includes an off-carriageway servicing area (including bin store) accessed off Follett Street which can accommodate vehicles up to 9m in length, including a medium refuse vehicle, 7.5t box van. All servicing and delivery vehicles will route to and from the site via St Leonards Road (i.e. left into the site and

right out). No servicing or delivery vehicles will turn left from the site and route via Follett Street. This will be set out within a Delivery and Servicing Management Plan planning condition.

7.145 As part of the consultation process, LBTH officers raised concerns with regard for the propensity for vehicles to turn left out of the site access to Follett Street and route through the local residential streets. The following measures will therefore be implemented to encourage vehicles to turn right onto St Leonards Way:

- A 'Turn Right Only' sign will be painted onto the surface of the service yard;
- The kerb radius, on the western side of the access, will be tightened to discourage left turn manoeuvres;
- The proposal will be supported by a Servicing Management Plan which will include measures such as:
 - Deliveries and drivers will be informed, in advance of the delivery, regarding the access arrangements and the site and will be encouraged to travel to the site from St. Leonards Road to the east;
 - When departing the site, drivers will be informed to turn right back towards St. Leonards Road.

Access

7.146 The main pedestrian access is provided on a prominent corner at the Junction of East India Dock Road and St Leonards Street on the site's southern frontage to East India Dock Road. This will provide access to the reception area. The vehicular access to the site will be taken from Follett Street, as per the existing vehicular arrangements for the site. The existing vehicular access will be widened and improved, with dropped kerbs and tactile paving provided across the access. The access will lead into the servicing and delivery area and access to the disabled car parking spaces, bicycle store and bin store.

7.147 As part of the Stage 1 response from the GLA, TfL requested that the applicant carry out a Stage 1 Road Safety Audit (RSA) for the site access off Follett Street. The applicant has since done this for the shared pedestrian and vehicular access from Follett Street and both the results and Designer's Response have been provided. TfL support the inclusion of 'no left turn' signage in light of the Stage 1 RSA results.

7.148 TfL note proposals to narrow the crossover along Follett Road further which will aid pedestrian movement along Follett Road. TfL agree with the council that the width of the crossover may lead to additional vehicle movements on site and therefore it is of paramount importance that pedestrian movements into the site across the junction with Follett Road are protected from conflict with vehicles, especially given the existing residential right of way. TfL hold concerns with a possible pinch point along the pedestrian footpath into the site near to the hotel refuse store. It is important pedestrian footpath widths are maintained to ensure pedestrians do not use the highway to access the site. LBTH officers have discussed the access arrangements and are satisfied with the proposals. With regard to TfL's potential 'pinch point' outside of the hotel refuse store it is noted that this area is all flush and the 'footpath' is not kerbed.

7.149 In response to TfL's request for tactile paving, this has been incorporated into the access to ensure pedestrian safety for people with visibility and mobility impairments is maintained.

7.150 As part of the initial consultation comments, LBTH highways officer raised concerns regarding the necessity for the vehicle pick up/ drop off area. In order to promote sustainable modes of transport, this has since been removed from application drawings, the Transport Assessment and Travel Plan.

7.151 In addition, swept path analysis showing vehicles enter and egress blue badge parking has also been provided as requested by TfL and LBTH officers.

7.152 As mentioned earlier in this report, as part of the design changes, the residential refuse store was relocated to the rear service yard which is supported by both TfL and LBTH officers along with the revised refuse collection point from Follett Street. This will reduce impact upon vehicle flows along East India Dock Road and St Leonard's Road.

Cycle Parking

7.153 A total of 29 cycle parking spaces will be provided in line with Draft London Plan policy T5 and current London Plan (2016) policy 6. Secure and covered cycle spaces for the hotel residents are provided in the bike store at the rear of the hotel and at the ground floor of 267 East India Dock Road for the residential apartments. In terms of visitor parking, two Sheffield stands located outside of the hotel lobby area and two located outside no. 267 East India Dock Road. The breakdown of cycle spaces is as follows:

- 10 spaces – residential (via five Sheffield Stands);
- 8 spaces – visitors (via four Sheffield Stands);
- 10 spaces – staff (hotel) (via five Sheffield Stands); and
- 1 cargo bike space.

7.154 The Council's highways officer requested that 5% of the cycle parking spaces are accessible. The proposed plans illustrates that all 29 will be in the form of Sheffield Stands (which are considered accessible cycle parking solutions). This equates to 100% of the total cycle parking spaces.

7.155 TfL raised concerns in relation to the location of the visitor short-stay cycle parking proposed outside no.267 East India Dock Road and that it will need to be agreed along with other public realm works at the detailed design stage with RMS as part of a s278 agreement with TfL as it falls outside of the redline boundary. This will be secured as part of the s278 agreement.

7.156 Notwithstanding TfL's comments in relation to this visitor parking, the applicants landscape architect has confirmed that the TfL Pedestrian Comfort Guidance referred to states "recommended minimum" total footway widths of 2.9m, for footways with traffic less than 600 people per hour. Total footway width between unit 267 and a road kerb is equal to 3.8m, therefore more than 'recommended minimum'

7.157 Final details of cycle parking ensuring this meets London Cycle Design Standards (LCDS) would be secured by condition. Overall, the proposed cycle storage is considered to be acceptable subject to the submission of the details secured by condition.

Healthy Streets and Vision Zero

7.158 As requested by both GLA and TfL, the applicant undertook an Active Travel Zone (ATZ) assessment that covers the key walking and cycling corridors within a

20minutes radius of the site in order to identify deficiencies and appropriate improvements along those routes that should be funded or delivered with this proposed development.

- 7.159 Upon reviewing the latest information, TfL commented that the information provided is not in accordance with TfL ATZ guidance and a proper assessment of pedestrian and cycling conditions along key active travel routes at the neighbourhood scale (with photos) has not been provided.
- 7.160 TfL have stated that in terms of the specifics of the healthy streets improvements, the undertaking of a proper ATZ assessment would have assisted in identifying the improvements to facilitate active travel to and from key trip attractors (at the neighbourhood level). As highlighted in an earlier TfL response, they consider this has not been completed and therefore in the absence of this assessment TfL consider it to be appropriate to secure contributions towards improvements along East India Dock Road which would facilitate active travel to and from the site.
- 7.161 However the councils highways team have commented that TfL have not issued with any details of how these improvements, which could be some distance from the site, can be funded under current legislation. As such, officers do not consider this request to be reasonable in the absence of policy or guidance.

Works to Public Realm

- 7.162 The proposals include a complete upgrade of the urban realm around the building, including new paving, new trees, planters, benches and external lighting.
- 7.163 TfL commented that the proposals to plant additional trees along St Leonard's Road will need to be agreed with TfL and an assessment of the impact of this planting on vehicle visibility and safety will be required. The use of tree planters would not be supported and suitable alternatives should be discussed with TfL green infrastructure engineers.
- 7.164 TfL have stated that concerns relating to proposed public realm works outside the site boundary remain. Revised landscape proposals still indicate changes to parts of the public realm within the A13 DBFO Network and TLRN authority boundaries which currently lack approval from RMS and TfL respectively. Further discussion with both TfL and RMS regarding these proposals outlined within the landscape strategy is therefore required. This will be secured by condition

Demolition and Construction Traffic

- 7.165 In response to TfL's request for a Construction Logistics condition, this shall be included as part of the CEMP condition which will include details of ingress and egress for vehicles during site works period. The Construction Environmental Management Plan will need to consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

Travel Plan

- 7.166 The applicant has provided a framework travel plan which has followed TfL guidance which is welcomed. Since submission and through consultation with TfL, the applicant has amended the document to better reflect the Mayor's Transport Strategy mode shift targets for inner London including increasing trips via public transport and active modes and reducing those by taxis.
- 7.167 The final Travel Plan should be secured and monitored via S106 agreement.

Summary

- 7.168 Subject to the above it is considered the proposal would be acceptable in terms of supporting sustainable modes of transport, and will have no significant impacts on the safety or capacity of the highways network, in accordance with policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and policies 6.1, 6.3, 6.8-6.13 of the London Plan (2016).

Energy Efficiency and Sustainability

- 7.169 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2016 and the Tower Hamlets Local Plan (D.ES7) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 7.170 The London Plan (2016) sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green)
- 7.171 Policy D.ES7 includes the requirement for non-residential developments to be zero carbon with a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.
- 7.172 The CO2 emission reduction is anticipated to be 56% against the building regulation baseline which is compliant with policy requirements. It is recommended that the delivery of the CO2 emission reductions is secured via Condition.
- 7.173 The S106 would include a financial payment of £219,600 to offset the remaining carbon and comply with policy D.ES7.

Sustainability

- 7.174 Policy D.ES7 also requires all non-residential developments over 500sqm (gross) to achieve BREEAM Excellent. The applicant has submitted a BREEAM Pre-Assessments which shows the scheme is designed to achieve a BREEAM Excellent Rating with a score of 74.9%.
- 7.175 The proposal for the scheme to achieve a BREEAM Excellent should be secured via condition.

Summary and Securing the Proposals

7.176 It is considered that the proposals are in accordance with adopted policies for sustainability and CO2 emission reductions and it is recommended they are secured through appropriate conditions to deliver:

- Submission of a post completion verification report including the as built calculations (SBEM) to demonstrate the reduction in CO2 emissions have been delivered on-site.
- Submission of Final BREEAM Certificate to demonstrate an 'Excellent' rating has been delivered.

Air Quality

7.177 Policy D.ES2 of the Local Plan (2020) and policy 7.14 of the London Plan (2016) require major developments to be accompanied by assessments which demonstrates that the proposed uses are acceptable and show how development would prevent or reduce air pollution.

7.178 The application is accompanied by an Air Quality Assessment in addition to a Dust Risk Assessment demonstrating compliance Development Plan policies. In summary, the proposals will not lead to any meaningful increase in road traffic in the locality, but will introduce new sensitive receptors into an AQMA. The total calculated building emissions are found to be less than the Building Emissions Benchmark, and is therefore air quality neutral, and no mitigation measures are required.

7.179 The Air Quality Assessment shows that the proposal would achieve 'air quality neutral' with respect to both building and transport emissions and therefore would be in accordance with the Mayor's Air Quality strategy and policies on air quality.

7.180 The Council's air quality officer has reviewed the proposals and raised no objections subject to 3 conditions relating to construction plant and machinery and construction dust control. A Construction Environmental Management Plan is also secured by way of a planning condition.

Waste

7.181 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.

7.182 The LBTH Waste Team have reviewed the proposal and are satisfied that subject to securing the details of bin storage size and servicing arrangements by condition the proposal is acceptable.

Biodiversity

7.183 Policy D.ES3 of the Local Plan (2020) and policy 7.19 of the London Plan (2016) seek to safeguard and where possible enhance biodiversity value.

7.184 Originally the only vegetation on the site was an area of dense buddleia scrub. Buddleia is an invasive non-native species, though it does have value as a nectar source for pollinating insects, and likely to support nesting birds.

- 7.185 Officers note that the scrub has now been cleared (outside the nesting season) to avoid any potential impacts on nesting birds. The existing building 267 East India Dock Road has negligible potential for bat roosts. The loss of the buddleia scrub is a very minor adverse impact on biodiversity.
- 7.186 Most of the green roof is wildflower mat, with only one small area of sedum, and the design of the wildflower roofs is supported by the biodiversity officer. These will contribute to a target in the LBAP. The small amount of ground-level landscaping includes a reasonable range of nectar-rich flowers.
- 7.187 Other biodiversity enhancements that would be appropriate in this location include nest boxes for swifts and house sparrows.
- 7.188 The Biodiversity Officer noted that London City Airport has stated that the development should not encourage birds, in order to prevent any increased risk of bird strike to aircraft. The officer does not believe that a few swift and sparrow boxes would cause any increased risk of bird strike. Both are small species, whereas the main dangers of bird strike are from large birds such as geese and gulls. Sparrows rarely if ever fly high enough to risk coming into contact with planes this far from an airport, while swifts forage very widely so the locations of their nest sites are not a significant issue.
- 7.189 Subject to conditions securing the biodiversity enhancements proposed the development would be considered comply with policy

Flood Risk & Drainage

- 7.190 Development Plan policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage.
- 7.191 The application is supported by a Flood Risk Assessment which demonstrates there would be no increase in surface water runoff from the development. This would be secured by condition and is considered acceptable.

Land Contamination

- 7.192 The application has been reviewed by the Council's Environmental Health Land Contamination officer and subject to standard conditions, the proposals are acceptable from a land contamination perspective and any contamination that is identified can be satisfactorily dealt with.

Infrastructure Impact

- 7.193 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £1,268,520 and Mayor of London CIL of approximately £429,284.53. It is important to note that these figures are approximate. This will likely change given indexation is linked to the date planning permission is granted.
- 7.194 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.
- 7.195 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as follows:

7.196 £26,512 towards construction phase employment skills training

7.197 £33,252 towards end-user phase employment skills training

Human Rights & Equalities

7.198 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.

7.199 The proposed provision of the hotel meets inclusive design standards and over 10% of the new rooms would be wheelchair accessible and 2 disabled car parking spaces provided. These standards would benefit future employees and visitors, including disabled people, elderly people and parents/carers with children.

7.200 The proposed development would not result in adverse impacts upon equality or social cohesion.

8 RECOMMENDATION

8.1 That **conditional planning permission is GRANTED** subject to a borehole assessment being carried out and the prior completion of a legal agreement to secure the following planning obligations

8.2 Financial Obligations

- a. £26,512 towards construction phase employment skills training
- b. £33,252 towards end-user phase employment skills training
- c. £219,600 Carbon offsetting obligation

8.3 Non-Financial Obligations

a. Access to employment

- 20% local procurement
- 20% local labour in construction
- 3 construction phase apprenticeships
- 1 end-user phase apprenticeship

b. Transport

- Approval and implementation of Travel Plan
- S278 works

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 if borehole assessment is not carried out/outcome is such that planning permission should be refused.

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

9 PLANNING CONDITIONS

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
 - a. Restrictions on demolition and construction activities:
 - b. All works in accordance with Tower Hamlets Code of Construction Practice;
 - c. Standard hours of construction and demolition;
 - d. Air quality standards for construction machinery;
 - e. Ground-borne vibration limits; and
 - f. Noise pollution limits.
3. Piling
4. Noise emitted from new fixed building services plant
5. Air quality emission standards for boilers & CHP
6. 5% cycle for larger bikes
7. Coach restriction
8. Use as short term accommodation

Pre-commencement

9. Code of Construction Practice
10. Construction Waste Management Plan
11. Construction Environmental Management Plan and Construction Logistics Plan
12. Cranes/scaffolding in relation to London City Airport
13. Land Contamination Remediation
14. Fire Statement
15. Details of plant and machinery (air quality)
16. Construction site dust control
17. Odour from fixed plant and equipment
18. Energy statement

Pre-superstructure works

19. Details of external facing materials and architectural detailing.
20. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture and lighting, wind mitigation measures, biodiversity mitigation and enhancements.
21. Biodiversity
22. Details of cycle parking
23. Surface water - Drainage Strategy
24. Disabled Car parking
25. Electric vehicle charging points
26. Delivery, Servicing and Waste Management Plan
27. Details of 10% Accessible Rooms
28. Archaeological condition (to be determined)

Prior to relevant works

29. Details of sound insulation for the residential units
30. Details of sound insulation for the hotel units

Occupation

31. Secured by design compliance
32. Thames Water
33. BREEAM
34. Post construction verification

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

0792-000-L-000

0792-200-L-001 Rev K

0792-200-L-101 Rev C

0792-200-L-301 Rev D

0792-200-L-TYP Rev B

0792-200-L-R01 Rev B

0792-200-L-002 Rev C

0792-200-L-201 Rev B

0792-200-L-401 Rev B

0792-200-L-B01 Rev B

0792-200-L-R02

0792-200-L-X01 Rev B

0792-200-L-X03 Rev B

0792-200-L-X02 Rev B

0792-200-L-X04 Rev B

0792-201-L-001

0792-201-L-003

0792-201-L-002

0792-200-L-D000 Rev A

0792-200-L-D002 Rev A

0792-200-L-D004 Rev A

0792-200-L-D001 Rev A

0792-200-L-D003 Rev A

- Landscape Design – layout 101 rev G, prepared by Surface , dated January 2020
- Landscape Design – green roofs, 102 rev B, prepared by Surface , dated November 2019
- Landscape Design – green roof cross sections, 103 rev A prepared by Surface , dated November 2019

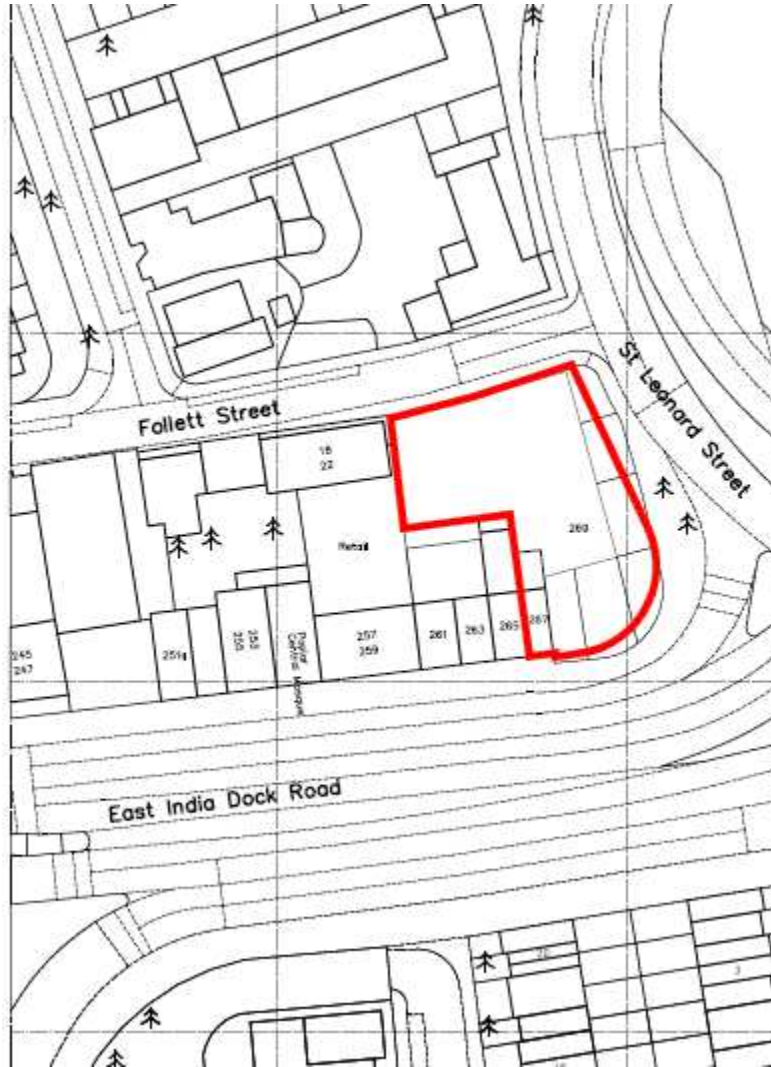
Schedule of Documents

- Design and Access Statement (including Townscape and Visual Impact Assessment) prepared by Agenda 21, Rev A dated January 2020
- Planning Statement prepared by O'Neill Associates, dated August 2019
- Tall Buildings Assessment prepared by Surface dated July 2019
- Verified Views by Surface dated
- Air Quality Assessment prepared by Surface dated July 2019
- Noise Impact Assessment prepared by Surface dated July 2019
- Preliminary Ecological Appraisal, dated November 2019
- Wind Microclimate prepared by Arcaero dated 31 July 2019
- Wind Microclimate peer review prepared by Arcaero dated December 2019
- Heritage Statement (including Archaeology Desk Based Assessment) prepared by Wessex dated January 2020

- Transport Assessment prepared by I-Transport dated January 2020 and Transport Technical Notes rev 004B and 006C, prepared by I-Transport dated January 2020
- Travel Plan prepared by I-Transport dated January 2020
- Landscape Design – material palette, prepared by Surface , dated January 2020
- Daylight and Sunlight Assessment prepared by SchroedersBegg dated August 2019.
- Energy Statement, Issue 3, prepared by FES Group, dated December 2019
- BREEAM Pre-assessment prepared by FES Group dated January 2020
- BREEAM Pre-assessment spreadsheet prepared by FES Group dated January 2020
- Landscape Strategy prepared by Surface dated August 2019
- Arboriculture Impact Survey prepared by Surface dated August 2019
- Ecology Considerations prepared by Surface dated July 2019
- Flood Risk Assessment prepared by Surface dated January 2020
- Preliminary Drainage Strategy prepared by Surface dated July 2019
- Phase 1 Land Contamination Desk Study prepared by Surface dated February 2019
- Statement of Community Involvement prepared by Agenda 21 dated August 2019
- Utility Assessment, prepared by Furness Green Partnership, dated August 2019
- External Lighting Report, prepared by Furness Green Partnership, dated August 2019
- Ventilation Strategy, prepared by Furness Green Partnership, dated August 2019
- Health Impact Assessment, prepared by Agenda 21, dated November 2019
- Construction Dust Risk Assessment, prepared by Surface, dated October 2019
- Economic Statement, prepared by Colliers International, dated September 2019
- Hotel Waste Management Plan, prepared by Surface, dated November 2019

APPENDIX 2 – Relevant Plans and CGI's

SITE LOCATION



VERIFIED VIEWS

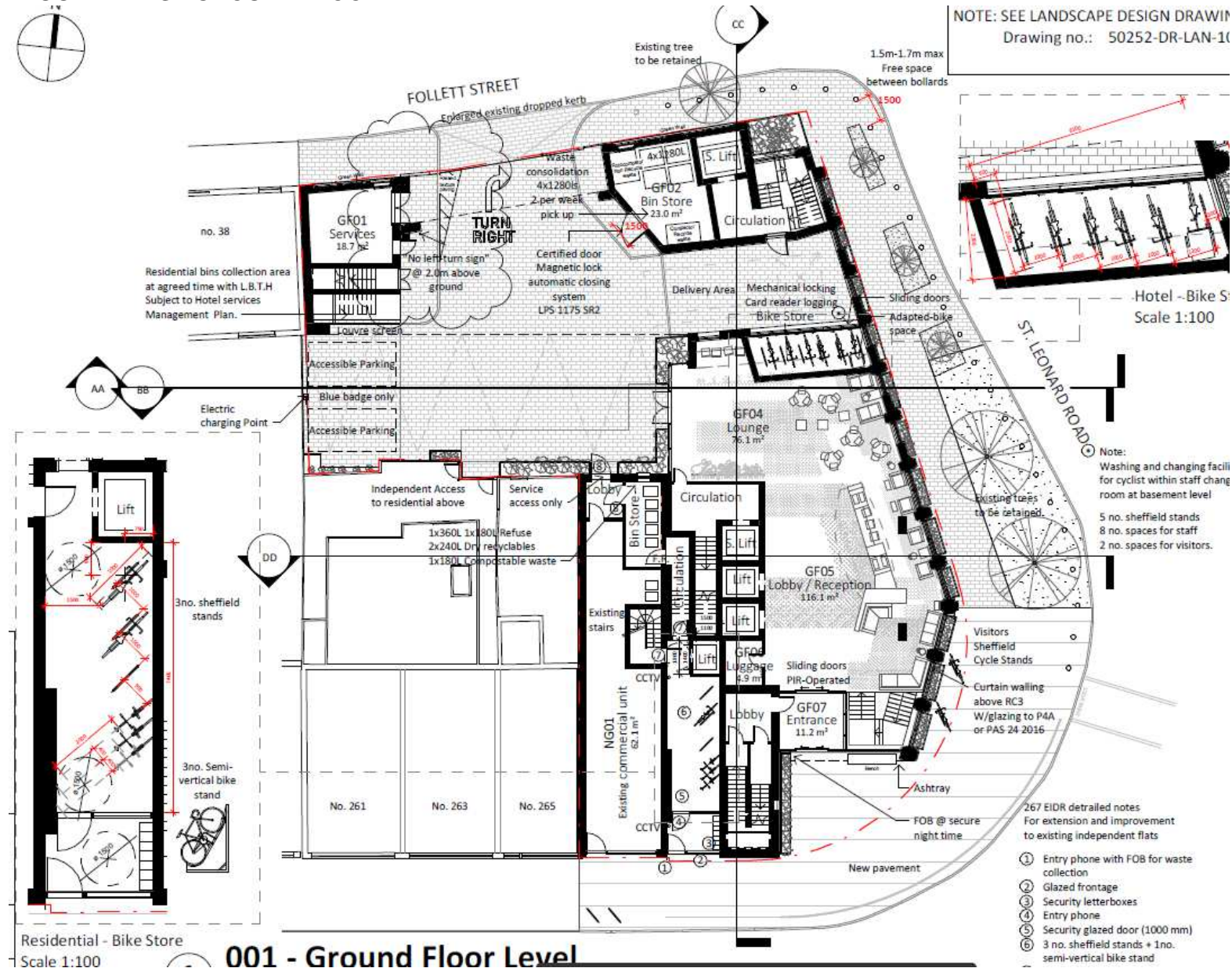


View from Blackwall Tunnel Approach

FLOOR PLANS - GROUND FLOOR



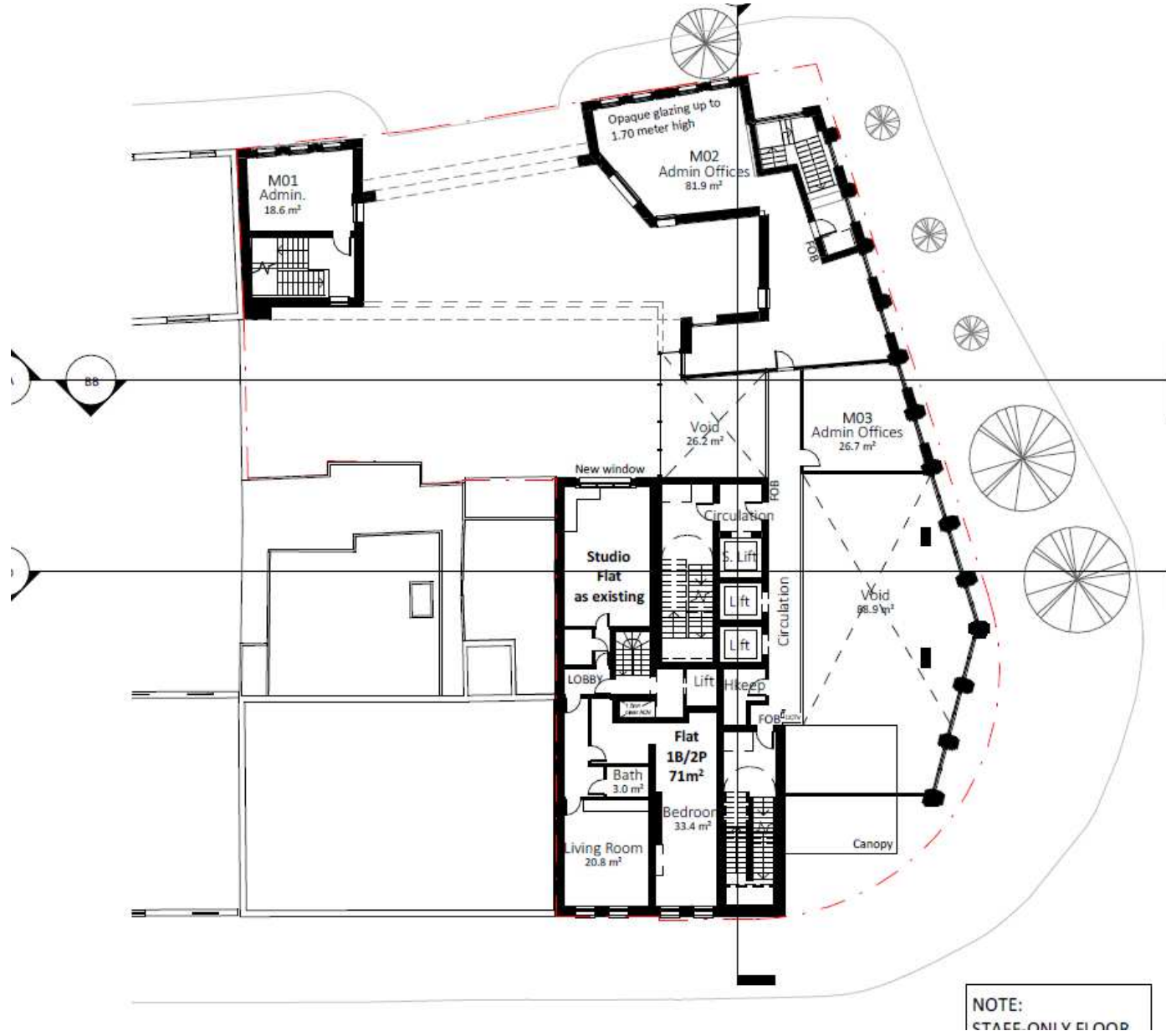
NOTE: SEE LANDSCAPE DESIGN DRAWING
Drawing no.: 50252-DR-LAN-10



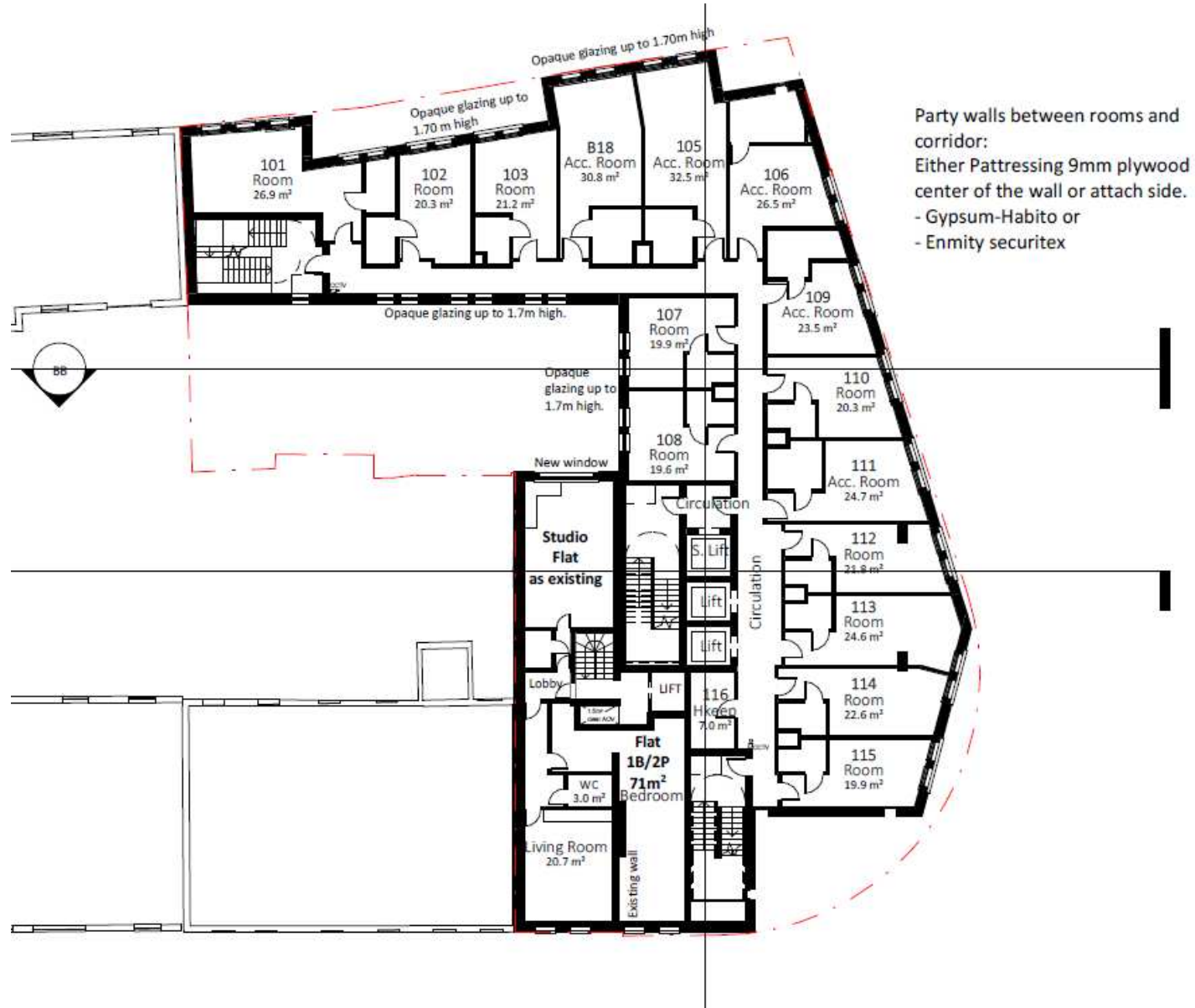
Note:
Washing and changing facility for cyclist within staff change room at basement level
5 no. sheffield stands
8 no. spaces for staff
2 no. spaces for visitors.

- 267 EIDR detailed notes for extension and improvement to existing independent flats
- ① Entry phone with FOB for waste collection
 - ② Glazed frontage
 - ③ Security letterboxes
 - ④ Entry phone
 - ⑤ Security glazed door (1000 mm)
 - ⑥ 3 no. sheffield stands + 1 no. semi-vertical bike stand

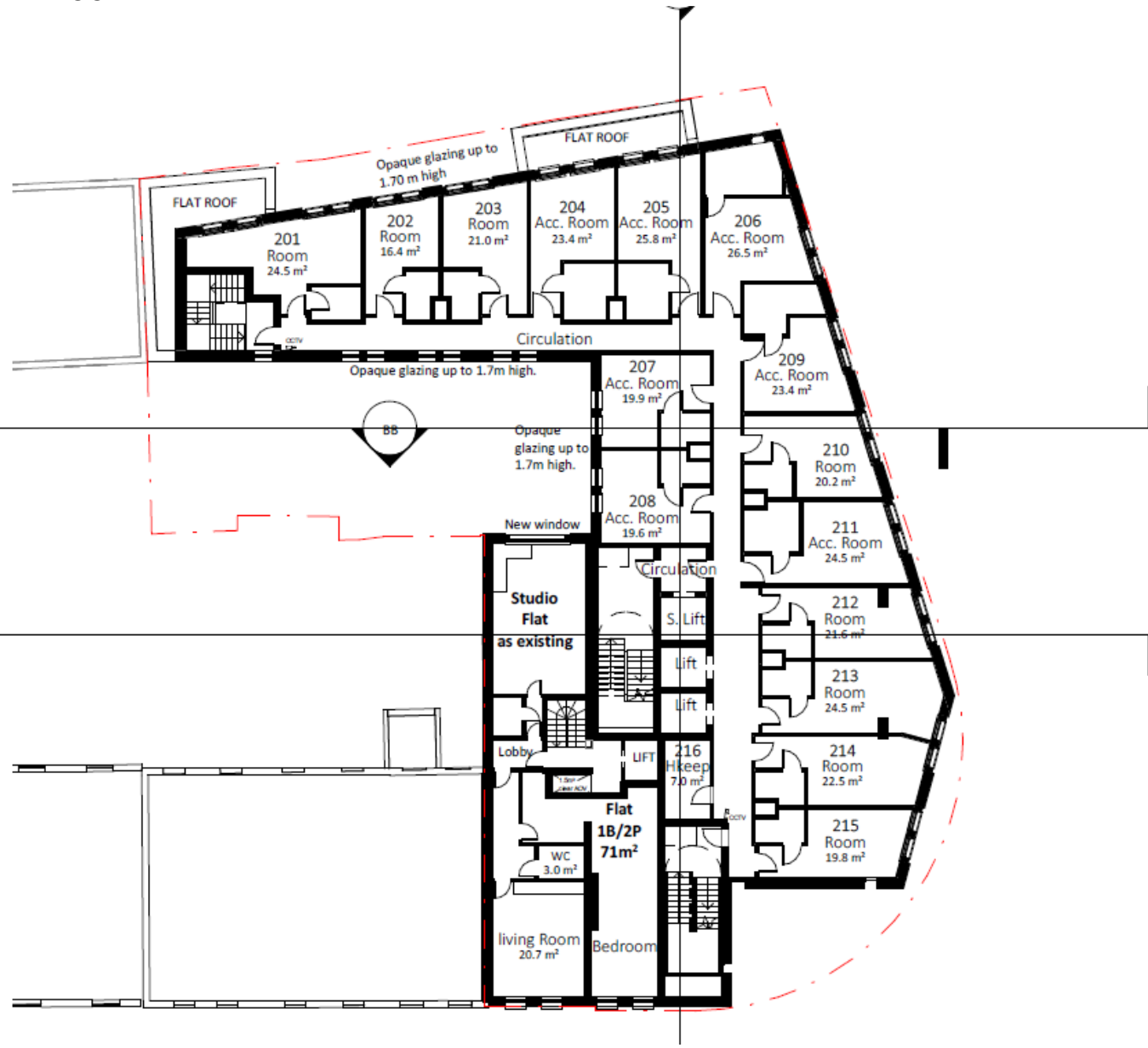
MEZZANINE FLOOR



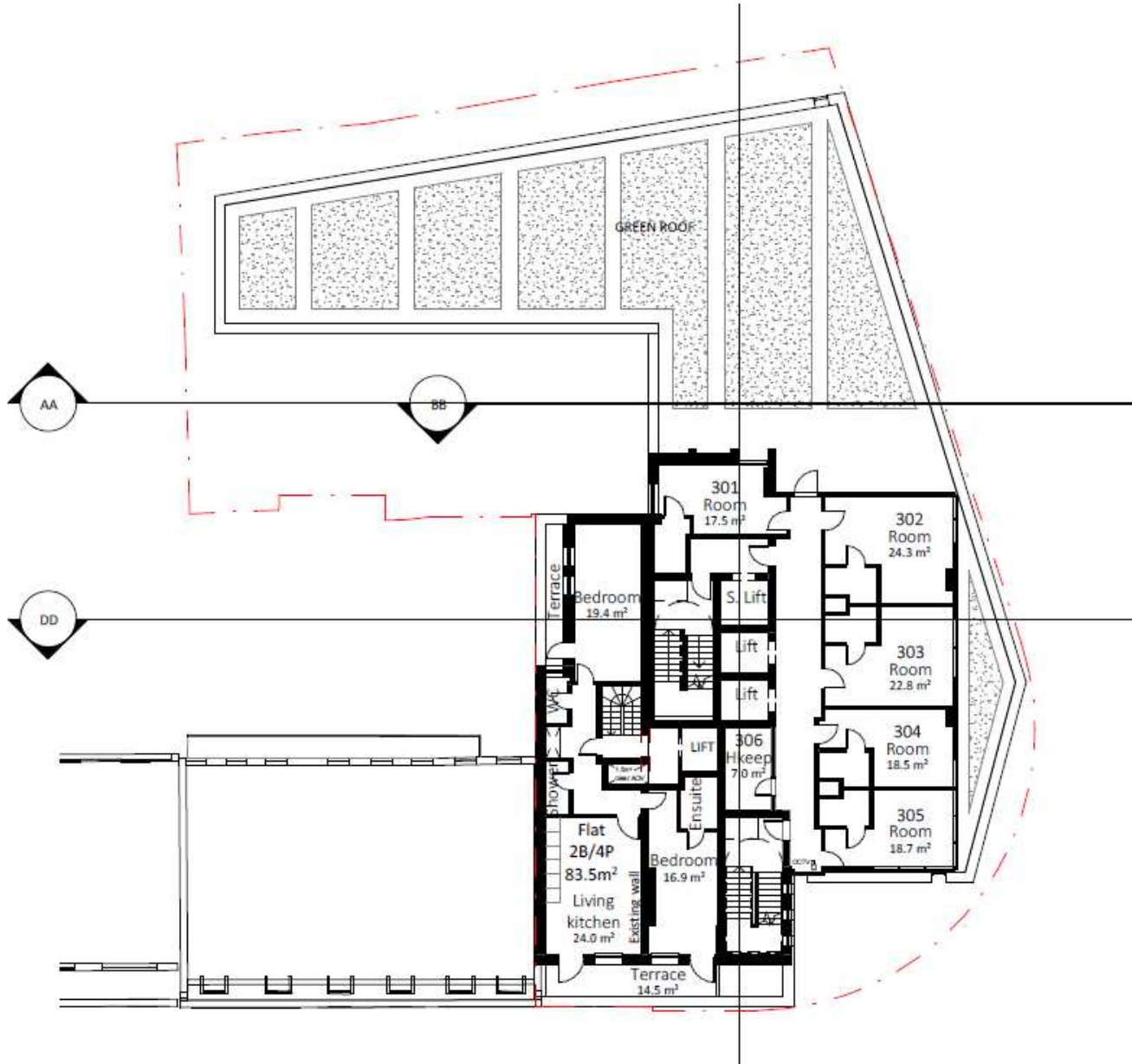
FIRST FLOOR



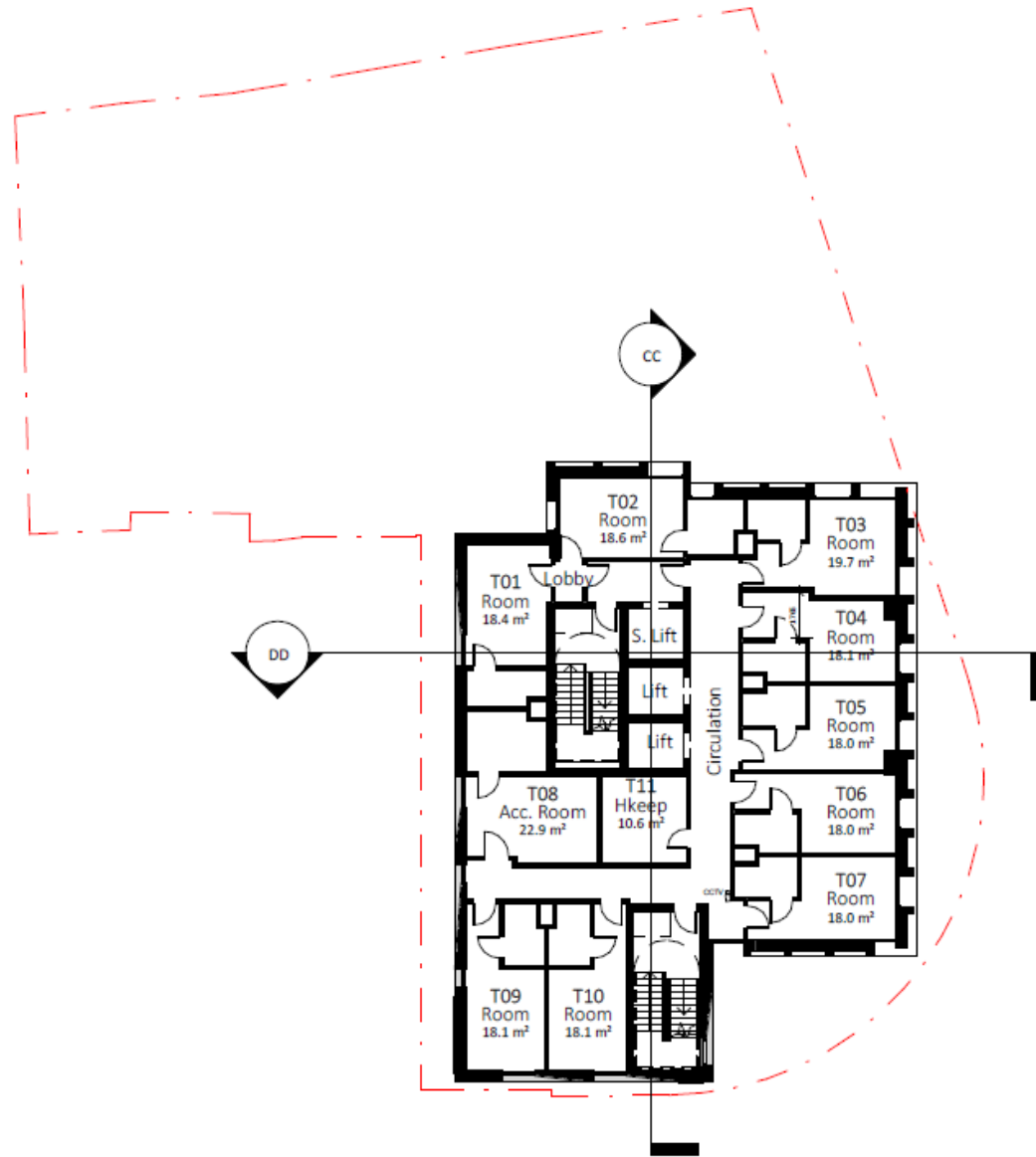
SECOND FLOOR



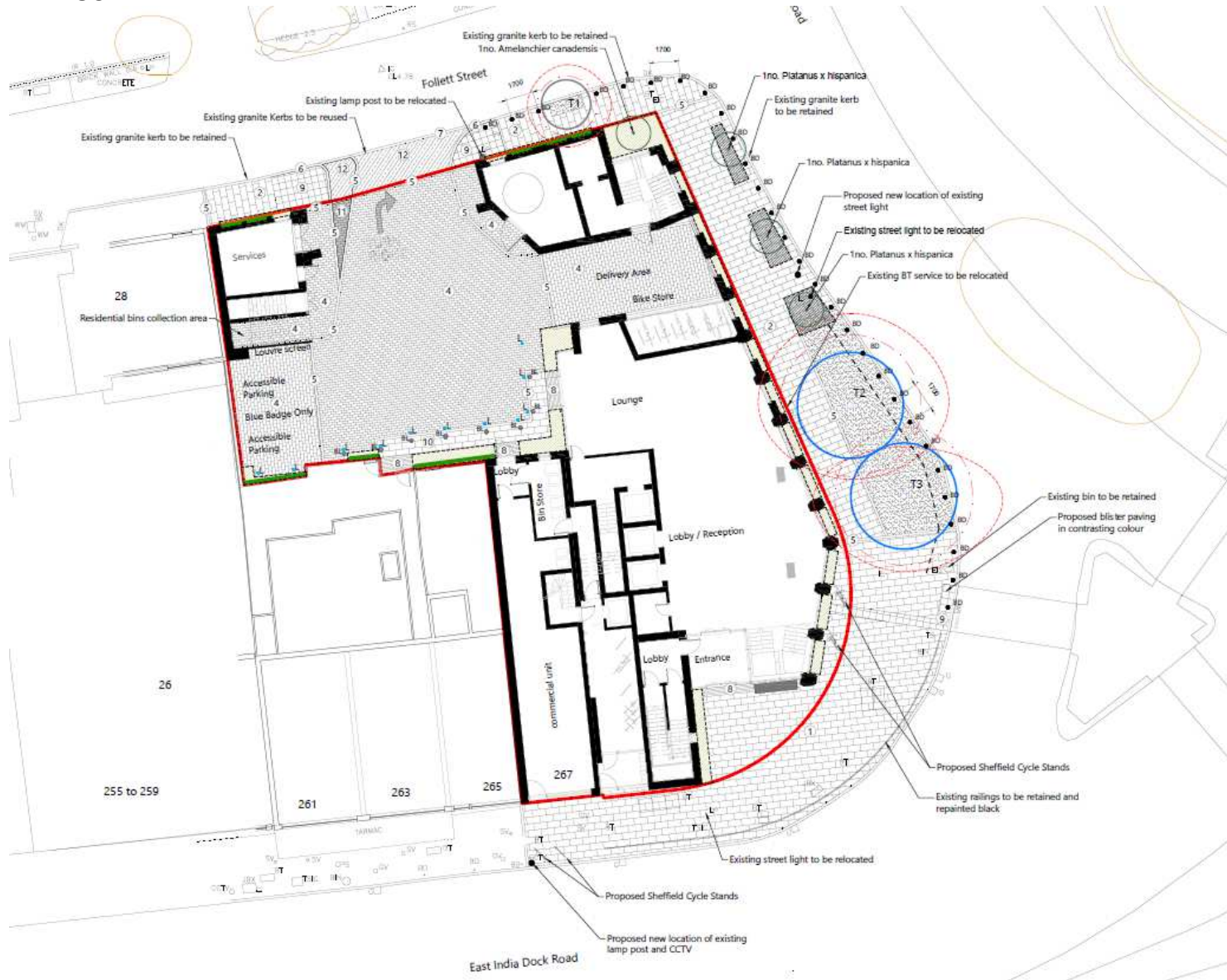
THIRD FLOOR



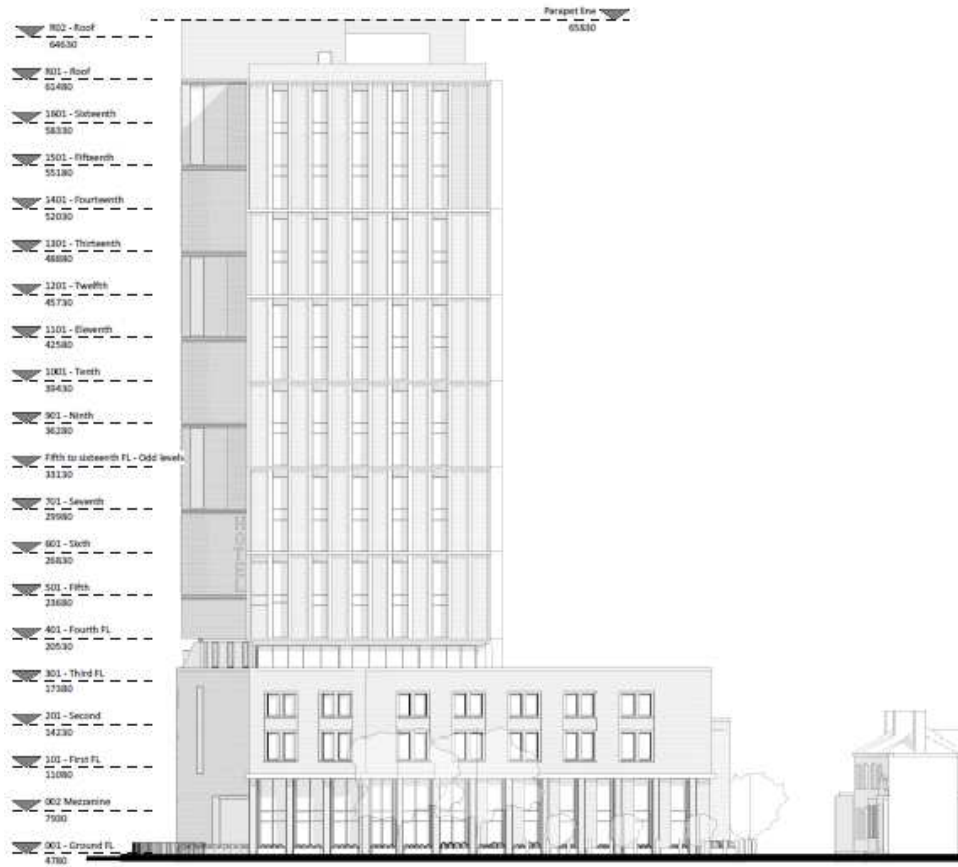
TYPICAL UPPER FLOOR



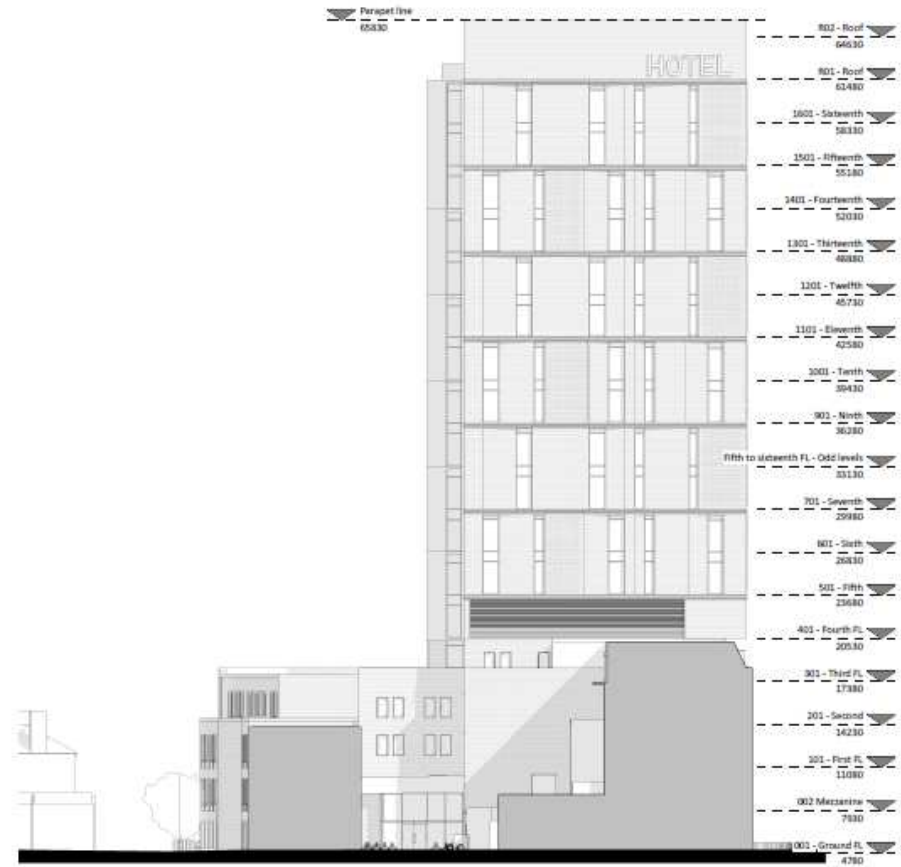
LANDSCAPE



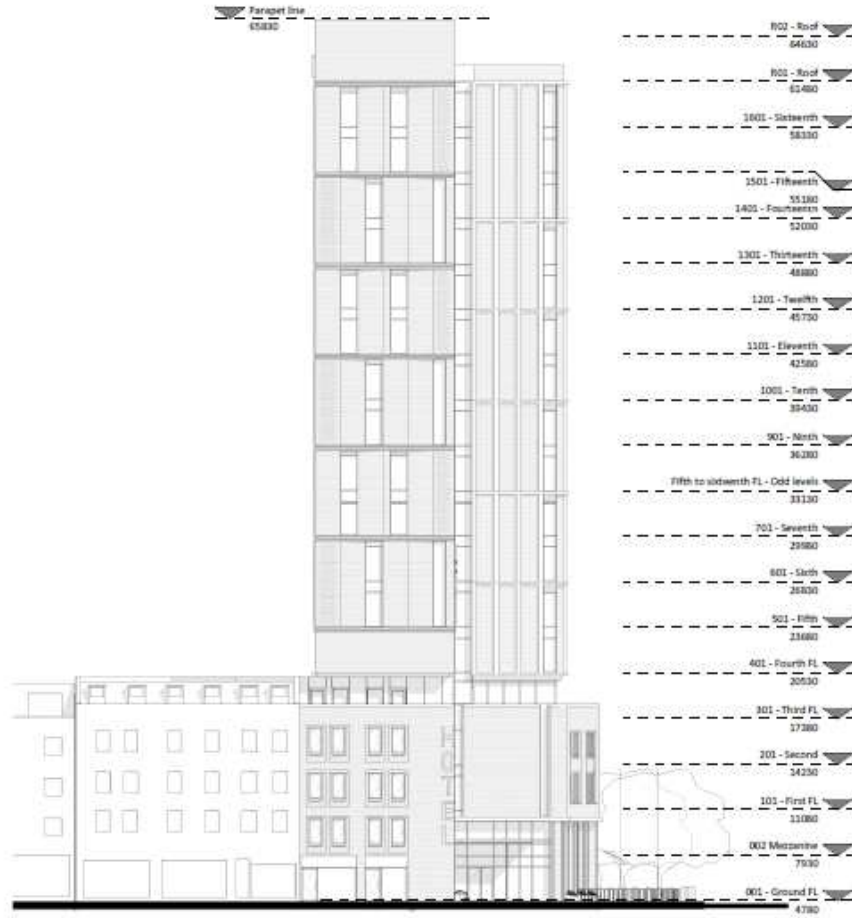
ELEVATIONS



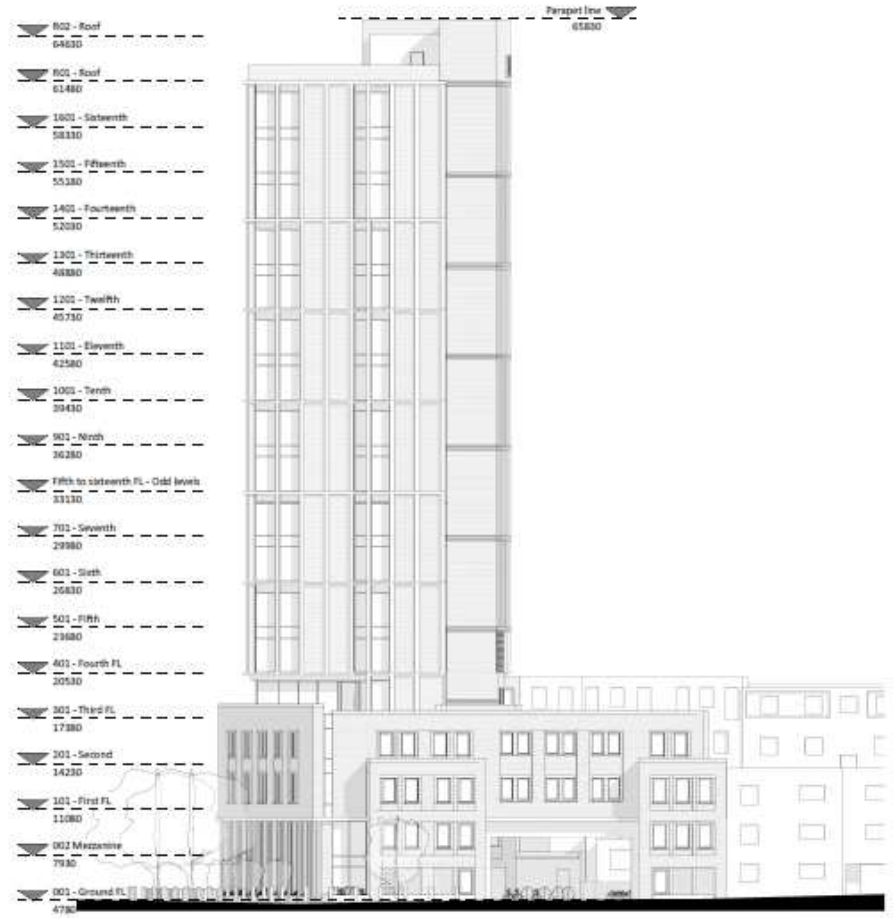
1 Elevation - St Leonard St
1 : 200



2 Side Elevation
1 : 200



1 Elevation - East India Dock Rd
1 : 200



2 Elevation - Follett St
1 : 200

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