

Strategic Development Committee



Agenda

Wednesday, 22 July 2020 6.00 p.m.

Online 'Virtual' Meeting -

<https://towerhamlets.public-i.tv/core/portal/home>

Chair:

Councillor John Pierce

Vice Chair:

Councillor Abdul Mukit MBE

Members:

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

Substitute Members:

Councillor Dipa Das, Councillor Dan Tomlinson and Councillor Leema Qureshi

(The quorum for the Committee is 3)

The deadline for registering to speak is **4pm Monday, 20 July 2020**

The deadline for submitting information for the update report is Noon
Tuesday, 21 July 2020

Contact for further enquiries:

Zoe Folley, Democratic Services, Zoe.Folley@towerhamlets.gov.uk 020 7364 4877 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
<http://www.towerhamlets.gov.uk/committee>



Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.
<http://towerhamlets.public-i.tv/core/portal/home>

View Planning application documents here:

https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/planning_applications/planning_applications.aspx

Electronic agendas reports and minutes.	
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Copies of agendas, reports and minutes for council meetings can also be found on our website from day of publication.

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

Agendas are available on the Modern.Gov, Windows, iPad and Android apps.

London Borough of Tower Hamlets

Strategic Development Committee

Wednesday, 22 July 2020

6.00 p.m.

APOLOGIES FOR ABSENCE

1. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (Pages 7 - 8)**

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. **MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 12)**

To confirm the minutes of the meeting held on 17 June 2020



3. **RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 13 - 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
4. DEFERRED ITEMS		
5. PLANNING APPLICATIONS FOR DECISION	17 - 22	
5 .1 Former Poplar Bus Depot, Leven Road, London, E14 OLN (PA/19/02148)	23 - 114	Lansbury
5 .2 Land Under The DLR Bounded By Scouler Street And Aspen Way And Prestage Way, Aspen Way, London (PA/19/02292)	115 - 180	Poplar

Next Meeting of the Strategic Development Committee
Wednesday, 2 September 2020 at 6.00 p.m.



Tower Hamlets Council
Town Hall
Mulberry Place
5 Clove Crescent
E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Asmat Hussain, Corporate Director, Governance and Monitoring Officer,
Tel: 0207 364 4800.

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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 6.00 P.M. ON WEDNESDAY, 17 JUNE 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

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

Other Councillors Present:

Councillor Ehtasham Haque
Councillor Mohammed Pappu
Councillor Andrew Wood

Apologies:

None

Officers Present:

Paul Buckenham	– (Development Manager, Planning Services, Place)
Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Rachel Mckoy	– (Head of Commercial & Contracts, Legal Services Governance)
John Miller	– (Planning Officer, Place)
James Woolway	– (Planning Officer, Place)
Zoe Folley	– (Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

Councillor Sabina Akhtar declared a non DPI interest in the following agenda items due to association with a registered speaker, Councillor Ehtasham Haque

6.1 2 Trafalgar Way, London E14 5SP (PF/19/00127)

6.2 Blackwall Yard (PF/19/00112)

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

That the minutes of the meeting of the Strategic Development Committee held on 21^h May 2020 be agreed as a correct record

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

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.

4. DEFERRED ITEMS

There were none.

5. PLANNING APPLICATIONS FOR DECISION

There were none.

6. PRE - APPLICATION PRESENTATIONS

6.1 2 Trafalgar Way, London E14 5SP (PF/19/00127)

Update report was tabled.

The Committee considered the presentation in accordance with the pre - application presentation protocol

RESOLVED:

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

6.2 Blackwall Yard (PF/19/00112)

The Committee considered the presentation in accordance with the pre - application presentation protocol

RESOLVED:

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

The meeting ended at 8.55 p.m.

Chair, Councillor John Pierce
Strategic Development Committee

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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>

Public Information – ‘Accessing and Participating in Remote’ Meetings

The meeting is due to be held as a ‘remote meeting’ through the Microsoft Teams app in accordance with:

- The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, allowing for remote Committee Meetings.

The following guidance provides details about the operation of the virtual Strategic and Development Committee Meetings.

Publication of Agenda papers and meeting start time.

Electronic copies of the Committee agenda will be published on the Council’s Website on the relevant Committee pages at least five clear working days before the meeting. In the event of a technical difficulty, the meeting arrangements may need to be altered at short notice (such as a delay in the start time). Where possible any changes will be publicised on the website.

A link to the electronic planning file can be found on the top of the Committee report. Should you require any further information or assistance with accessing the files, you are advised to contact the Planning Case Officer.

How can I watch the Committee meeting?

Except when an exempt item is under discussion, the meeting will be broadcast live for public viewing via our Webcasting portal <https://towerhamlets.public-i.tv/core/portal/home>. Details of the broadcasting arrangements will be published on the agenda front sheet. The meeting will also be available for viewing after the meeting. Physical Attendance at the Town Hall is not possible at this time

How can I register to speak?

Members of the public and Councillors may address the meeting in accordance with the Development Committee Procedure Rules. (Details of the process are set out on the next page). Please note however, that it may not usually be possible to arrange for additional speaking rights and late requests to speak, particularly those received during or shortly before a meeting.

Should you wish to address the Committee, please contact the Democratic Services Officer to register to speak by the deadline, who will assist you to join the meeting. It is recommended that you supply the Officer with a copy of your representation in case you lose connection. You may address the Meeting via Teams. You have the option of joining through a video link or by audio only.

(Please note that if you participate at the meeting, you must be able to hear and be heard by the other participants attending remotely).

Where participation through video or audio tools is not possible, please contact the Democratic Services officer by the deadline to discuss the option of:

- Submitting a written statement to be read out at the meeting.

You may also wish to consider whether you could be represented by a Ward Councillor or another spokesperson.

Microsoft Teams:

This is a Microsoft Teams Event. If you are using a Laptop or PC or a mobile device, you may join via the website. Should you require assistance please contact the relevant Democratic Services Officer who will be able to assist you further.

Procedure at the Committee meeting.

Participants (contributors) in the virtual meeting are expected to log in to the meeting in advance of the start time of the meeting, as set out in the guidance that will be provided by the Democratic Services Officer, when you register to speak. This is in order to check the connection. You will be expected to confirm your identity before the meeting starts.

The Chair will formally open the meeting and will introduce themselves and every participant. The Chair will then set out the expected meeting etiquette, including the following:

- When speaking for the first time, participants should state their full name before making a comment.
- To only speak at the invitation of the Chair.
- The method for indicating how to speak.
- If referring to a specific page of the agenda pack, you should mention the page number.
- All participants microphones must be muted when not speaking.
- Where necessary, participants may switch off their cameras when not speaking to save bandwidth.
- Participants **must alert** the Chair/Democratic Services Officer if they experience technical difficulties, particularly a loss of connection, or if they need to leave the meeting, as soon as possible. Where a key participant experiences a loss of connection, the Chair may adjourn the meeting until such a time the participant can re-join the meeting. A key participant is defined as a participant whose continuing contribution to the meeting is vital to allow a decision to be made.

The Chair, following consultation with Democratic Services and the Legal Advisor, may adjourn the virtual meeting for any reason should they consider that it is not appropriate to proceed.

The format for considering each planning application shall, as far as possible, follow the usual format for Strategic and Development Committee Meetings, as detailed below.

- Officers will introduce the item with a brief description, and mention any update report that has been published.
- Officers will present the application supported by a presentation
- Any objectors that have registered to speak to address the Committee, (including Officers reading out any written statements)
- The applicant or any supporters that have registered to speak to address the Committee, (including Officers reading out of any written statements)
- Committee and Non Committee Members that have registered to speak to address the Committee.
- The Committee may ask points of clarification of each speaker.
- The Committee will consider the item (Questions and Debate)
- Voting. At the end of the item, the Chair will ask the Committee to vote on the item. The Chair will ensure that all Members are clear on the recommendations, have heard all of the presentation and submissions. The Chair will conduct a roll call vote, asking each Committee Member to indicate their vote, (for, against, or abstain)
- The Democratic Services Officer will record the votes and confirm the results to the Chair.

For Further Information, contact the Democratic Services Officer shown on the agenda front sheet.



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/19/02148
Site	Former Poplar Bus Depot, Leven Road, London, E14 0LN
Ward	Lansbury
Proposal	<p>Part retention and part demolition of the existing boundary walls and the former tram shed depot arches, and retention of the three storey office building. Demolition of the remainder of the existing warehouse and the redevelopment of the site to provide 530 residential units (Class C3), 2644sqm (GIA) of workspace (Classes B1a, B1b, or B1c), 508sqm (GIA) of flexible retail; professional services; and restaurant/bar uses (Classes A1, A2, A3, A4), within buildings ranging from 3 storeys (20.2m AOD) to 20 storeys (72.7m AOD), with associated parking, landscaping, public realm and all associated works.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Grant Planning Permission subject to conditions and a legal agreement
Applicant	Leven Road LLP
Architect/agent	CZWG & DP9
Case Officer	Julian Buckle
Key dates	Application validated 16/10/2019 Public consultation finished on 25/11/2019 EIA Regulation 25 consultation ended 07/06/2020

EXECUTIVE SUMMARY

The application proposes the part-demolition of the existing warehouses and boundary wall, and the retention of historic fabric in the form of the tram shed façade and existing Edwardian office building.

The new buildings would comprise of two distinct typologies. Along Leven Road and behind the tram shed façade a series of perimeter blocks are proposed between 3 – 8 storeys in height, containing workspace and residential dwellings. Eastwards to the riverside three residential towers of 15, 17, and 20 storeys are proposed. Two podiums are proposed

between the towers and perimeter blocks to provide communal amenity and play space. A new riverside walkway is proposed and a public space in the form of the tram shed forecourt. Vehicle access would be via a single point to the north of the site. The development would contain 530 dwellings and 2644sqm of workspace, as well as 508sqm of flexible retail/restaurant/professional service space.

The development is considered to positively contribute to the broader regeneration of the Lower Lea Valley and Poplar Riverside. The Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area Planning Framework support high-density residential led development in this location and the development would make efficient use of brownfield land. The proposed scheme would provide a significant amount of housing and workspace, as well as public access to and along the riverside that would link-up to neighbouring sites. This would contribute positively to the regeneration of the area and be in line with the local and strategic objectives for the site.

The proposal would result in a net loss of industrial floorspace capacity but on balance this would be acceptable, and the new workspace would likely provide a significant increase in employment opportunities. 20% of this floorspace would be affordable and overall the workspace would support the creative cluster emerging in this part of Poplar.

The scheme proposes 35% affordable housing by habitable room, including a variety of unit typologies across both tenures. The residential accommodation is considered to be of a high standard and would provide good living conditions inside and outside. There is no north facing single aspect flats.

The height, massing, and scale of the proposed buildings are considered to appropriately respond to the emerging local context. The contrasting typologies and forms of the new buildings would make for an unusual composition that would add a distinctive character and vibrancy to the area. The proposal would retain the historic fabric of greatest significance and would integrate it sensitively into the overall design. The layout would represent good urban design; forming strong relationships with the street, the historic fabric, and the riverside. The architecture is considered to be of an exceptional quality.

It is considered on balance the scheme's impacts on amenity would be acceptable. Whilst some neighbouring properties would see an appreciable reduction in daylight this would be outweighed by the improvement in outlook and from the wider enhancements to the public realm and overall living standards. The proposal would have negligible impacts on sunlight to any neighbouring properties. The new dwellings proposed would provide a high level of compliance with respect to the BRE guide and provide good internal daylight and sunlight.

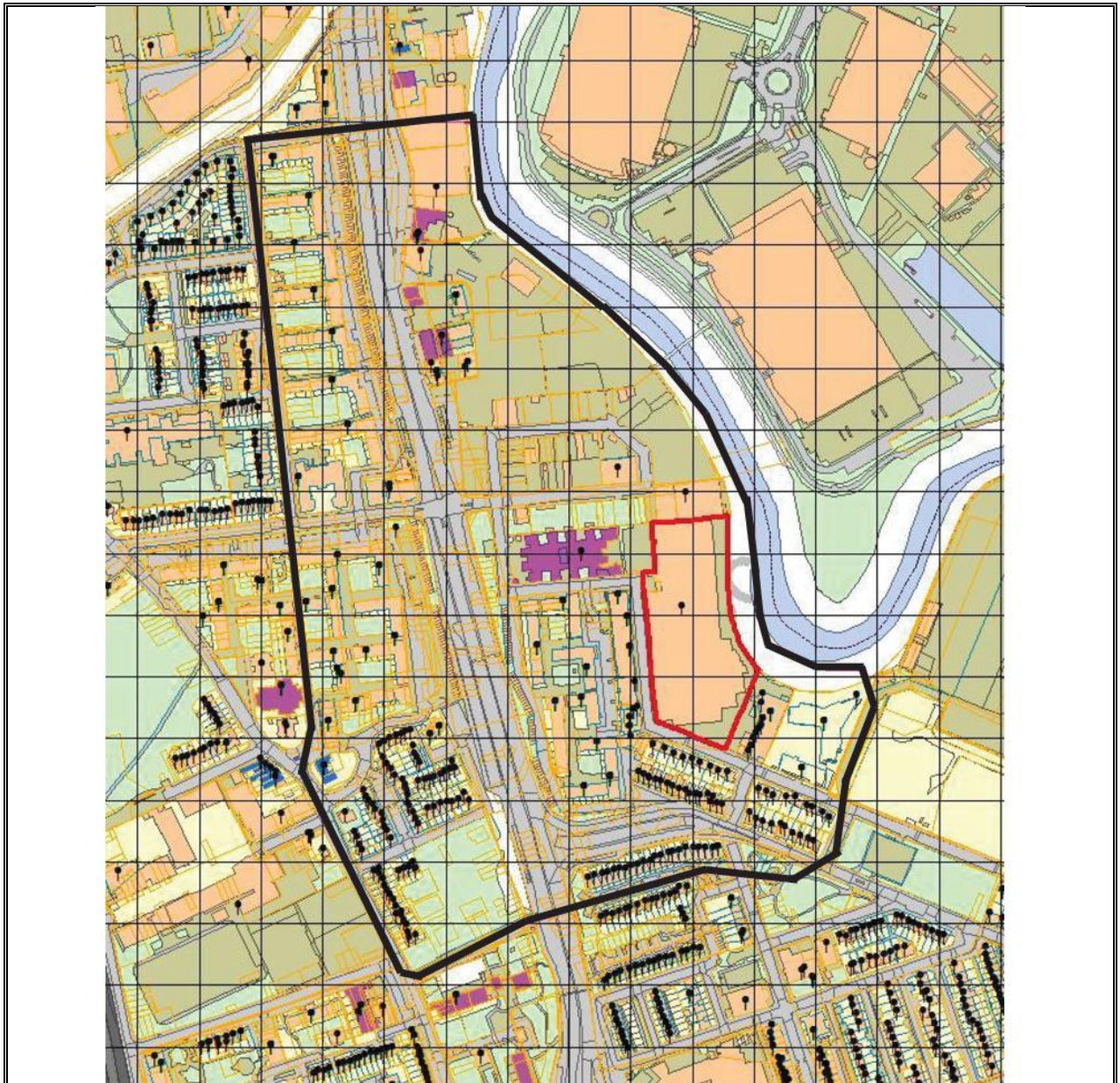
The impact from the development on nearby designated heritage assets would lead to less than substantial harm which is decisively outweighed by the public benefits of the scheme: notably the housing and workspace, and affordable provision in both; public access along and to the riverside; and new public realm (the tram shed forecourt). The proposal would have no impact on the Outstanding Universal Value of the Greenwich Maritime World Heritage Site.

Vehicle access and servicing on-site are considered to be acceptable subject to conditions and the submission of a Travel Plan. The energy strategy would sufficiently reduce carbon dioxide emissions. Considerable biodiversity enhancements are also proposed which ensure net gains would be achieved.








The scheme would be liable for both the Mayor of London's and the Borough's Community Infrastructure Levy. In addition, a number of planning obligations would be secured relating to employment and skills training, carbon offsetting, and transport network improvements.

The report concludes that the development would be in accordance with the development plan and with the National Planning Policy Framework (NPPF) (2019), and having taken into account any other material considerations, it is recommended the application is approved and should be determined in accordance with the development plan.

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/19/01248</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: 14 July 2020</p>

1 SITE AND SURROUNDINGS

- 1.1 The site is located on Leven Road west of the River Lea. It comprises of a hard standing forecourt area fronting Leven Road and a collection of buildings that were constructed in circa 1903, in association with the development of London's tram network. The site has since been used as a bus depot and from circa 1986 as a storage facility.
- 1.2 The site is currently occupied by 'Iron Mountain' and is in use as a document storage facility employing approximately 8 employees (over an area of 10,345sqm). The full area of land within the site boundary is 13,000sqm or 1.3 hectares.
- 1.3 The buildings cover a large proportion of the site and comprise of two large warehouses and a three storey office building. The southern end of the warehouses are characterised by tall arches that at one time would have allowed trams or buses in and out. These have since been blocked up but form a striking elevation. The existing office building and flank wall to Leven Road address the street.
- 1.4 These buildings and structures are of historical significance, albeit they are not listed, nor locally listed, nor within a Conservation Area, and are therefore considered to be non-designated heritage assets.
- 1.5 The site is within an Archaeological Priority Area, Floodzone 2/3 which designates it as 'more vulnerable', and as a Site of Importance for Nature Conservation (SINC) due to its proximity to the River Lea. The Tower Hamlets Local Plan 2031 (2020) identifies the site within the Lower Lea Valley Sub Area and within the Ailsa Street Site Allocation.



Figure 1: Image of application site (dashed) and surroundings



Figure 2: View of tram sheds and forecourt



Figure 3: View of tram shed arches and gable ends



Figure 4: View of existing office building



Figure 5: View of roof structure to existing office building



Figure 6: View of 9m high boundary wall



Figure 7: View of the River Lea and eastern edge of the site (left hand side)

- 1.6 The Grade II listed Bromley Hall School bounds part of the western boundary of the Site. Northwards are a number of listed buildings such as the Old Poplar Library Grade II and Bromley Hall which is Grade II*. These are within the Limehouse Cut Conservation Area which is approximately 300m away from the site. Further to the west is the Langdon Park Conservation Area.
- 1.7 The A12 is to the west of the site and the River Lea immediately to the east form barriers to movement and give the area a slightly isolated character. The immediate surroundings of the site are characterised by former industrial sites, wasteland, and former gasworks with residential housing as well. The area is undergoing significant transformation with many adjacent sites along the River Lea having been recently granted planning permission for major residential-led redevelopment.
- 1.8 These include Ailsa Wharf (planning reference PA/16/02692/A1) and the Leven Road Gasworks site (planning reference PA/18/02803/A1), both of which have received planning consent for residential-led redevelopment. A resolution to grant planning permission was issued on the 21st of May by the LBTH Strategic Development Committee for the site directly to the north, known as Islay Wharf (planning reference PA/19/01760/A1). Devons Wharf (PA/09/00109) is a contemporary building adjacent to the river that has been completed within the last 10 years.
- 1.9 While the site forms part of a historic industrial area spanning from Leven Road Gasworks to the waste disposal site north of Ailsa Wharf, it is noted that the prevailing character of the locality is emerging as residential in nature with large residential estates to the west and south of the site.
- 1.10 The prevailing PTAL of the site is 1b, with the closest public transport interchange being bus stop M, 200m from the site, which provides the southbound D8 service to Crossharbour with the opposing service on the western side of the A12 providing a northbound service to St Leonard's Wharf. The 309 bus service is also available on Zetland Road which provides transport to Bethnal Green and Canning Town.
- 1.11 The closest rail services to the site are available from Langdon Park DLR, approximately 800m walking distance, and Bromley-by-Bow underground station which is approximately 1,000m walking distance. The DLR services provide north and southbound links to Stratford and Canary Wharf, while Bromley-by-Bow provides east and westbound services between Upminster, Hammersmith and Richmond by way of the Hammersmith and Fulham, Circle and District lines.
- 1.12 The site is located within the Poplar Riverside sub-area (as below) of the Mayor's Lower Lea Valley Opportunity Area (LLVOA) as detailed in the 2007 adopted strategic plan for the area. The plan provides an overarching strategic vision for the delivery of a minimum of 32,000 new homes within the area, and an indicative employment capacity of 50,000 jobs with the sub-area detailing Leven Road as an identified area for housing. The Draft New London Plan (2019) proposes a new opportunity area in the form of Poplar Riverside and sets a target of 9000 homes and 3000 jobs. A key objective is to overcome the infrastructure challenges and improve pedestrian and cycle accessibility within the area.

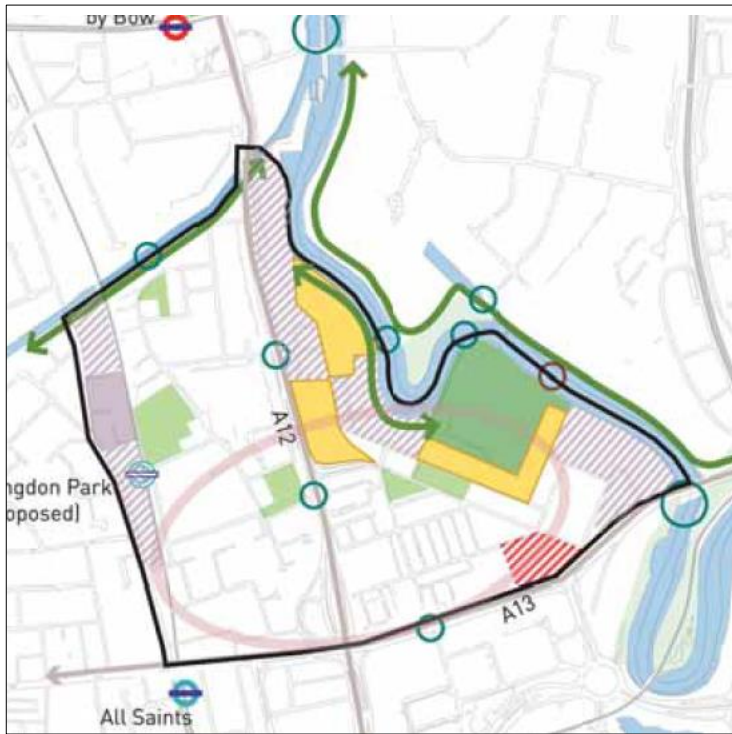


Figure 8: Lower Lea Valley Opportunity Area – Poplar Riverside Sub Area

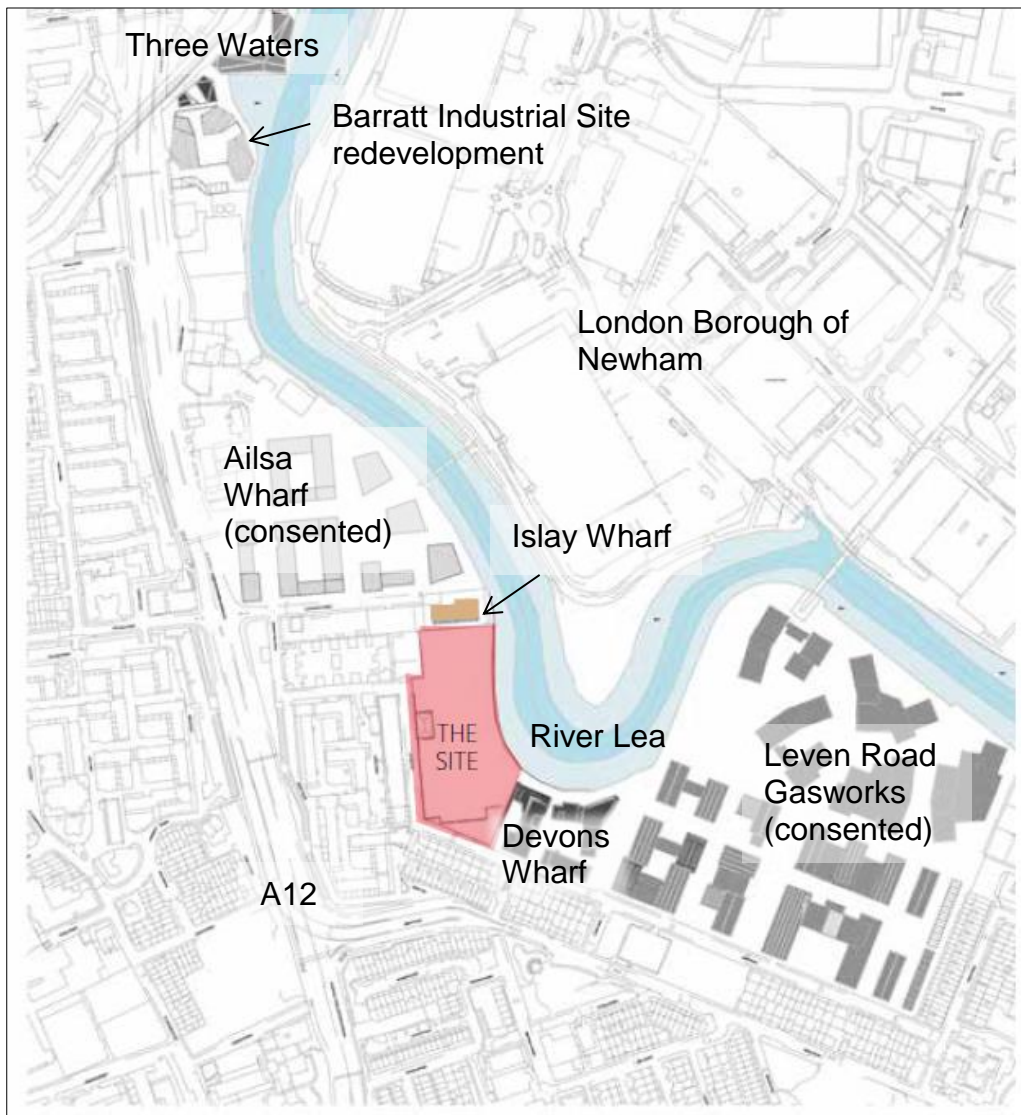


Figure 9: Map of site in context of recently built, and consented developments

2. PROPOSAL

- 2.1 The scheme proposes to retain two major elements of historic fabric. One is the whole two storey southern elevation with the five tram-shed arches and elements of the east and west return walls along Leven Road and facing the river. The other is the whole structure of the existing three storey office building, facing west onto Leven Road, including its roof and its adjacent two storey entrance hall. Both these areas would contain workspace with the tram shed building featuring a double height space for the ground floor.
- 2.2 The new buildings proposed can be split into three distinct categories: the southern tram shed building; the western elevation to Leven Road, and the three towers to the riverside.

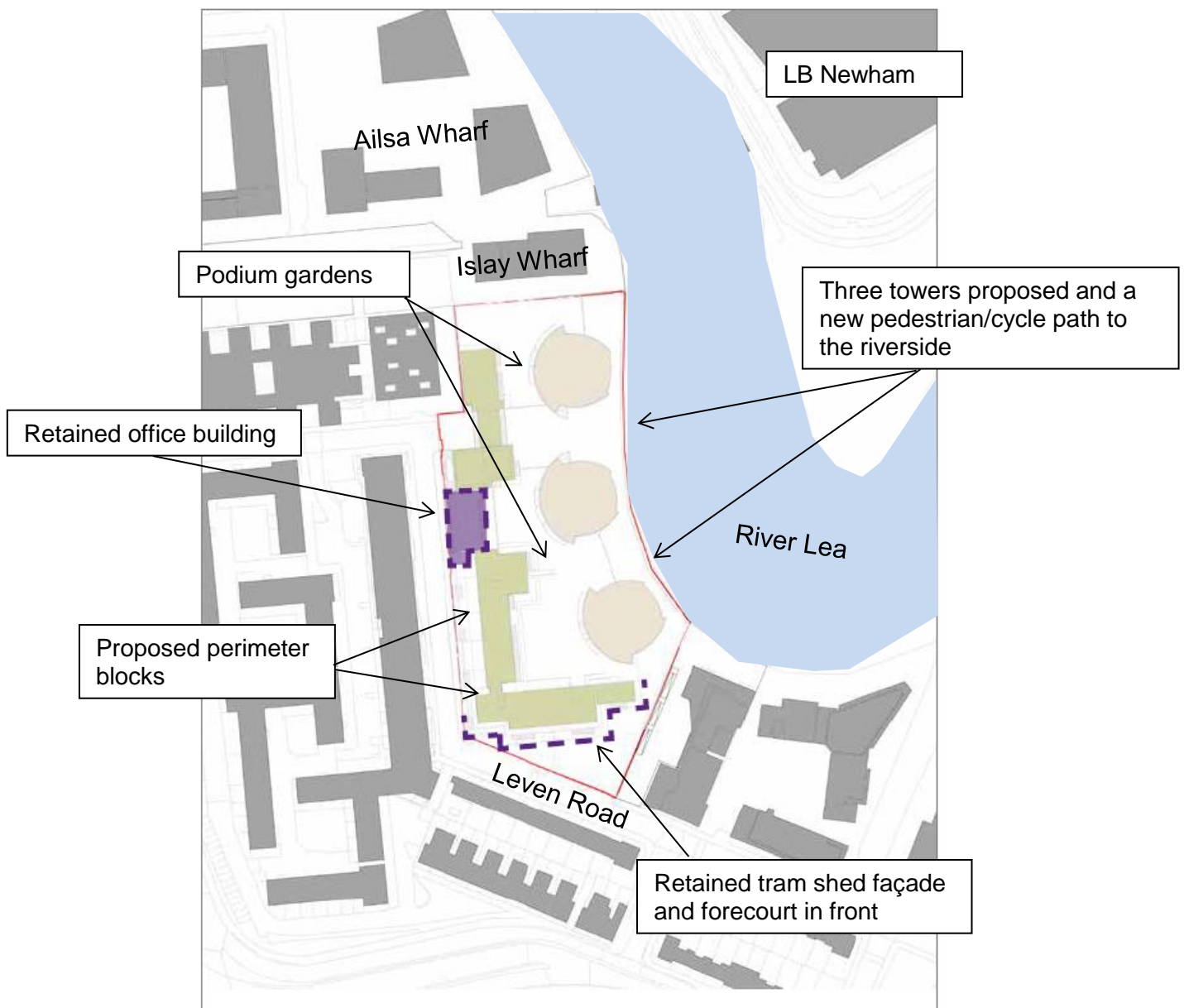


Figure 10: Proposed site layout

Leven Road southern elevation

- 2.3 The new built form behind the retained tram-shed façade would extend up to a height of eight storeys, with the top floor setback. The lower floors would also be setback from the façade by 4m. South of the retained southern facade of the tram-shed arches a new public space would be created and this space would be linked at a shallow incline to the riverside walk at the south-east end of the site. The southern tower would be visible in views looking north.



Figure 11: CGI Image of proposed southern elevation

Leven Road western elevation

- 2.4 Between the two retained elements a new perimeter building facing west onto Leven Road is proposed which would be set back from the back of pavement line, a line that continues over the retained building at either end. This frontage would be predominantly residential from ground floor upwards with the lower two floors being maisonette units. Brick buttresses between the units would provide a degree of privacy to the amenity spaces.
- 2.5 A podium deck would be created behind the retained and proposed perimeter facades and would provide the communal amenity area and play space, with parking and servicing areas below. Beyond the retained office building, a new commercial unit would be introduced at ground floor and a building of 8 storeys proposed. The building would be linked to the northern block via an elevated three storey section. The clearance would allow for views through from Leven Road to the River as well as be the single access point into the site for vehicles (see figure 12 below).
- 2.6 The flank elevation to the northern section adjacent to Bromley Hall School would be windowless to ensure that the adjacent site is not unduly restricted. Artwork will be proposed to animate this elevation.



Figure 12: CGI of Leven Road west elevation and site vehicular access point

Three towers and the riverwalk

- 2.7 The three towers proposed would vary in height and brick colour but all be of the same form and overall design. They would appear as a coherent composition distinct from the perimeter blocks that characterise the street facing parts of the site. The northern tower would be 15 storeys, the central tower 20 storeys, and the southern tower 17 storeys. Adjacent to the north Islay Wharf would stand at 21 storeys.
- 2.8 The riverwalk would run the full length of the eastern side of the site facing onto the River Lea and join up with the adjacent public realm. The concept for the riverwalk is alternating spaces where the path steps in and out to create wider and narrower sections. There would be a minimum separation of 7m between the river wall and the three ground-floor commercial frontages at the base of the towers, and this would increase up to 14m wide in the spaces between them. The riverwalk would be accessible from the new routes proposed across the northern and southern ends of the site.
- 2.9 Servicing and delivery for the commercial and residential units would be managed within the podium decks which would accommodate a range of vehicle types. The northern service yard would accommodate larger vehicles.



Figure 13: CGI of the three proposed riverside towers

3 RELEVANT PLANNING HISTORY

Former Poplar Bus Depot, Leven Road

PA/79/00729 – Permitted 13/07/1979

The development of an industrial and warehouse estate.

PA/87/00786 – Permitted 11/01/1988

Redevelopment to provide a mixture of light and general industrial and warehouse uses.

PL/88/00105 – Permitted 19/09/1989

Refurbishment and change of use to storage and ancillary office use. Including car parking, revised access, new front wall and landscaping.

PA/14/03154 – Permitted 22/12/2014

Certificate of lawful development for existing use of re-alignment of 2.4m high palisade fencing to site boundary to align with legal boundary. Islay Wharf, Lochnagar Street

Nearby developments (relevant applications)

Islay Wharf, Lochnagar Street

PA/19/01760 – Resolution to grant planning permission issued 21st May 2020

Demolition of existing warehouse building and redevelopment of the site for mixed use development comprising two blocks ranging in height between 12 storeys and 21 storeys, accommodating 351sqm of flexible uses classes (Class A1, A2, B1, D1, D2) on ground floor and mezzanine with associated public realm works and residential accommodation (Class C3) on the upper floors providing 133 residential units.

Ailsa Wharf, Ailsa Street

PA/18/03461 – Permitted 16/01/2020

An application for a minor material amendment to planning permission PA/16/02692 dated 2nd October 2018 in respect of amendments to the internal layouts and external elevations of Blocks IJKL, EFGH and M and to the footprint and layout of all basements, together with amendments to the residential tenure mix by block and the detailed design of the landscaping and public realm.

PA/16/02692/A1 – Permitted 02/10/2018

Demolition of existing structures/buildings and the redevelopment of the site for a mixed use scheme providing 785 residential units (C3) and 2,954 sqm GIA commercial floorspace (A1/A3/B1/D2) within a series of thirteen building blocks varying between 3 and 17 storeys (Maximum AOD height of 59.9) ; the creation of a new access road and the realignment of Ailsa Street; the provision of cycle and car parking spaces; and associated site-wide landscaping and public realm works.

PA/87/00762 – Permitted 18/09/1987

Use as a waste transfer station.

Bromley Hall School, Bromley Hall Road

PA/02/00808 – Permitted 07/08/2002

Change of use from school to office accommodation (B1) and storage (B8).

PA/16/00884 – Permitted – 18/11/2016 (now extant)

Expansion of existing school to provide 2 FE Primary school and associated nursery, including partial demolition of existing building.

PA/20/00845 – Permitted 20/05/2020

Change of use involving the sectioning of existing parking for School (D1) for new independent parking. (Temporary for 2 years)

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 1164 planning notification letters were sent to nearby properties on 21/10/19.
- 4.2 Site notices were displayed around the site on 29/10/19 and a press notice was advertised on the 24/10/2019.
- 4.3 13 objection letters were received in response to notification and publicity of the application. No letters of support were received. The material considerations raised in the objections are summarised thematically below:
- 4.4 Amenity
- Harmful impacts on residential amenity and access, servicing and construction to Ailsa Wharf.
 - The development will reduce the light to the artist studios within Atelier Court significantly and harm the future usability of the studios for artists and SMEs.
 - Office and business uses are detrimental to the residential character of the area.
 - Shops and retail space are not needed and would clutter the area.
 - Noise levels from construction work and the operation of the development itself would be harmful and unacceptable.
 - Significant loss of daylight and sunlight because of the building heights and proximity. This loss is not acceptable on grounds of health and well-being and there should not be further deterioration of light within Hopwood Court and Atelier Court.
 - Overlooking and loss of privacy along Leven Road and increased levels of crime
- 4.5 Housing & Community facilities
- Proposal should achieve 50% social housing of which 70% should be social rent
 - A shared open space and new community facilities should be provided
 - No jobs benefits for the community as evidenced by vacant units at Devons Wharf
 - Insufficient school places and GP surgeries to support development
 - 78 of the dwellings are 1bed 1person bedsits and not built to a decent space standard
 - The proposed location of affordable housing in lower-rise building and vast majority of tower blocks private sale constitutes segregation and is against policy
- 4.6 Open Space
- Not enough public open space provided as part of the proposal
 - The development should not be gated
- 4.7 Design
- Objection to the height of the buildings; that they are too tall and will block views
 - Buildings should be lower with wider spaces between them
 - The tall buildings will impact air quality and block pollution from the A12

- The buildings should be no more than 10 storeys in height and setback from the road
- Overdevelopment of the site
- Canyoning effect to the dim upper Leven Rd
- The iconic garage arches form a 'fortress-like' façade on Leven Road
- Reducing the height of blocks D & E would improve aesthetics and daylight
- The front arches of the former Depot are dwarfed by the 8 storeys of blocks D and E rendering them an insignificant appendage
- Block C should reduce in height and will cast long shadows on Atelier Court and Nairn Street behind.
- The tall blocks hog the riverside and dominate the other blocks

4.8 Highways

- Leven Road should be made for two-way traffic
- The proposal will reduce the limited on-street parking spaces available
- No plans for parking spaces is of concern and only one bus route is in operation

4.9 The material objections raised will be considered in the relevant sections of the report.

4.10 As detailed within the submitted Statement of Community Involvement (SCI), the applicant engaged with neighbouring landowners, including Islay Wharf. It is noted that a series of joint pre-application meetings were held at Council offices for both the application site and Islay Wharf (a resolution to grant planning permission was given by the committee on 21st May). The scheme has been developed in light of extensive pre-application discussions held with officers at LBTH since February 2019.

5 CONSULTATION RESPONSES

Internal Consultees

LBTH Building Control

- 5.1 The Fire Statement has been assessed and deemed adequate at this stage in the design process, and that the scheme represents good design with respect to fire safety. Further details which are required as part of the Buildings Regulations will be considered separately to the planning process.
- 5.2 The details provided satisfy the requirements within Draft New London Plan Policy D12.

LBTH Transportation and Highways

- 5.3 Highways officers raised initial objection to the quantum of car parking. This has subsequently been reduced to a very low level, less than 1% of units would have parking, accessible parking has been provided in accordance with GLA requirements.
- 5.4 The applicant will be expected to enter into a legal 'Permit Free' agreement which restricts all future residents from applying for on street parking permits. The applicant is proposing to provide cycle parking to the Draft New London Plan standards which is welcomed.
- 5.5 Initial plans to change the directional flow along Leven Road have been removed from the proposal in line with the advice from highways officer. The proposals would remove some of the existing crossovers into the site which will result in less vehicle movements around the site which in turn will remove safety hazards for other road users. Instead all movements will be consolidated at one point. This is welcomed.

- 5.6 A financial contribution of £50,000 has been secured to provide improvements to the pedestrian routes to Langdon Park DLR and Bromley-by-Bow underground station, as identified within the ATZ assessment.
- 5.7 It is noted the comments have been addressed during application stage, and the recommended conditions and obligations will be attached to any forthcoming planning consent.

LBTH Waste Policy and Development

- 5.8 Waste officers raise no in-principle objection to the proposed refuse storage and servicing strategy, although has requested that a mass collection method is considered by the applicant.
- 5.9 This was undertaken and it was deemed that URS would not be suitable given the limited locations and the impacts this would have on the public realm. A purpose compaction system should be explored to reduce vehicle trips required to collect waste. A condition will be attached requesting a feasibility study into compaction on-site. Standard conditions relating waste are also requested.
- 5.10 Officers consider that these details can be satisfactorily secured via condition attached to any forthcoming consent.

LBTH Environmental Health (Air Quality)

- 5.11 Air Quality officers raise no objection and are satisfied that the applicant has demonstrated that the residential development will not be affected by levels of air pollution above National Air Quality Standards. Therefore no additional mitigation will be required to protect future occupiers from existing environmental pollution. The applicant has stated that heating for the development would be by air source heat pumps. These have no local emissions to atmosphere. The applicant has undertaken a transportation air quality neutral assessment which meets the GLA benchmark.
- 5.12 The recommended conditions in relation to dust will be attached to any forthcoming consent.

LBTH Environmental Health (Noise/Vibration)

- 5.13 Noise officers raise no objection, subject to standard conditions and imposition of operating hour controls on commercial units.

LBTH Design

- 5.14 A number of objections were raised to the initial scheme in terms of the bulk and massing, as well as the manner in which the heritage assets – in particular the tram shed façade – were integrated into the new development. The materials are considered to be of a high quality.
- 5.15 The design comments will be further addressed in the report but the scheme has reduced the scale and massing across all sections to address some of these concerns. Where historic fabric has been retained there is no one size fits all as to how old and new architecture is interpreted. The scheme delivers significant public realm enhancements as well as a much improved relationship to the street and the river. It is also noted that the CADAP members expressed clear support for the design rationale of two contrasting typologies integrated with the historic fabric.

LBTH Environmental Health (Contaminated Land)

- 5.16 Contaminated Land officers raise no objection, subject to standard conditions.
- 5.17 The recommended conditions will be attached to any forthcoming consent.

LBTH Sustainable Urban Drainage (SUDS)

- 5.18 No comments received.
- 5.19 It is noted that the GLA have provided specific commentary on the SUDS proposal and Thames Water have requested conditions relating to surface water drainage and run-off. It is therefore considered the proposed conditions would address any potential concerns, noting that the drainage has also been considered as part of the ES.

LBTH Biodiversity

- 5.20 The Biodiversity officer has made a number of observations and overall was satisfied that the proposal would lead to net gains in biodiversity and provide a significant amount of biodiversity enhancements to the site. Concerns were raised and maintained around the lack of greenery and planting specifically along the riverside walk. The removal of non-native species was welcomed.
- 5.21 Officers have sought to increase the planting along the riverside but have to balance this with the strategic aims for the route as a cycle and pedestrian path. This will be considered in further detail in the landscaping and biodiversity section.
- 5.22 Pre-commencement conditions would be attached to any forthcoming consent and further landscaping conditions will be included to ensure that any proposed soft landscaping would accord with the Borough's biodiversity and ecology aims, and contribute where possible to the Local Biodiversity Action Plan (LBAP).

LBTH Housing

- 5.23 Housing officers support the quantum of affordable housing provided at 35% and accept the tenure split at 60:40 between affordable and intermediate units. They did raise some concerns with regard to the tenure and unit mix as submitted. In particular the provision of studio units in the market housing and the number of family sized units in the affordable rent tenure.
- 5.24 This will be considered in full in the detailed Housing section but these were noted and discussed with the applicant. Amongst balancing the overall housing offer the proposal did increase from 31% to 35% affordable housing by habitable room during submission and in discussion with officers. The scheme viability demonstrates a deficit of -£15.96m. In this context the proposal provides the maximum amount of affordable housing. Taking into account all the issues it is concluded that on balance the scheme would provide a suitable range of market and affordable housing. This is further explained in the Housing section.

LBTH Energy Efficiency

- 5.25 The energy officer is satisfied with the overall energy strategy and considers the use of Air-Source Heat Pumps and on-site power generation through PV to be acceptable and in accordance with policy.
- 5.26 Policy D.ES7 of the Local Plan requires zero carbon for all development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions, and the remaining regulated carbon dioxide emissions to 100% to be off-set through a cash in-lieu contribution. The scheme will provide a 44.6% reduction and will be required to pay a contribution of £580,000 to achieve the 100% reduction.

- 5.27 Further information requested by the energy officer has been provided and conditions have also been requested to ensure that the approved energy strategy is delivered in the detailed design stage. These will be attached to any forthcoming consent.

LBTH Enterprise and Employment

- 5.28 Enterprise and Employment officers welcome the provision of affordable workspace and request further details around management of the workspace. This will be secured via condition. The affordable workspace will be secured within the S106 agreement.
- 5.29 They also advise of financial obligations to be secured within the S106 agreement, details and figures are included in Section 8.2 of this report.

LBTH Occupational Therapists

- 5.30 No comments received.
- 5.31 Despite the lack of consultation response received, officers will be imposing a condition to any forthcoming consent requiring the submission of wheelchair accessible housing details and securing the proposed 10% wheelchair homes as part of a non-financial obligation within the S106 agreement.

LBTH Viability

- 5.32 LBTH Viability officers and external consultants BNP Paribas have assessed the submitted Financial Viability Assessment (FVA) as prepared by BPS, and have determined the findings to be fundamentally sound. The assessment shows a deficit of -£15.96m and that the scheme provides the maximum viable amount of affordable housing.
- 5.33 As the scheme fails to meet Draft New London Plan Policy H5 for 50% affordable housing on industrial sites viability officers require early and late stage review mechanisms within the S106.
- 5.34 The recommended review mechanisms will be included within the S106 agreement.

LBTH Policy

- 5.35 Policy officers support the provision of affordable workspace and affordable housing. It is noted that the scheme will see a reduction of industrial floorspace but recognise the need to balance this with housing within the Ailsa Street Site Allocation. Details of how the workspace would be managed will need to be secured via condition and all play space must be tenure blind.

LBTH Town Centres

- 5.36 No comments received.

LBTH EIA

- 5.37 The EIA has been reviewed by competent professionals and found sound subject to the mitigation identified within the council's Final Review Report being secured as part of any forthcoming consent.
- 5.38 This will be further considered within the EIA section of the report.

LBTH Public Health

- 5.39 The detailed HIA submitted is considered to be robust, covering a broad range of potential health issues at various scales (housing, amenities, green infrastructure, transport,

access). It is noted that community consultation was not undertaken although it is recognised attempts were made to address this. Nonetheless this is contrary to best practise.

- 5.40 Notwithstanding consultation, overall, the HIA demonstrates the intent of the scheme to contribute positively, within its remit, to healthier lifestyles within the borough.

External Consultees

Environment Agency

- 5.41 The EA initially objected on the basis that the development would not effectively demonstrate it will be safe for its lifetime of a hundred years. Following further information submitted by the applicant the objection was removed.
- 5.42 The additional information related to the tracking plan for the river wall setback and river wall improvement works, as well as details of the TE2100 raisings which they consider can be implemented by way of planning condition.
- 5.43 A condition, as recommended by the Environment Agency, will be attached to the consent requiring: a condition survey of the existing wall; a scheme of improvement works where necessary; and demonstrate how flood defence will be raised in line with the TE2100 Plan.

Historic England

- 5.44 Advised that they have no comments to make, and to refer to LPA Conservation Officer for guidance in determining the application.

Greater London Archaeological Advisory Service (GLAAS)

- 5.45 GLAAS initially raised objections to the Archaeology Assessment and the lack of detail within the report identifying whether there is any harm and how it would be mitigated.
- 5.46 Following discussions with the applicant's archaeology consultants and following additional information being provided it was agreed that the concerns could be addressed via updated material to adapt the foundation design to avoid important remains.
- 5.47 Further information would be sought via two planning conditions one for fieldwork and public benefit, and one for foundation design control. These will be attached to any forthcoming consent.

London City Airport

- 5.48 No objection, subject to conditions, which will be attached to any forthcoming consent.

Thames Water

- 5.49 No objection, subject to conditions and informative requiring details of network upgrades and housing and infrastructure phasing plans have been submitted.
- 5.50 Conditions and informative will be attached to any forthcoming consent.

DLR

- 5.51 No comments.

London Underground

- 5.52 Initial concerns were raised that the main TA did not assess how the development would impact on the capacity of the train service or nearby stations. The applicant provided additional information detailing the impacts which were not considered to be significant by LU and in line with the predicted growth of the area identified in the Local Plan Site Allocations and the Lower Lea Valley OAPF. Following receipt of additional information London Underground have no objection to the application.

TfL

TfL welcome and strongly support the proposal to provide a walking and cycle route along the River Lea. This should connect seamlessly to adjacent sites. To the north, this should include a tie-in to the proposed development of Islay Wharf. To the south, this should include a tie-in to the existing Leaway, including removal of the wall along the site boundary.

A development of this scale should include an Active Travel Zone (ATZ) assessment to identify measures that could support the expected high walking and cycling mode share of this car-free development. Any necessary mitigation identified through this work should be secured in the S106, S278 or by condition as appropriate.

We note that the applicant has offered a revised proposal of 5 general car parking spaces, 27 disabled persons parking spaces, and 2 car club spaces. While this reduction in car parking is welcomed, given that the site is in an inner London Opportunity Area we expect the development to be car-free (except for disabled persons parking). The design of car parking and vehicle access should ensure that walking and cycling is prioritised and that speeds are kept very low.

TfL welcomes that cycle parking will be provided to the minimum standards as set out in the Intend to Publish London Plan.

Construction works and delivery and servicing will need careful management to deliver Vision Zero objectives. A full Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP), both in accordance with TfL guidance, should therefore be secured by condition

Officers note that TfL request the development to be car-free but consider the provision of 5 spaces and 27 blue badge spaces acceptable. The blue badge spaces would equate to 5% of the total dwellings and above the 3% requirement set by TfL. 5 general spaces would equate to 0.95% of the dwellings having access to car parking spaces. This is considered acceptable in the context given the low PTAL and the likely lag-time for new surrounding infrastructure to be in place. In addition no residents will have access to a parking permit for on-street car parking.

TfL request a contribution of £203,482 for improvements to the local bus network. This is in line with developments of a similar scale within the locality, notably the Leven Road Gasworks development under planning reference PA/18/02803. The contribution will be secured within the S106 agreement.

A contribution of £50,000 has been secured for mitigation identified within the Active Travel Zone (ATZ) assessment. The contribution would be directed to improvements along two key pedestrian routes from the site to Langdon Park and Bromley-By-Bow station. The details of which and the contribution will be secured within the S106 agreement.

Greater London Authority

- 5.53 As highlighted within their Stage 1 response, the GLA is supportive of the principle of a high density residential-led mixed use development. They consider the design responds well to the local context and is sensitive to heritage assets. The energy hierarchy has been followed and the scheme would deliver significant public benefits with access along the river.
- 5.54 The proposal fails to meet the 50% threshold of affordable housing for fast track compliance and has been viability tested by GLA officers. The net-loss of industrial floorspace capacity is considered to be acceptable in the context, they advise a quantum of new floorspace to be secured for industrial uses only. This will be addressed in the land use section of the report.
- 5.55 The GLA consider that the proposal would lead to less than substantial harm to nearby heritage assets and that the public benefits decisively outweigh any such harm identified. This will be further discussed within the heritage section of this report.
- 5.56 The GLA notes that the affordable housing provision would be subject to both late and early stage review mechanisms within the S106.
- 5.57 Following the submission of further details the applicant is considered to have addressed the issues as raised by the Greater London Authority in their Stage 1 response. The GLA will have further opportunity to comment as part of their Stage 2 response.

Metropolitan Police (Designing Out Crime)

- 5.58 The police have made a number of recommendations with regards to further details which would be addressed at the detailed design stage. Subject to details required as part of any condition being acceptable officers are satisfied the scheme would represent a safe development. A condition requiring the development to meet Secure by Design standards will be attached to any forthcoming consent.

London Fire Brigade

- 5.59 No comments received.

Canal and River Trust

- 5.60 No comments to make.

Natural England

- 5.61 No comments to make.

National Air Traffic Services (NATS)

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

Lea Valley Regional Park Authority

- 5.63 No comments received.

London Borough of Newham

- 5.64 No comments received.

London Legacy Development Corporation (LLDC)

5.65 No comments received.

Port of London Authority (PLA)

5.66 No objection in principle, recommend inclusion of a condition securing life-saving equipment to the River Lea and further investigation for use of the River Lea in delivering freight and construction material by water.

5.67 A condition requiring the installation of riparian life-saving equipment will be included on consent. It is noted that this section of the River Lea itself is not suitable for loading and unloading material to the site. Requiring water freight to be used within the supply chain may have unintended impacts on sustainability, requiring extra journeys or two to be made instead of one to the site. On the information provided officers consider further investigation would not be reasonable and unlikely to deliver sustainability benefits. On this basis it will not be included.

5.68 Amenity societies

Council British Archaeology

5.69 Initially the CBA raised objections but they subsequently agreed with both Historic England and GLAAS' approach and request additional detail within the conditions to ensure any archaeological remains of significance are suitably protected.

5.70 Others

Conservation and Design Advisory Panel

5.71 They commented in relation to the pre-application proposal on 13th May 2019 prior to submission of the full planning application. This scheme was larger in scale and massing for circa 600 units and 3200sqm of commercial floorspace.

5.72 They supported the overall composition of the development based on perimeter blocks and towers to the riverside and considered the architectural approach to these elevations inspiring. The landscaping was also considered to be bold. They did raise concerns around the scale and mass of the buildings, the lack of activation along the riverside, and the overall density of the scheme.

5.73 These comments have been addressed in the full submission application and the issues raised have been considered in full in the design section.

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.

6.3 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.

6.4 The adopted Development Plan comprises:

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

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

Housing - (*standard of accommodation, amenity, playspace*)

- Local Plan policies – S.H1, D.DH2, D.H3
- London Plan policies – LP3.3-9, LP3.10-13, LP3.14-15

Land Use - (*residential, loss of industrial*)

- Local Plan policies - S.SG1, D.TC3, S.EMP1, D.EMP2, D.SG3, D.CF2
- London Plan policies – LP3.14, LP4.7, LP2.13, 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
- 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,

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- Lower Lea Valley Opportunity Area Planning Framework (2007)
- Historic England Heritage Supplementary Guidance (Various)
- GLA Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- LBTH Planning Obligations SPD (2016)

Emerging Policy

6.7 The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public took place in January 2019. Generally, the weight carried by the emerging policies within the Draft New London Plan (2019) is considered significant as the document has been subject to Examination in Public (EiP).

- 6.8 The 'Intend to Publish' version of the draft incorporates all of the Mayor's suggested changes following the EiP and was made available by the Mayor of London in December 2019.
- 6.9 However, some policies in the Draft New London Plan (2019) are subject to Secretary of State directions made on 13/03/2020, these policies are considered to have only limited or moderate weight. The statutory presumption still applies to the London Plan 2016 up until the moment that the new plan is adopted.
- 6.10 The key emerging London Plan policies relevant to the determination of this application are:

Housing

- Draft New London Plan policies – H1, H2, H3, H5, H6, H7, H8, H12

Land use

- Draft New London Plan policies – SD1,SD10, S1, H1, E1, E4, E9

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

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

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

- Draft New London Plan policies – D13.

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

- Draft 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*)

- Draft 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. Housing
- iii. Design & Heritage
- iv. Neighbouring Amenity
- v. Transport and Servicing
- vi. Environment
- vii. Human Rights and Equalities

LAND USE

Employment Policy

7.2 London Plan (2016) Policy 2.13 strongly promotes urban renewal within the Lower Lea Valley Opportunity Area, including the managed release of appropriate industrial sites for

mixed-use development. The Lower Lea Valley OAPF provides a strategic framework for this approach, and broadly identifies this site as within an area of land west of the River Lea that is suitable for residential-led redevelopment.

- 7.3 London Plan (2016) Policy 4.4 states that other industrial sites which are not locally or strategically significant - as is the case of the application site – and which are deemed surplus industrial land can help meet strategic and local requirements for a mix of other uses such as housing, and in appropriate locations to provide social infrastructure.
- 7.4 The Draft New London Plan (2019) policy E7 part c supports mixed-use or residential development proposals on Non-Designated Industrial Sites where it has been allocated in a local Development Plan Document for residential or mixed-use development. In this case the Ailsa Wharf Site Allocation within the Local Plan identifies the area for housing and employment.
- 7.5 Draft Policy E4 which relates to land for industry, logistics, and services to support the economy, supports proposals that make provision for varied operational requirements including low-cost industrial and related space for micro industries and small/medium enterprises (SMEs).
- 7.6 Policy D.EMP3 of The Local Plan seeks to protect against the loss of viable employment space within and outside of Preferred Office Locations, Local Industrial Locations and Strategic Industrial Locations. Applications which seek to reduce the overall net employment space within a site must demonstrate through active marketing that the site is no longer viable for the existing employment use, or robustly demonstrate that the site is genuinely unsuitable for continued employment due to its condition and that the benefits of alternative use would outweigh the benefits of employment use.
- 7.7 Policy D.EMP2 of the Local Plan supports employment floorspace outside of designated employment locations if it forms part of a cluster of similar employment uses and it would contribute to integrated place making. Part 4 of the policy also states that mixed-use development schemes should provide 10% of new employment space as affordable workspace. Affordable workspace is defined at rent levels 10% below the indicative market rate for the relevant location, for a period of not less than ten years.
- 7.8 The Ailsa Street Site Allocation in the Local Plan requires a mixture of housing and employment uses which through a range of floor space sizes should support small-to-medium enterprises.

Reduction in employment floorspace

- 7.9 The existing site operates as a document storage facility (Use Class B8) for 'Iron Mountain' and has operated as such since the latter part of the 1980s having previously been both a bus depot and before that a tram depot. The application form confirms that there are 8 full time employees and it is considered that the site has a very low employment density given the existing warehouse floorspace is circa 10,000sqm.
- 7.10 50m to the west of the site are the recently completed fashion and creative maker studios called Poplar Works. These studios provide space for students from the London College of Fashion to create garments and undertake creative work. The proposed workspace would build on the emerging creative cluster in this part of the borough and support small businesses and the creative industries.
- 7.11 The scheme proposes 2644sqm of workspace within the retained two storey office building and within the new workspace to be created behind the tram shed arches. These spaces could potentially accommodate research and development processes as well as light

industrial uses falling within the use classes B1a, B1b, and B1c. This would accord with the requirements within the site allocation and provide for a range of different business types.

- 7.12 It is noted the Greater London Authority (GLA) have requested a guarantee of floorspace for industrial uses however it was considered this would be unduly restrictive, and potentially detrimental to generating new employment opportunities. Many creative and industrial industries do not fall neatly within the use classes set out by the order, especially when considering how the line between digital and physical products and services is increasingly blurred. The fashion studios in nearby Poplar Works accommodate a range of activities and it is considered that the site would further build on these types of industries as well as provide suitable space for other light industrial activities.
- 7.13 Given the proximity to residential dwellings both proposed and existing the promotion of heavy industry within Class B2 would potentially be problematic from an amenity perspective. In addition, Draft London Plan Policy E7 supports mixed use development on sites allocated within a Local Plan.
- 7.14 The Local Plan Policy D.EMP3 seeks to protect existing employment uses although it does also allow for circumstances in which there is a net reduction: when a site is unsuitable for employment and that the benefits of the alternative use outweigh the employment use. In this case the existing site is not unsuitable albeit there would be significant public benefits to accommodating alternative uses such as housing within the site. The site allocation and opportunity area designation promote the release of surplus industrial land for housing in this location.
- 7.15 The proposal would result in a net reduction in employment floorspace from 10,000sqm to 2644sqm. Nonetheless, the new development would likely create considerably more jobs given the limited on-site employment that the existing storage facility provides. The quality and usability of the workspace would change to support a broader range of users and businesses, and the workspace within the tram shed arches would contribute to wider place making objectives.
- 7.16 Thus, it is considered that to require no net loss of employment floorspace would be contrary to the strategic and local objectives for this specific area, and that it would unduly restrict the delivery of housing. The GLA's Stage 1 response confirms they are in agreement with officers on the quantum of retained floorspace.
- 7.17 Therefore, with regard to the local and strategic policies, and the existing site context, it is considered that the quantum of employment floorspace retained would be proportionate, and would support SME's in Poplar.

Affordable Workspace

- 7.18 The scheme would provide 20% of the floorspace at a rate of 20% below the indicative market rate. This would equate to 528.8sqm of affordable workspace and go beyond The Local Plan policy D.EMP2 which requires at a minimum 10% of the floorspace to be at 10% below the indicative market rate.
- 7.19 This increase in floorspace and reduction in rental costs above the policy requirement would strongly support small businesses and start-ups in the area and complement the existing fashion hub at Poplar Works. SMEs and people wishing to start a business whom may find rent prices challenging elsewhere in the borough would benefit.
- 7.20 The affordable workspace would be secured as part of the S106 agreement and a management plan for the workspace would be required and secured via a planning condition.

Employment Summary

- 7.21 The reduction in employment floorspace would release a significant amount of land for housing and the new workspace would support a range of business types. The likely increase in employment density and jobs, as well as the wider place making objectives that would be achieved, would represent significant benefits to the public. The affordable workspace provision would be above the required levels and contribute significantly to supporting SMEs and creative industries within this part of the Borough. It is considered that overall the employment provision within the development carries significant weight in favour of the proposal.

Housing Policy

- 7.22 Part 11 of the NPPF (2019) paragraph 118 states in relation to *Making effective use of land* planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.
- 7.23 Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 homes as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery is targeted within Opportunity Areas and areas identified by Local Planning Authorities for redevelopment and regeneration.
- 7.24 The Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes between 2016 and 2031, which equates to 3,931 new homes each year.
- 7.25 As detailed earlier, the application site falls within the Ailsa Street Site Allocation and Lower Lea Valley Opportunity Area as designated by the GLA. Both strategic designations identify the area for high density housing delivery.

Housing proposal

- 7.26 As detailed in the above sections, there is a demonstrated need for housing and affordable housing within Tower Hamlets and at a regional level. The Borough is expected to deliver a significant quantum of new housing within London.
- 7.27 The development would provide a total of 530 new homes of which 35% would be affordable when measured by habitable rooms. It is noted that the Borough has in excess of 19,000 individuals on the affordable housing waiting list.
- 7.28 Taking into consideration the need for housing and the targets set by The Local Plan it is considered that a high density housing scheme is appropriate within this location. Furthermore, the Lower Lea Valley Opportunity Area and the Ailsa Street Site Allocation support residential led development and the proposal would deliver much needed market and affordable homes for the Borough and London.
- 7.29 Paragraph 118 of the NPPF (2019) directs decision makers to give substantial weight to the provision of homes on brownfield land.
- 7.30 Therefore taking into consideration the local and strategic policy designations as well as the NPPF (2019) the provision of housing in this location carries substantial weight in favour of the proposal.

Other uses

- 7.31 The scheme proposes 508sqm of flexible space which could accommodate retail; professional services; and restaurant/bar uses (Within Use Classes A1, A2, A3, A4).

- 7.32 The development would provide a limited amount of retail floorspace at ground floor level within commercial units fronting onto the riverwalk. The proposed range of uses would facilitate a well-balanced mix of commercial activity and local services across the site.
- 7.33 It is recognised that flexibility is important to ensure the spaces are let and that there is activation along the ground floors of the development, particularly along the riverside. The proportion of spaces in the context of the overall development would be small and would not represent an oversupply of retail or restaurant space outside of a designated town centre.
- 7.34 It is considered these uses would complement the workspace and housing as well as contribute to wider place making objectives. They would not harm the vitality or investment in any local centres.

Land Use Conclusions

- 7.35 In summary, the reduction in employment floorspace would be acceptable given the aims and objectives of the Ailsa Street Site Allocation and the Lower Lea Valley OAPF to release land in this area for housing. The proposed workspace would likely lead to an increase in jobs and support a more diverse range of business types. The affordable workspace provision (20% of employment floorspace at 20% below market rate) would further support SMEs and other creative industries emerging in this part of the Borough.
- 7.36 The provision of housing in this location is strongly supported by strategic and local policies and the NPPF (2019) which seeks to make effective use of brownfield land. The Ailsa Street Site Allocation and Lower Lea Valley OAPF supports mixed-use residential led development and the other proposed commercial uses would complement the overall land use mix.
- 7.37 The proposed housing and employment space carries substantial weight in favour of the proposal.

HOUSING

- 7.38 The Local Plan Policy S.H1 outlines the need for the Borough to secure the delivery of 58,965 new homes across the Borough between 2016 and 2031, which equates to 3,931 new homes each year. Draft New London Plan Policy H1 also places a strategic expectation that the Borough will need to deliver 35,110 as a 10-year housing target (annualised to 3,511 per year) between 2019/20 and 2028/29. As detailed in this policy, it is expected that much of this housing delivery be targeted within Opportunity Areas.

Housing Mix

- 7.39 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type. The Local Plan Policy D.H2 also seeks to secure a mixture of small and large housing that meet identified needs. Specific guidance is provided on particular housing types and is based on the Council's most up to date Strategic Housing Market Assessment (2017). The required mix within each tenure is shown in the table below.
- 7.40 Section 4.12.2 of Policy H12 of the Draft New London Plan, "Housing Size Mix", places importance on considering housing mix in a contextual basis in determining how it best meets a need.

Table 1: Housing mix requirements from policy D.H2

	Market	Intermediate	Affordable rented
1 bed	30%	15%	25%
2 bed	50%	40%	30%
3 bed	20%	45%	30%
4 bed			15%

7.41 The table below details the overall proposed mix of the scheme which would represent 35% affordable housing when measured by habitable room:

Table 2: Housing mix for proposed development

Tenure	Studio	1-bed	2-bed	3-bed	4-bed	Total
Market	78	122	158	18	0	376
Intermediate	0	28	23	12	2	65
Affordable	0	23	38	24	4	89
Total	78	173	219	54	6	530
As %	14.7%	32.6%	41.3%	10.2%	1.1%	

Market Housing

7.42 The table below details the market housing provision of the scheme against the requirements within policy D.DH2:

Table 3: Market Housing Mix

Market housing unit type	No. of units proposed	No. of hab rooms	No. of units as a Percentage	Policy	Difference
Studio	78	78	20%	-	+20%
1-bedroom	122	244	32%	30%	+2%
2-bedroom	158	474	42%	50%	-8%
3-bedroom	18	70	6%	20%	-14%
4-bedroom	0	0	0		
Total	376	866	100%		

7.43 As detailed in the table above the scheme represents a deviation from policy with regard to the private housing mix. Notably, the development comprises of 20% studio units and 6% 3/4 bedroom units. The former is not recognised by policy D.H2 and the latter is 14% short of the 20% required for 3/4 bedroom units. It is considered the percentage of 1 bedroom units proposed is within an acceptable variation – 2% – of that required within the policy. It is noted that the 2bedroom units also fall 8% short albeit 42% is still the largest portion within the market mix which reflects the weighting it is given within the policy. The shortfall of 2bedroom units in the market context would not be significant.

7.44 The Local Plan housing policies do not recognise the studios as a unit typology within the housing mix table or the supporting Strategic Housing Market Assessment (SHMA). It is however acknowledged as a unit typology in the Nationally Described Space Standards

(DCLG 2015) embedded within the London Plan and referenced within Local Plan Policy D.H3.

- 7.45 It should be noted that of the studios 36 are 47sqm which is well above the minimum 37sqm and 3m short of qualifying as a 1bedroom flat in terms of floorspace. 36 studios offer 7sqm of private outdoor amenity space and as such there is a degree of variation within the studios, with some being well-above the required internal space standards. This will be further considered in the residential amenity section.
- 7.46 From the Financial Viability Assessment (FVA) submitted it is understood that there is a difficulty in selling the larger family sized units (3/4bedroom) within the market housing, given their associated price and the market conditions. In addition, it is relevant to consider the impacts of the unit typologies on the viability. As outlined within the FVA, the studio units provide a considerable per square metre benefit and offset against the viability deficit created by the provision of 35% affordable housing.
- 7.47 Whilst the scheme is not fully policy compliant with respect to market housing it is considered that the development would still provide a sufficient range of housing types, and meet the identified need for 1bedroom and 2bedroom units. The shortfall in 3/4 bedroom units is evidenced within the FVA and whilst not in accordance with policy is acceptable on balance. The studios would support the overall affordable housing for the scheme and represent a high value per square metre. The varied size and design of the studios is also of relevance.
- 7.48 Taking all of the above into account it is considered that the deviation from policy with respect to the studios and 3/4bedroom units carries limited weight, and that on balance the proposed mix of market housing would be acceptable.

Affordable Housing

Affordable housing policy

- 7.49 The London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and provides that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period which can be expressed in absolute terms or as a percentage.
- 7.50 Draft New London Plan Policy H5 outlines the threshold approach to affordable housing for housing schemes within identified industrial land. The policy sets the threshold level of affordable housing at 50% for Strategic Industrial Locations, Locally Significant Industrial Sites and other industrial sites deemed appropriate to release for other uses, where there would be a net loss of industrial floorspace with the development in place. Applications not meeting the 50% threshold are not eligible for the Fast Track Route, and will be viability tested with early and late stage reviews secured by way of legal agreement subsequent to consent.
- 7.51 The Local Plan Policy D.H2 sets the requirements of affordable housing provision within developments in the Borough, in terms of quantum, standard and provision. Development within the Borough is required to provide at least 35% affordable housing by habitable room, with a tenure split of 70:30 in favour of affordable rented units to intermediate.
- 7.52 It is noted that the Draft New London Plan policy H6 requires 50% affordable housing on industrial sites to follow the threshold approach, and as such requires the undertaking of a Financial Viability Appraisal on submission to meet policy.

7.53 Part 3 of D.H2 sets out the expected housing mix within the three residential tenures expected within large scale developments. This policy seeks to ensure a mixture of small and large housing types, including family homes, based on the Council's most up to date Strategic Housing Market Assessment (2017).

Affordable housing proposal

7.54 The application provides 35% affordable housing by habitable room with a 60:40 split with respect to rented and intermediate housing. The exact mix is shown in the tables and pie-charts below.

Table 4: Affordable rent housing mix

Unit type	No. of units	No. of habitable rooms	No. of units as a percentage	Policy	Difference
Studio	-	-	-	-	-
1-bedroom	23	46	25%	25%	N/A
2-bedroom	38	114	43%	30%	+13%
3-bedroom	24	97	27%	30%	-3%
4-bedroom	4	24	5%	15%	- 10%
Total	89	281			

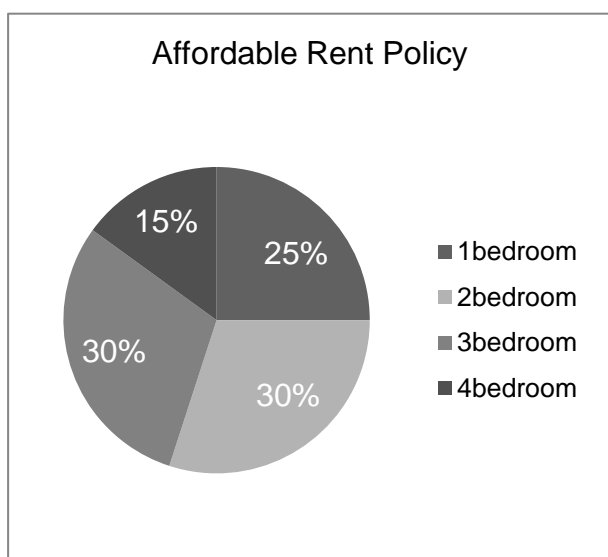


Figure 14: Pie-chart affordable rented policy mix

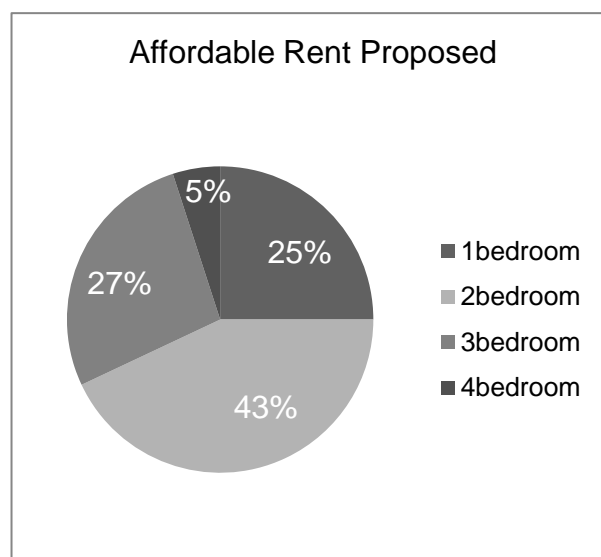


Figure 15: Pie-chart affordable rented proposal mix

Table 5: Intermediate housing mix

Unit type	No. of units	Habitable rooms	No. of units as a percentage	Policy	Difference
Studio	-			-	-
1-bedroom	28	56	43%	30%	+13%
2-bedroom	23	69	35%	50%	-15%
3-bedroom	12	49	18%	20%	+1%
4-bedroom	2	12	3%		
Total	65	186			

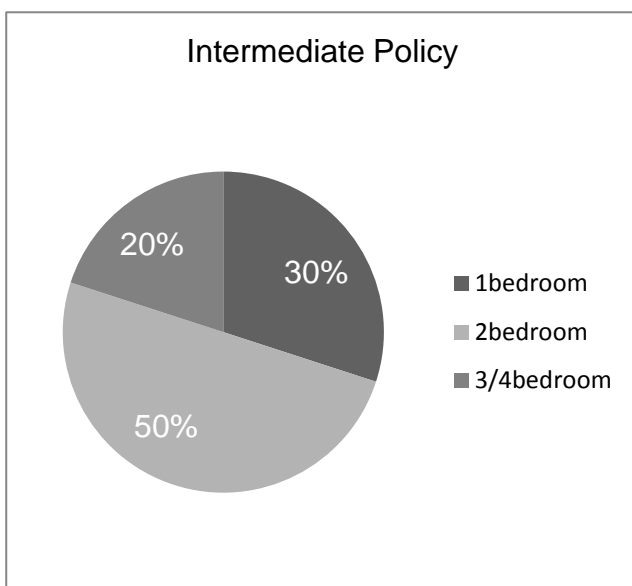


Figure 16: Pie-chart of intermediate policy mix

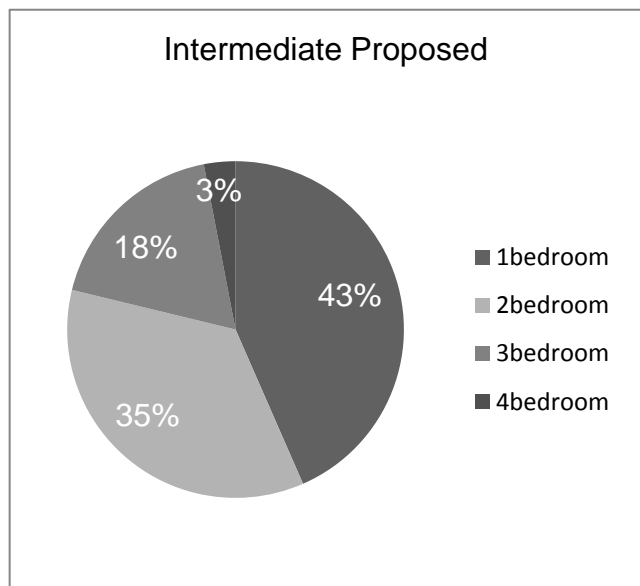


Figure 17: Pie-chart of intermediate proposed mix

- 7.55 The affordable housing would represent 35% of total housing provided when measured by habitable room which would result in a 154 units out of 530. The tenure split proposed would be 60:40 in favour of affordable rent. This would equate to 89 affordable rent units and 65 intermediate units.
- 7.56 The affordable rent units would be 50% Tower Hamlets Living Rent and 50% London Living Rent 50%, the intermediate units would be shared ownership. These housing types are in accordance with policy and supported by LBTH housing team who consider traditional affordable housing types as the most suitable.
- 7.57 The overall contribution would meet the policy test of 35% set by Policy D.H2 of the Local Plan but would need to be viability tested as it would not meet the threshold of 50% set within Draft New London Plan policy H6.
- 7.58 In considering the affordable housing mix the applicant has submitted a Financial Viability Appraisal of the scheme in line with the above London and Local Plan policies. The submitted FVA prepared by BPS Consultants and independently reviewed by BNP Paribas

post-submission, concluded that the scheme exceeds the maximum viable provision of affordable housing, highlighting a deficit of £15.96m.

- 7.59 While it is noted that the scheme at present provides for 35% affordable housing by habitable room across the development, it does not represent a fully compliant housing mix across both tenures. It is concluded that on balance the scheme would provide an appropriate mix of housing and will be discussed below.
- 7.60 With respect to the affordable rented units there is an under provision of 4bedroom units by 10% and a very minor under provision of 3bedroom units by 3%. This results in an over provision of 2bedroom units. The 1bedroom units meet policy exactly.
- 7.61 It should be noted that family sized units are defined as 3 and 4 bedrooms and the policy requires a total of 45% of the affordable rent to be of this size. As highlighted within the Council's most recently Strategic Housing Market Assessment (SHMA) and reflected within the recently adopted Local Plan Policy D.H2, family sized housing within the affordable rented tenure remains a priority.
- 7.62 This proposal provides a total of 32% of 3bedrooms and 4bedrooms. The number of 3bedroom units would equate to 24 out of 89 affordable rent units and very close to policy compliant. The 4bedroom units represent a shortfall of 10%.
- 7.63 When considering the affordable rented mix there would still be a range of housing types that meet the needs identified within the Local Plan and SHMA. A number of the 2bedroom dwellings would be for 4 persons and it is important to also consider the provision in the context of surrounding developments within the broader Site Allocation.
- 7.64 Islay Wharf proposed 13 3bed affordable rented units which equated to 87% of the affordable rented mix and no 4 bed units, and therefore provided a considerable shortfall with regards to 1 and 2 bed units.
- 7.65 Ailsa Wharf proposed 26% 3bed and 10% 4bed out of the 152 affordable rented units. Leven Road Gasworks proposed 47% 3bed and 12% 4bed out of the 116 affordable rent units in phase 1, noting this leads to an under provision in both the 1bed and 2bed categories with respect to Leven Road Gasworks and Islay Wharf.
- 7.66 Therefore whilst the application has to be considered on its own merits within the broader context of sites within the Lower Lea Valley Opportunity Area and across the Site Allocations of Ailsa Street and Leven Gasworks the affordable rented mix of the application site would be broadly consistent with other consented schemes of a similar character. The deviation from policy carries limited weight against the proposal.
- 7.67 With respect to intermediate housing the applicant proposes 65 shared ownership units.
- 7.68 The proposed mix exceeds the policy by 1% with regard to 3/4bedroom properties but under provides for 2bedroom units by 15%, and over provides on 1bedroom units by 13%. It is recognised that the large units have been prioritised in this instance and the 1bedroom units support the provision of 3/4bedrooms from a viability perspective.
- 7.69 It is considered that this arrangement prioritises the family housing within the intermediate housing and would be acceptable on balance.

Affordable housing conclusions

- 7.70 It is noted that the scheme would fail to achieve the borough's target tenure mix of 70:30 in favour of affordable rented units.

- 7.71 Officers are aware that there is a tension between delivering 35% affordable housing and the required tenure split. It was considered that overall this was best resolved through ensuring the scheme delivered 35% habitable rooms as affordable. A tenure split closer to policy of the same scheme would result in less overall affordable housing (circa 30%) when measured by habitable room.
- 7.72 The market housing would be broadly consistent with the developments within the Site Allocation and the shortfall in 2bedroom intermediate homes would be of limited harm. The under provision of 4bedroom units within the affordable rented tenure would carry some weight, but taking into consideration the housing as a whole, and the limited deviation in 3bed affordable rented units, the proposal would not overall conflict with policy D.H2 of The Local Plan.
- 7.73 When considering the affordable housing offer it is considered that strong weight be equally given to the quality of the housing, as well as the quantum. Significantly, it is noted that all of the affordable units would meet the internal space standards, and none would be single aspect north facing. This is further considered in the residential quality section below. Overall it is considered that the proposed affordable homes would represent high-quality design.
- 7.74 The proposed development would secure the maximum viable amount of affordable housing on site and whilst there would be some tensions with respect to the mix, overall the provision of 35% affordable housing would carry substantial weight in favour of the proposal.

Wheelchair Accessible Housing

- 7.75 Policy 3.8 of the London Plan and Policy D.H3 require that 10% of all new housing is designed to meet housing standard M4(3) for wheelchair accessibility, with the remainder of dwellings built to be accessible and adaptable dwellings in line with housing standard M4(2).
- 7.76 55 wheelchair accessible homes are proposed which amounts to 10% of the total units. 9 units are within intermediate, 7 are within the affordable rent, and 39 within the market housing.
- 7.77 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Blue-badge accessible parking would be located within the podium garage within the application site. No blue-badge spaces are proposed on-street. Subject to the further details being secured the proposed wheelchair housing would be in accordance with policy.

Quality of residential accommodation

Policy

- 7.78 The GLA's Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring it is "*fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime*". The document reflects the policies within the London Plan but provides more specific advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.
- 7.79 Policy D.H3 of the Tower Hamlets Local Plan require that all new residential units must meet the minimum standards prescribed within the London Plan, with particular regard for 2.5m minimum floor to ceiling heights and the provision of 10% wheelchair housing. The

policy also highlights the requirement that affordable housing not be of a distinguishable difference in quality.

Proposal

- 7.80 The housing is proposed within two distinct typologies; the perimeter block along the western and southern side of the site and the towers positioned to the east along the river. The scheme would provide 60% dual aspect units and no north facing single aspect units.
- 7.81 All three towers would provide 8 units per floor around a central core, within the perimeter block there would be no more than 6 units per core. This would be in accordance with the GLA housing SPG and represent good design as there would be no long corridors.
- 7.82 Within the towers it should be noted that 42 of the studios would not comply with the space standards as they would not provide dedicated outdoor private amenity space. However 30 of the 42 studios would provide 46.6sqm of internal space which would be above the total of indoor and outdoor space required by the standards. The 12 units which are 43.9sqm are located at the lower levels and are constrained by the requirement to pull the building away from the riverside and create a generous riverside walkway. They would still be above the required total of indoor and outdoor floorspace.
- 7.83 Overall the studios would still provide a high residential quality with good outlook and layouts which would maximise the light to living areas. The breakdown of studios and their characteristics are detailed in the table below.

Table 6: Studio breakdown

Studio type	No of units	Internal + external (sqm)	Policy requirement
1b1p	12	43.9sqm + 0sqm	37sqm + 5sqm
1b1p	36	47.7sqm + 7sqm	39sqm + 5sqm
1b1p	30	46.6sqm + 0sqm	39sqm + 5sqm

- 7.84 With regards to all units proposed within the 1bedroom, 2bedroom, 3bedroom, and 4bedroom category they would all meet or exceed the required space standards for internal and external amenity space. This would ensure a good residential quality.
- 7.85 The layouts of the units would maximise daylight to living areas and there would be sufficient distance between the buildings to ensure adequate privacy. The western frontage of Leven Road would be setback from the footway and it would be 16m distance at the closest point between the buildings on the opposite side of the street.
- 7.86 The Leven Road south frontage above the tram sheds is set back and at an angle to the street giving wider views southwards. The flats would feature private amenity space set back from the tramshed façade which would be south facing and so would receive generous sun. Bedrooms would face away from the street towards the communal gardens with living areas towards the street.
- 7.87 The flats within the perimeter block would face both east and west with some through flats having both aspects. Those on the east side of the building would look over the communal amenity space with longer views between the towers out over the river. Where distances between the proposed buildings are close windows have been angled such that any overlooking would be minimised. A number of units would have large balconies well above

the minimum requirement in terms of sqm (for example 5th floor 4bedroom dwelling proposes 27sqm of private amenity space).

- 7.88 The towers would benefit from views over the River Lea as well as across to the west where the buildings are more low-rise. The units facing west at lower levels would benefit from views of the communal amenity space. Residential entrances to the towers and perimeter block would be well-located, facing either the street or the public realm.
- 7.89 Overall the proposed flats would represent a high standard of residential quality and accord with the Local Plan and London Plan policies.
- 7.90 As confirmed by Environmental Health Officers, the new residential units will not be subjected to unacceptable noise or air quality conditions. Conditions will be placed on consent to ensure that new accommodation is constructed to appropriate British Standards with regard to acoustic insulation.

Amenity space

- 7.91 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies they should have a minimum width of 1500mm.
- 7.92 Part 5c and d of D.H3 requires communal amenity space and child play space for all developments with ten or more units. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.
- 7.93 The proposal provides private amenity space in the form of balconies to 488 flats, it is noted that some studios have this space accommodated internally; this has been considered within the residential quality section of the report. Communal amenity space and child play space is provided at podium level between the perimeter block and towers as shown on the map below.

Figure 18: Map showing communal amenity and play space



7.94 The total quantum of communal amenity space is shown in the table below.

Table 7: Communal amenity space

Required	Proposed
587sqm	665sqm

7.95 In using the Tower Hamlets Child Yield Calculator, the below requirements for child play provision are generated:

Table 8: Child yield calculator

Age Group	Child yield	Area Required (sqm)	Area proposed
Years 0 – 4	69	691	711
Years 5 – 11	52	522	728
Years 12 – 18	41	406	490sq (240sqm internal games room)
Total	162children	1619sqm	1929sqm

Communal Amenity

7.96 The proposed communal amenity space would be located at podium level and would exceed the required area by 78sqm. It is also noted that the podium level flats would have defensible garden space totalling 405sqm. Any public realm at ground floor level has not been included in the calculations. Overall the communal amenity space would be in accordance with policy S.H1 and D.H3.

Play space

7.97 As detailed above the development is predicted to generate 162 children and therefore 1619sqm of child play space is required; split across the different age groups set out in the GLA's Play and Informal Recreation SPG (2012). The GLA's Play and Recreation Supplementary Planning Guidance (2012) provides detailed guidance on the appropriate distances to local play spaces as well as guidance on the needs of the different age groups in terms of equipment and scale.

7.98 All play and communal amenity space will be tenure blind and there would be equal access for all residents. It is noted that the GLA Child Yield Calculator requires 1715.8sqm of total play space.

7.99 The proposal provides play space in excess of the policy requirement for 0-4 and 5-11 years of age. For 12+ 250sqm of play space would be outdoor at the podium level and there would be a further 240sqm at ground floor level within an indoor games room. Through discussion with officers and in recognition of the challenges of meeting the total required outdoor space to meet the GLA required level, an indoor play space with games and facilities for teenagers would be considered acceptable. The indoor area would be

subject to a condition requiring a management plan as well as secured within the S106 agreement.

- 7.100 For over-12s there are a range of open spaces within walking distance of the application site which provide for a variety of character and uses. The primary open space likely to be used by children aged 5 – 11 would be Jolly's Green which is approximately 450m walking distance from the site, Ettrick Street Park located 350m walking distance or Leven Road MUGA & Park which is also 350m from the site.
- 7.101 All three of these spaces provide a variety of play options including play/gym equipment, amphitheatres and open green spaces. For children aged 12 and above, the applicant has identified a range of open spaces which accommodate the requirements of this age group within 800m walking distance of the site. The Leven Road MUGA & Park (350m) and Nairn Street Muga (225m) both provide good quality spaces for high intensity play, while Langdon Park (500m) is a significant piece of open space which provides for football, as well as running, walking and cycling trails.
- 7.102 It is considered that the development would provide a good variety of play space that would meet a range of different needs and accord with the policy requirements.
- 7.103 Whilst the proposal provides limited play space at ground level it is important to consider the public realm in the context of the scheme and those consented within the Lower Lea Valley Opportunity Area. The provision of the riverside walkway and tram shed forecourt deliver other public benefits and integrate the site with the surrounding context as well as provide access where there previously was none. Some incidental play space is provided within the site at ground level which has not been counted as part of the play space calculation, but provides valuable animation for children within the space connecting to the Riverwalk.
- 7.104 Furthermore, there will be a considerable quantum of open space and play space delivered through the broader Site Allocation and nearby sites – notably a 1ha public park at the recently consented Leven Road Gasworks site (PA/18/02803) and 2,564sqm of publically accessible open space and play at Ailsa Wharf (as consented under PA/18/03461).
- 7.105 Overall the scheme would be in accordance with the relevant policies for communal amenity space and play space. The existing nearby spaces would provide good play space for all ages within walking distance and the consented developments would further enhance the open space provision within the area. The riverwalk and tram shed forecourt would also provide space for incidental play and amenity.

Daylight/Sunlight – for proposed new development

- 7.106 Policy D.DH8 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011). The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BRE guidance specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 7.107 Further guidance is provided with regard to sunlight, with the BRE guidance stating that in general, a dwelling which has a particular requirement for sunlight will appear reasonably sunlit if at least one main window faces within 90 degrees due south and the centre of one window to a main living room can receive 25% annual probably sunlight hours (APSH), including at least 5% annual probably sunlight hours in the winter months (WPSH) between 21 Sept and 21 March.

7.108 The applicant has submitted a Daylight and Sunlight Review of the scheme, undertaken by BDLA, in support of the application.

Daylight

7.109 With regard to daylight as measured by Average Daylight Factor (ADF) the proposed new dwellings would achieve 95% compliance across the whole development. This equates to 1331 rooms out of 1401 habitable rooms that would meet the requirements as set out by the BRE guide.

7.110 There are only two primary living areas which do not meet the BRE guide and these are located within the 2nd floor of Tower 1. The other rooms which do not meet the requirements relate to bedrooms which are considered by the guidance of lesser importance than kitchens and living areas with respect to daylight.

7.111 It should be noted that Daylight Distribution (DD) analysis has also been undertaken and demonstrates that 77% of rooms would fully comply with the BRE guidelines. These results have been calculated with the Islay Wharf development (resolution to grant issued 21st May) to the north included.

7.112 Overall, this would represent a very high level of compliance for a high-density development and this would ensure adequate daylight to all the proposed dwellings.

Sunlight

7.113 In housing the main requirement for sunlight is in living rooms, where it is valued any time of the day but especially in the afternoon. Considering the sunlight availability to the south-orientated main habitable rooms (i.e. LKDs, LDs, living rooms), the results show that out of the total of 376 primary living areas across the entire scheme, 298 rooms (c. 79%) and 304 rooms (c. 81%) fully meet the annual and winter sunlight criteria respectively in the context of existing developments and that of Islay Wharf.

7.114 It is noted that overall the proposal would achieve 44% and 61% that would fully comply with the annual and winter sunlight criteria. This would be a noticeable shortfall, albeit it is recognised that the scheme has prioritised light to living areas, and as such taken reasonable measures to address the sunlight failings. It is also noted that the failings are spread across the two typologies, and as such no part of the scheme is disproportionately impacted with respect to sunlight, and that overhanging balconies explain in part the sunlight shortfalls.

7.115 The sunlight results demonstrate that generally the main living rooms that face within 90° of due south will receive good levels of sunlight. Where there are transgressions, this is partly due to the presence of balconies, which provide private amenity.

Conclusion

7.116 It is considered in the context of the daylight and sunlight as a whole the shortfalls with regard to sunlight carry limited weight, and that the daylight conditions would be very good achieving 95% compliance. Overall the living conditions with respect to light would be of a high standard and ensure a good level of amenity.

DESIGN

Design Policy

- 7.117 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.
- 7.118 Policy S.DH1 of The Local Plan 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.
- 7.119 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.
- 7.120 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 and sets out a series of stringent design and spatial criteria to which tall buildings must conform to.
- 7.121 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 of the policy.

Density

- 7.122 The Local Plan policy D.DH7 requires the cumulative impacts to be considered when the density levels proposed are above those outlined in the London Plan (2016) policy 3.4. The Draft New London Plan removes reference to the matrix and seeks to optimise housing capacity, taking into account a range of factors including local context, character, public transport provision and good design. Policies D1 and D3 of the Draft New London Plan place a greater emphasis on a design-led approach being taken to optimising the development capacity of a particular site and to make the best use of land, whilst also considering the range of factors set out above.
- 7.123 The residential density of the proposed development would equate to approximately 1032 dwellings per hectare, which triggers the additional design scrutiny requirement set out in Policy D2 of the Draft New London Plan.
- 7.124 The proposals have been subject to an independent CADAP workshop as well as pre-application meetings with the GLA and Tower Hamlets Council design officers. The pre-application process has positively informed the evolution of the proposals. The site is located within an area where the principle of high density development, including tall buildings, is supported.
- 7.125 With regard to the urban design and residential quality considerations within this report more generally, the proposed density is acceptable.

Height, Scale and Massing

Existing and emerging context

- 7.126 As detailed in the above sections, the application site relates to a collection of buildings that comprise of two large warehouses and a three storey office building. The proposal would retain the three storey office building and the façade to the southern warehouse, including the retaining walls to each side of the façade to create a 3D base.

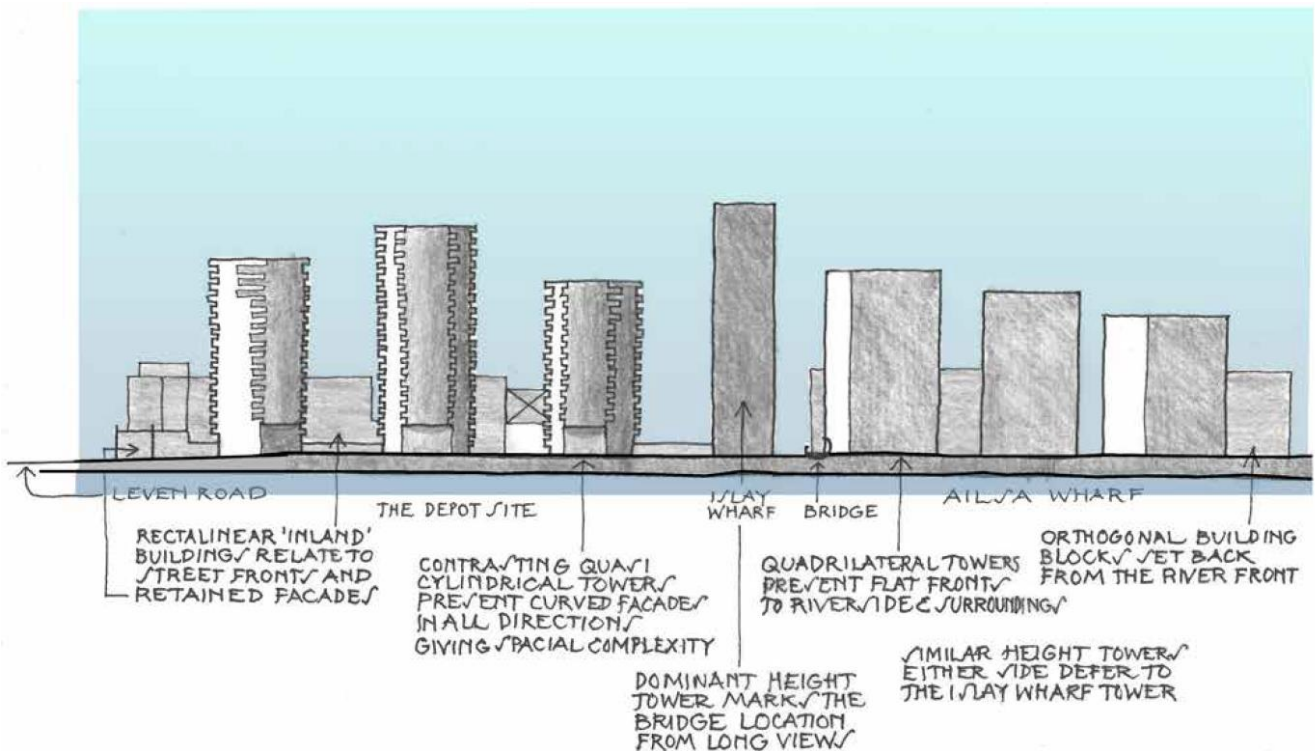
- 7.127 It is considered that the office building and tram shed façade are of greatest significance and their retention – as will be outlined in the heritage section – would ensure the site protects its heritage assets and would connect the development to the area’s and the site’s unique history.
- 7.128 The existing character of the sites along the river is that of low density industrial sites, notably Islay Wharf, Ailsa Wharf, and Leven Road Gasworks (all yet to be redeveloped). This is interspersed with residential developments of differing typologies and the A12 and East India Dock road which somewhat isolates this part of Poplar.
- 7.129 Terraced houses lie to the south of the site and around Jolly’s Green. Larger scale more contemporary residential developments such as Devons Wharf, are a stronger indication of the emerging character within this part of Poplar riverside. This emerging character is of a markedly different scale to the existing low-density warehouse buildings and includes much taller buildings. As detailed in the image below a number of new developments have recently been consented ranging in 2 to 21 storeys in height.



Figure 19: 3D Model of site in context of recently consented developments

- 7.130 Scale is not the only factor defining character; these developments would also provide more open space and riverside access. Where warehouse buildings have previously covered entire plots new developments will provide more space between buildings, existing streets will be extended, and new streets formed, to create a more legible and residential character.
- 7.131 The figure below is a concept sketch of the proposed development in context which seeks to add variety to the skyline with towers of a different form to both Islay and Ailsa Wharf. The change in heights to the towers adds interest and ‘play’s up’ Islay Wharf as the bridge marker – with the smallest tower at 15 storeys to Islay’s 21. The rectilinear blocks relate to the street and tram shed façade and would be primarily visible from Leven Road itself as opposed to from the Newham side of the River Lea.
- 7.132 The sketch below details the design rationale for having the taller elements to the river and also the form and shape of the two typologies.

Figure 20: Architect's sketch showing design rationale



Scale in the context of Tall Building policy D.DH6

7.133 The scheme falls outside of a designated tall building zone within The Local Plan, and therefore both part 1 and part 3 of policy D.DH6 must be satisfied. The policy is detailed but the most relevant aspects (a,b,c,d & h) relating to scale, massing, and townscape are copied below. It states:

7.134 *Developments with tall buildings must demonstrate how they will:*

- a) *be of a height and scale, mass and volume that are proportionate to their role, function and importance of the location in the local, borough-wide and London context*
- b) *achieve exceptional architectural quality...*
- c) *enhance the character and distinctiveness of an area without adversely affecting designated townscapes and landscapes (including building/roof lines) or detracting from important landmarks, heritage assets, key views...*
- d) *provide a positive contribution to the skyline during both the day and night time...*
- h) *present a human scale of development at street level and comprise an attractive and legible streetscape that takes into account the use of the public realm for a variety of users and includes active uses at ground floor level.*

7.135 Part b) will be considered in further detail in the appearance section but it is considered that the buildings would be of exceptional architectural quality, and their form and scale would further enhance and add to the diversity of new buildings coming forward within the area.

- 7.136 The scale and mass of the towers would respond directly to the emerging context by not exceeding the height of Islay Wharf, which plays an important role in marking the planned Ailsa Wharf Bridge. The height of the northern tower would be the lowest of all three proposed at 15 storeys; this would ensure Islay Wharf's prominence is not diminished and its role as the bridge marker cemented.
- 7.137 The variation in the heights of the towers would ensure that the scale and mass of the buildings would not be overbearing, and it would avoid any potential coalescence that might occur with buildings all of the same height. This is particularly important in views from the Riverwalk and across the river from Newham.
- 7.138 The central tower would be the tallest at 20 storeys in height. The building would be 70m from Islay Wharf and sufficiently distinct in form. The change in levels across the site sloping downwards towards Leven Road from the river and from north to south would also further increase the perceived height of Islay Wharf.
- 7.139 The southern tower at 17 storeys in height would be taller than that of Devons Wharf but the distance between the tallest section of this building and the tower would be 30m and as such would provide sufficient breathing room between the two buildings.
- 7.140 The deliberate variation in heights would make for an interesting skyline and the scale of the towers would be appropriate in the context. It is obvious that they represent a step-change in scale and mass from the existing warehouse buildings but they would contribute positively to a new emerging residential townscape within the Lower Lea Valley.
- 7.141 The scale of the towers would contrast with the low-rise office building along the western edge of the site which is 3 storeys in height. The perimeter buildings proposed would frame the street on the western side of the site and sit behind the tram shed façade on the southern elevation.
- 7.142 The existing tram shed arches are tall measuring 9m in height, the first two levels would be for the workspace and set back 4m would be the residential block, which would reach 8 storeys in height. The tram shed façade itself does not face the street and is perpendicular to the river. This creates an open forecourt to the south.
- 7.143 The scale of the residential block at 8 storeys would provide a suitable transition from the height of the towers, and would be sufficiently setback from the tram shed façade such that the arches would still appear as the dominant feature from street level. The top level would be setback 6m - 2m further back than the storeys below.
- 7.144 The western elevation would front onto Leven Road and would have a direct relationship with the street. The existing office building would remain in situ and the perimeter blocks would adjoin either side of the building to create a continuous frontage. The blocks would vary in height and also step back at upper levels. North of the office building a section of the building would span the access route and this elevated link building provides a three storey clearance.
- 7.145 At the northern end of this elevation the proposed residential building would be 8 storeys in height. This would provide a suitable transition from the rear block of Islay Wharf at 12 storeys and the northern tower measuring 15 storeys. It is noted that this is within the setting of the Grade II listed Bromley Hall School. Whilst this site is of a notably lower scale the height on this boundary would not be uncomfortable, and would help transition from the taller buildings in the foreground.
- 7.146 The proposed link-building would allow for a triple storey route through and contribute to the industrial character of the site. On the opposite corner of this section of Leven Road the

existing largely residential building rises to 8 storeys and as such demonstrates an existing change in scale at this northern end of the street.

- 7.147 The western elevation would step up in height towards the southern end from three storeys to seven. The increased height would also be setback from the street, so that the scale from street level and the building line would read as the lower height. This is shown in the CGI image below.



Figure 21: CGI of western elevation and south corner to Leven Road

- 7.148 The setbacks to the blocks would ensure that the scale of the building from street level is at a human scale, and provide a degree of transition from the towers to the lower buildings. The mass of the western block would be broken down by the step backs and variation in heights. The human scale of the proposed buildings is principally achieved through the maisonettes on the western elevation, the tram shed workspace framing the forecourt, and the active uses and three storey cutback to each of the towers.

- 7.149 Overall the scale, mass, and bulk of the proposal would be appropriate and respond well to the emerging context within the Lower Lea Valley. The variation in heights to both the towers and perimeter blocks would contribute positively to the skyline and streetscene respectively. The new buildings would provide a suitable transition in scale between the retained fabric and surroundings.

Tall Buildings D.DH6 policy part 3

- 7.150 Part 3 of the tall buildings policy specifically relates to areas outside of an identified zone and requires 4 criteria to be met that relate to transport, infrastructure, legibility, and landmark buildings.

- 7.151 It is noted that while the site's PTAL of 1b is considered weak the site remains within walking distance of three separate modes of public transport comprising the Langdon Park DLR station, D8 and 309 bus services from Zetland Road and the A12, and the Bromley-by-Bow Underground station. This would improve significantly when the planned future infrastructure of the Ailsa Wharf Bridge and bridge within the Leven Road Gasworks come forward. Notwithstanding the low PTAL score significant weight is given to the site's

location within both a local Site Allocation and the Lower Lea Valley Opportunity Area which identifies the area as appropriate for delivering high-density housing.

- 7.152 The development would also deliver public infrastructure through the extension of the Leaway Riverside Walk. This route would connect other neighbouring sites and is a strategic route identified to help pull pedestrian and cyclists away from the A12. This would address part 3b of the policy.
- 7.153 In terms of addressing part 3c while the site is not located within a designated town centre it is considered that the prominence of the development would enhance the legibility of the area and cement Islay Wharf's role as the bridge marker. The scheme deliberately defers in height and would be consistent with the emerging character of this area.
- 7.154 With reference to 3d of the policy, it is considered that the overall height of the development would not undermine the prominence of any nearby tall building zones, nor would it in any way detract from landmarks within or outside the Borough from long and medium range views.
- 7.155 It is noted that the closest designated Tall Building Zone is the Leamouth Cluster to the south-east of the development, which includes the London City Island, Goodluck Hope, and Orchard Wharf development sites. These sites are of a notably larger scale and the distance between the application site and the cluster would be circa 1km, within which there would be a broad range of building types and sizes, as well as some significant barriers in the form of the DLR tracks, the River Lea, and East India Dock Road.
- 7.156 Thus, it would not undermine the prominence of the tall building zone and the site would serve as part of a distinct cluster of buildings within the Ailsa Street Site Allocation.
- 7.157 To conclude the proposed scheme would meet the criteria within the tall buildings policy to justify buildings of the height proposed in this location. In addition, the scale, mass and volume of the proposed towers and perimeter block would respond well to the existing and emerging context, and provide a suitable transition in height.
- 7.158 The site's location within a designated Opportunity Area and Site Allocation is considered to be of considerable importance and that the scale of development is proportionate to the area's role and function both locally and for London.

Form and layout

- 7.159 As shown in the concept sketch in the above section the proposal has two clear distinct typologies, the towers and the perimeter blocks.
- 7.160 Together the towers would read as a coherent composition distinct from the surrounding forms. Their curved facades would reflect light and deliberately contrast in both scale and form with the rectilinear buildings proposed on the western and southern side of the site. This contrast is a deliberate architectural approach and was strongly supported by the CADAP panel who reviewed the scheme.
- 7.161 The form of the blocks are rectilinear and their positioning takes cues from the tram shed façade and the street. The variation between the design of the blocks stems from their different roles within the townscape and how they would be viewed. The southern section behind the tram sheds is setback from the façade 4m and 6m at the top. The symmetry and order to this elevation is to give it a 'palace' like appearance. On the western elevation the buttresses take reference from the curved arches to the tram sheds and residential entrances give a more human scale than the arches.

7.162 The northern block is most varied with angled windows and balconies. This is adjoined by the link building which bridges the yard space and provides a three storey clearance for vehicles and pedestrians.



Figure 22: Annotated ground floor layout plan

7.163 The layout principles of the proposed scheme are supported. The blocks enable east west permeability through the site linking at two points from Leven Road to the riverwalk. North-south permeability is created via the riverwalk and would adjoin with adjacent sites to create continuous riverside access. This will be secured within the S106 agreement.

7.164 Active frontages would be evident along Leven Road, the riverwalk, and the public realm spaces where increased levels of pedestrian activity are anticipated. This is positive and represents a much enhanced relationship of the site with the street and river. Residential entrances would be clearly legible and integrated in the appearance of the buildings.

7.165 Servicing to workspaces would be within the block at ground floor level and free up ground floor frontages for activation. The yard area to the north is to be active for vehicle loading, an entrance to the car park, and B1c uses. The yard will also serve as the primary route for two of the residential tower blocks entrances, as well as connect to the riverside walk. This route logically extends access towards the river from Leven Road. This route is also characterised by the residential link building proposed which takes reference from docklands warehouses and provides a three storey canopy for vehicles and pedestrians to move through. This would be sufficient in height to ensure that the route is not visually impeded.

7.166 Overall the scheme would deliver on many good urban design principles with respect to layout and form and create strong relationships to the street, the river, the retained historic

fabric. The proposal would open the site up and provide new routes to and along the river. This represents significant public benefits.

Architectural language

- 7.167 There are two major elements of retained fabric. One is the whole two storey southern elevation with the five Tram arches and elements of east and west return walls. The other is the whole structure of the existing three storey administration building including its roof and its adjacent two storey entrance hall element.
- 7.168 Between these two areas of retention the 9m high wall running at the back of pavement on Leven Road is to be demolished along with the rest of the existing warehouse structures on the site.
- 7.169 A major element of retained façade are the striking five arches of the south elevation. Due to the angled site boundaries they are quasi symmetrically arranged with the three central ones forward of recessed arches either side. The rhythm of the façade is given by the arches and the walls in between being of equal dimension. The gable walls above each arch “add to the strong reading of near classical formality”.
- 7.170 The new residential building above the tram would be well set back from the existing frontage and also in from the sides and return walls. This would give prominence to the existing fabric as the clear base. The top floor would also be further set back and in from the sides to complete a formal base, middle and top three dimensionally expressed composition. This elevation is distinct from that on the western side and it to be read as a Palace frontage. The emphasis of the existing is strongly horizontal and this emphasis is repeated in the design of the floors above.
- 7.171 The new building would be close to matching the original fabric but slightly paler. CoreTen balcony bases and details would enhance the overall colour and texture of the stock brick. The setting back of the façade at an angle to the street enables it to be viewed as this complete composition. The arches imply a double height space behind them for the new workspace.
- 7.172 The existing walls are made of London stock brick with cement and sand mortar in English bond alternate rows of stretchers and on a base of Engineering blue bricks in the same bond. The new brickwork would be the same brick and mortar, but in stretcher bond. This subtle variation would respectfully balance the new and old.
- 7.173 In both the new and old, dark grey window frames in deep reveals are proposed which would read as simple openings in the brickwork. Stone coloured precast cills would closely match the brickwork to produce a solidity of appearance.
- 7.174 The other element of retained fabric is the former administration office building on Leven Road. This building on ground and two upper floors has regular rectangle of open plan space on each floor served by an adjacent entrance hall with staircase, which currently only rises to the first floor. The demolition of the adjacent shed allows the entrance to be expanded in plan and extended upwards to provide a lift, stair to second floor and WC space to serve the refurbished workspace areas.
- 7.175 Externally the building has a strong symmetrical appearance to the rectangular office part with double height window openings to the upper floors. The London stock brick walls rest on a blue engineering brick plinth which projects slightly forward. They support a hipped slate roof behind parapet walls structured by dramatic angled steel beams internally.
- 7.176 Limited alterations would include: lowering the front door to allow level access: bricked up window openings would be reopened; some additional windows added; and some rooflights

added in the roof. A new semi-circular window in that elevation compliments the existing round window above the front door. The windows are to be replaced with new ones to match those throughout the site. These alterations would be sensitive to the historic architectural features and enhance the overall appearance of the building.

- 7.177 Between the two retained elements the new building is set back 2.4m from the back of pavement line, a line that continues over the retained buildings at either end. This frontage is residential from ground floor upwards. The lower two floors of which are arranged as maisonettes on a regular grid. To maximise daylight to these units and produce a scale commensurate with the neighbouring retained commercial scaled fabric, their elevations are double height glazed screens.
- 7.178 A degree of privacy to the units would be provided by brick buttresses between them, also by being raised 1.1m above the pavement level with the provision of a protective hedge and railing across their external terraces. The buttresses visually support the upper parts of brick façade which is divided into a regular alternating rhythm of 2 bays of 4 windows wide in the front plane with a single 2m deep recessed bay aligning with the buttresses.
- 7.179 The 'link' building spanning the extension to Leven Road is proposed in CoreTen steel and designed with a cross frame bracing. The design to this element gives a robust and industrial aesthetic that references the other buildings.
- 7.180 The three towers proposed are quasi-circular formed on plan of four equal radius curved elements which overlap to form balconies that give river views. Their bases formed of the three lower floors which have eroded flat east elevations to allow for the riverwalk provide a human scale to ground the buildings. The upper floors would be formed of alternating horizontal bands of brickwork and glazing.
- 7.181 The proposal would be visually distinctive with the curvilinear form and expression in alternating bands of windows and dark brick to the three tower elements. The curving towers are proposed in shades of shiny darker bricks that evoke wharf sides of the industrial past. The contrast with London Stock is deliberate and would make for a visually dramatic composition.
- 7.182 The three towers are proposed in different hues (blue, brown, and purple) of the same semi glazed brick to subtly differentiate the buildings. The nature of these bricks is of a range of colours that reflect light. Glazing assemblies and windows would have dark grey frames with double or triple clear glass and also glass spandrels back fritted in charcoal grey to closely match daylight reflections.
- 7.183 *Conclusion on Architectural Language*
- 7.184 Overall the architecture would be of an exceptional quality and integrate the historic fabric sensitively. The use of high quality materials such as brick and CorTen steel would give a robust industrial aesthetic. The fenestration and detailing to the southern and western elevations would take reference from the historic fabric and the towers would appear as a bold addition.
- 7.185 The distinctive design and appearance of the new buildings would reinforce a sense of place at Poplar Riverside. The contrasting forms and brick would create a dramatic composition and the integration of historic fabric would celebrate features of greatest significance. The proposal would accord with the design policies in the Local Plan and London Plan.

Safety and Security

- 7.186 The existing site features hostile perimeter fencing and a large flank wall that runs for circa 70m along Leven Road. It currently has no public access across the site or along the river. New development within the site will bring passive surveillance and activation. It is critical that the public realm of the site remains publically accessible at all hours, and gate free, this will be secured as part of the S106 agreement.
- 7.187 The scheme has passive surveillance to all frontages accessible by foot which includes the length of the riverwalk and the western and southern elevations. The mixture of office and residential uses would activate these spaces throughout different times of the day. The residential conservatory to each podium and the ground floor commercial units along the riverside would provide a good degree of surveillance.
- 7.188 The residential elevation to the west fronting Leven Road would be a marked improvement to the blank retaining wall, and entrances would improve the feel and activity along the street. Entrances would be clearly visible and not behind any hidden corners.
- 7.189 It is noted that Metropolitan Police raised no objections in principle but have requested further information to be secured via a condition requiring the development to complete Secure by Design certification prior to occupation.
- 7.190 The Secure by Design certificate will require the applicant to provide details of a CCTV and a lighting strategy, as well as detailing of security standards to which glazing and doors will be built to.
- 7.191 Overall, it is considered that the development of the site will inherently improve the perception of safety within the area due to the existing nature of the site as a closed off industrial site with limited activity to and from it. The increase of passive surveillance and public foot and cycle traffic, through and around the site, will significantly improve the security of the area.

Landscaping

- 7.192 Enhancing the public realm and site connectivity by facilitating a continuous riverside walkway is the foundation of the landscape strategy. The landscape design would create a fluent pedestrian route along the River Lea that would enable access to neighbouring sites; Islay Wharf to the north and Devons Wharf to the south.
- 7.193 The landscaping can be separated into four distinct sections as shown on the map below.



Figure 23: Plan showing the proposed landscaped areas

- 7.194 The landscape design introduces a new publicly accessible tram shed forecourt along the southern frontage that would celebrate the historical arches. An alternating floorscape of CorTen panelling and concrete paving takes reference from the industrial heritage of the site which would enhance the existing streetscape and proposed architecture.
- 7.195 The design would create a continuous riverside walkway that would ensure ease of movement for pedestrians and cyclists. Commercial spill out areas and seating opportunities are located along the waterfront to encourage views out towards the water, and would provide dwelling spaces within the public realm.
- 7.196 The shared surface would facilitate access and deliveries for the residential and commercial areas, whilst also providing a direct route through to the riverwalk. The podium gardens are designed for children and adults alike, providing a mix of active and passive spaces to satisfy different needs. Seating opportunities would be located to serve commercial facilities and create an active public realm along Leven Road and the riverwalk.
- 7.197 Mixed shrub and tree planting of evergreen and deciduous species would enhance the experience within the public realm. The inclusion of planting within the public realm will substantially enhance the biodiversity of the site, which at present has almost full site coverage as a warehouse with non-permeable surfaces.
- 7.198 However, it is recognised that the proposal does not offer extensive green landscaping and the primary public spaces such as the walkway and tram shed forecourt are characterised as hard landscape with soft elements. There is a tension between delivering a functional riverwalk that is uninhibited for pedestrians and cyclists and additional greenery. The riverwalk needs to be quite clear and wide to allow multiple users in both directions.
- 7.199 With regards to the forecourt this is in effect a spill out area from the workspace and has an urban character created by the arches and their new function as workspace. Whilst some planting is provided, the industrial character of the space responds well to the architecture and proposed uses. The south facing nature and seating will still ensure it is a pleasant and heavily sunlit outdoor area that plays off the buildings. The lighting at night would further animate the space (see indicative section below).

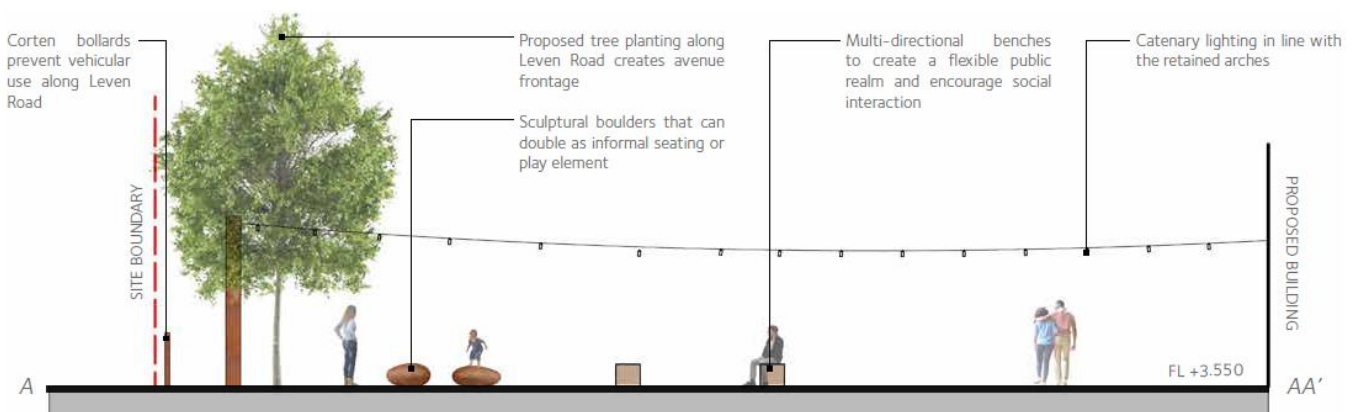


Figure 24: Indicative section to tram shed forecourt

- 7.200 It should also be noted that the podium level and rooftops will provide a substantial uplift in biodiversity.

- 7.201 While there is a change in levels north-south within the application site, the publically accessible landscaping remains entirely step free. The forecourt would link up to the riverwalk in a gradual slope and the route off Leven Road would all be at grade.
- 7.202 The northern podium garden would align with that of Islay Wharf to create a visually connected space that would benefit both developments. At ground level this would ensure that the riverwalk is connected and that the buildings framing the walkway are also joined in a coherent manner – leaving no leftover spaces or alleyways where the two podiums terminate.
- 7.203 The development is an opportunity to improve the ecological status of the site through the creation of a range of habitats. Planting design to the public realm would be delivered through a combination of native and ornamental trees, ornamental shrub, and herbaceous planting within the landscape would support existing species and attract new ecology on site.
- 7.204 Overall, the proposed landscaping would represent a significant public benefit by providing access to the river as well as spaces to rest and play. The distinct character of each area responds to both the existing context and the newly proposed buildings and would create a coherent and accessible environment. The proposal would increase planting to deliver net gains in biodiversity and the proposed materials would be of a high quality.

Inclusive Design

- 7.205 Policy 7.2 of the London Plan (2016) and policy S.SG2 of the 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.
- 7.206 The ground floor entrances are set at grade level and offer step free wheelchair access. Where the ground floor is elevated for the maisonettes there are ramps internally to ensure the ground floor is fully accessible. Furthermore, the proposed development will provide 27 accessible car parking spaces which will be reserved for use by blue badge holders. The landscaping is step free which will allow users to enjoy the riverwalk regardless of their accessibility levels. Lifts would be provided within both the office and residential dwellings with all cores to dwellings featuring two lifts.
- 7.207 The scheme proposes that 10% of units across the development, comprising a mix of unit sizes will be delivered as wheelchair user dwellings, the remaining units will be delivered to Building Regulation M4(2) specifications. This is supported and will be secured by condition, along with Building Regulations standards M4(2) and M4(3) in line with London Plan Policy 3.8 and Policy D5 of the Draft New London Plan.
- 7.208 It is considered that the proposal would result in a scheme that would be well connected to its surroundings and would provide accommodation that can be used easily and with dignity by all.

Design Conclusion

- 7.209 To conclude it is considered that the scale, height, and massing of the proposal would respond appropriately to the site's strategic role within the Borough and London more broadly. The towers would defer to Islay Wharf and the perimeter buildings would transition well into the existing urban grain.
- 7.210 The form and layout of the proposed buildings would create a strong relationship with the street and the river, and greatly enhance the existing townscape. The architecture is well

considered and responds directly to the historic fabric of greatest importance. The materials and appearance of the buildings would be of an exceptional quality and the design would appear as a vibrant addition to the Lower Lea Valley.

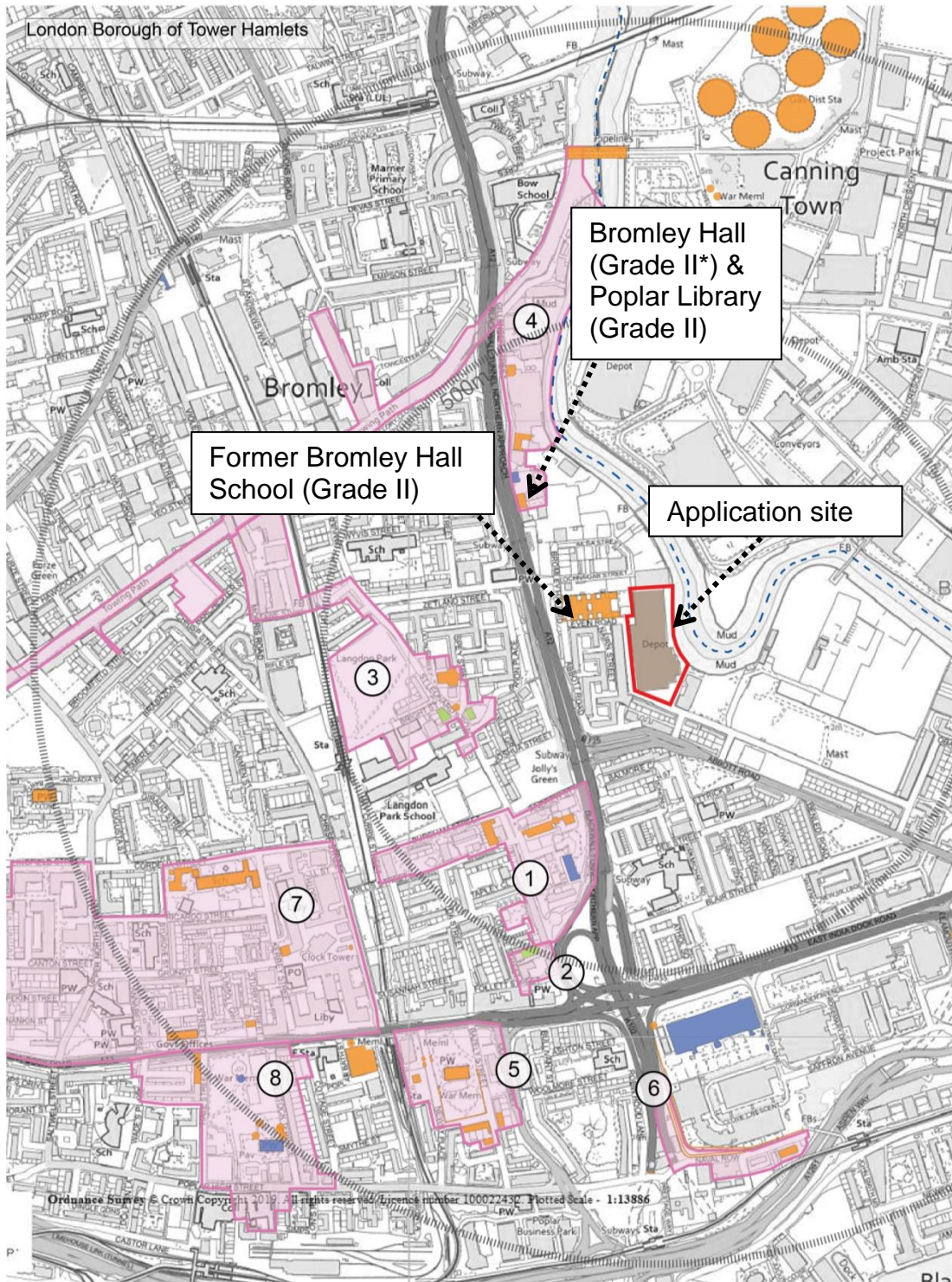
- 7.211 The landscaping of the scheme is viewed as a considerable public benefit of the scheme due to its opening up of the riverwalk and the creation of a public space that celebrates the historic tram shed arches. The introduction of soft landscaping and plantings will contribute positively to the biodiversity of the area.
- 7.212 In apportioning weight to these benefits it is considered the scheme design and landscaping carries significant weight in favour of the proposal.

HERITAGE

- 7.213 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should 'should 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' and in relation to conservation areas, special attention must be paid to 'the desirability of preserving or enhancing the character or appearance of that area'.
- 7.214 The relevant paragraphs of the NPPF (2019) relating to how to assess the impacts of development on heritage assets have been copied out below. They stipulate that the decision maker must assess and apportion weight to any potential harm to the significance of a heritage asset, and provide justification for any such harm.
- 7.215 Paragraph 193: *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 7.216 Paragraph 194: *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*
- 7.217 Paragraph 196: *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*
- 7.218 Paragraph 197: *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
- 7.219 Policy S.DH3 of the Local Plan, 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.

Heritage context

- 7.220 The site does not lie within a conservation area or contain any Listed Buildings or Locally Listed Buildings. The existing buildings themselves were constructed circa 1906 as part of the site's historic use a Tram depot, which later became a bus depot up until 1986, and most recently has operated as a document storage facility. The buildings on the site are considered to be non-designated heritage assets.
- 7.221 A number of Listed Buildings and Conservation Areas lie within a 1km radius of the site. The closest Listed Buildings are the Former Bromley Hall School, Bromley Hall Road (grade II) lying immediately to the west of the site; Poplar Public Library (grade II); and Bromley Hall no. 43 Gillender Street (grade II*).
- 7.222 The nearest Conservation Areas to the site (within 250 of the site) are the Balfron Tower Conservation Area to the south-west; Langdon Park Conservation Area to the west; and Limehouse Cut Conservation Area to the north-west.
- 7.223 Given the scale, orientation, and form of buildings surrounding the site, the proposed development has the potential to affect the setting of number designated heritage assets. A map of the existing heritage assets is on the next page (Figure 25).



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Conservation areas:

- ① Balfron Tower Conservation Area
- ② St Frideswide's Conservation Area
- ③ Langdon Park Conservation Area
- ④ Limehouse Cut Conservation Area
- ⑤ All Saints Church, Poplar Conservation Area
- ⑥ Naval Row Conservation Area
- ⑦ Lansbury Conservation Area
- ⑧ St Matthias Church, Poplar Conservation Area

Listed buildings:

- Grade II* listed building
- Grade II listed building
- Non designated heritage assets:
- Locally listed building
- Non designated heritage asset

Figure 25: Map of nearby heritage assets

Non-designated heritage assets

- 7.224 Regarding the heritage assets on site, whilst the proposed development would result in substantial loss to parts of the existing Edwardian boundary walls and the former tram depot building, the development would retain the existing three storey Edwardian office building and the façade to the main depot.
- 7.225 The proposed development would cause some harm to the significance of the non-designated heritage assets through the loss of historic fabric, however, this harm is considered to be less than substantial.
- 7.226 The proposed development responds to the changing context of the area, and would retain and activate the characteristic arched entrances. By opening up the arches and introducing new public realm to the front the proposal would give this elevation greater prominence, and the proposed building would be setback and in on all sides, creating a 3D base with return walls to the arches.
- 7.227 Both the boundary wall fronting Leven Road and the wall to the warehouse along the riverside are of lesser significance architecturally and the former has deteriorating effects on the pedestrian experience along Leven Road.
- 7.228 The retained office building would be refurbished and brought into commercial use, the dramatic interior roof structure and side entrance hall would be retained. Some rooflights would be added and new doors at street level. The interventions to this building would be limited and would ensure that overall its historic architectural significance would be preserved.
- 7.229 It is considered that on balance the scheme would lead to very limited harm to the non-designated heritage assets and would seek to elevate – through the retention and new design – historic fabric of greatest significance.

Designated heritage assets

- 7.230 The proposed development would appear prominently in the immediate background of the Grade II Bromley Hall School, in many views looking east along Lochnager Street and Leven Road, and views looking south east along Bromley Hall Road.
- 7.231 This school lies immediately to the west of the site. It was designed in 1965 and built in 1967-by the London County Council Architects' Department under the job architect Bob Giles, and was extended in 1978-9. All of the buildings are one storey high and of brown engineering brick. The school has been vacant for a number of years and is on Historic England's Heritage at Risk Register 2019. Its condition is listed as 'poor'.
- 7.232 The building is of significance as an architecturally outstanding school of the 1960s which was designed by the pioneering architects of the London County Council. It was specific to the brief as a building designed around the needs of physically disabled children, reflecting the post-war education system's increasingly sensitive attitude to disability. Its significance is also in its innovative design combining intimate, child-scaled interiors with organic, expressive external forms reflecting the local industrial vernacular.
- 7.233 The building's fragmented setting, which contributes in a very limited degree to its significance, includes pockets of vacant land to the north, the Blackwall Tunnel Northern Approach to its west, post-war and recently constructed blocks of flats to its south, and the Site's warehouse building to its east (separated from the listed building by a vacant site, formerly used as a car park).

- 7.234 The proposed development would noticeably change the visual setting of the listed building in views east and south-east from the A12/Lochnagar Street, Bromley Hall Road and Leven Road, but it would not harm any element of the setting that contributes to its heritage significance. Furthermore, the proposed residential block of 8 storeys immediately adjacent to Bromley Hall would be of a scale and form consistent with the existing buildings on the western side of Leven Road. The taller towers behind would also be broadly consistent with the scale and form of the emerging context.
- 7.235 The development would also appear prominently in the backdrop of the Grade II Poplar Public Library and Grade II* Bromley Hall looking east from the Blackwall Tunnel Approach. The development would be visible in limited views from within the Limehouse Cut and Balfron Tower Conservation Areas and would be visible from within Langdon Park Conservation Area in open views from Langdon Park, where it would be seen with some of the Conservation Area's principal historic buildings (including St Michael and All Angels Church).
- 7.236 However, whilst the development would appear prominently in views behind the nearby and adjacent listed buildings and Conservation Areas as described above, in all cases it would appear at a scale consistent with the emerging context in the surrounding built environment. With taller elements of the scheme closest to the River Lea and lower buildings on the western edge closest to the Conservation Areas and heritage assets.
- 7.237 It is therefore considered that any harm caused to these assets would be less than substantial.

Maritime Greenwich World Heritage Site

- 7.238 The Development is circa 3.6km due north/north-east and would be glimpsed in the background of some views of the World Heritage Site (WHS). The proposed development's form, appearance, and location within such views would be consistent with their existing character.
- 7.239 It would clearly belong to the background 'layer' of tall buildings which already exists within such views and it is considered to have no effect on the ability to recognise and appreciate the WHS, and the various elements within it, in the foreground of the views.
- 7.240 The Development would be consistent with the requirements of the Statement of Outstanding Universal Value and the 'London's World Heritage Sites - Guidance on settings' SPG. In accordance with the London Plan (2016), although it would represent a change to the setting of the WHS, this change would not in any way compromise a viewer's ability to appreciate its Outstanding Universal Value.
- 7.241 The Development would not adversely affect the visual integrity of the WHS and would have no effect on its Outstanding Universal Value.

Built Heritage Conclusion

- 7.242 With regard to the statutory duty and relevant paragraphs in the NPPF in relation to designated and non-designated heritage assets, it is considered that the proposed development would retain the historic fabric of greatest significance on the site - in the form of the office building and tram shed façade. The development would appear prominently in the setting of designated heritage assets and cause some harm, but it is considered this harm would be less than substantial, and the proposal would be broadly consistent, in scale and form, with the emerging context of Poplar riverside.
- 7.243 The redevelopment of the site would deliver a substantial increase in housing including affordable homes, as well as providing affordable workspace, and public access to and

along the riverside. These public benefits carry substantial weight in favour of the proposal and resolutely outweigh the harm.

- 7.244 The proposals therefore accord with Policy 7.8 of the London Plan and Policy HC1 of the Draft New London Plan and policies S.DH3, D.DH4, and S.DH5 of the Local Plan, the relevant paragraphs of the NPPF (2019), and the statutory duties under The Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

- 7.245 Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. It is noted that application site lies within an Archaeological Priority Area and as such has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.
- 7.246 In support of the application a desk based archaeological study has been submitted which has been reviewed by GLAAS and as part of the ES. Their initial concerns have been addressed through additional information and a suitably worded set of conditions. This will ensure any archaeological remains of significance can be recorded and protected.
- 7.247 It is also noted that there was an initial objection from the Council of British Archaeology (CBA) relating to the potential for impact on below ground remains of significance. However, they have subsequently withdrawn this and accept that the concerns can be suitably addressed through The Written Scheme of Investigation and the two stage process to the assessment of potential archaeological remains.
- 7.248 In addition, this is addressed through the second condition proposed by GLAAS which requires pre-commencement the submission of a detailed scheme for the foundation design. This addresses the comments made by the CBA.
- 7.249 Overall, the proposal would take suitable measures to ensure that any archaeological remains of significance would be adequately protected.

AMENITY

- 7.250 Development Plan policies seek to protect neighbour amenity by safeguarding privacy and ensuring acceptable outlook. Development must also not result in an unacceptable material deterioration of the daylight and sunlight conditions of surrounding development. Nor should the development result in an unacceptable level of overshadowing to surrounding open space and private outdoor space. The levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development must also be assessed.

Daylight and Sunlight

- 7.251 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 7.252 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) or daylight distribution (DD) 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.
- 7.253 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.

- 7.254 The Daylight Distribution calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.255 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' (2011), which outlines how loss of skylight or sunlight would translate in to a negligible, Minor Adverse, Moderate Adverse or Major Adverse effects. There is no adopted guidance for the numerical guidelines used to categorise windows/rooms as "Minor, "Moderate or Major".
- 7.256 Below are the LBTH numerical classifications that are required to be applied for Negligible, Minor Adverse, Moderate Adverse and Major Adverse bandings for daylight (VSC & NSL) and sunlight (APSH & WPSH).

Reduction to daylight (VSC & NSL) and Sunlight (APSH & WPSH)	Effect classification
0 – 20% reduction	Negligible effect
20.1% to 30% reduction	Minor adverse effect
30.1% to 40% reduction	Moderate adverse effect
Above 40% reduction	Major adverse effect

Table 9: Showing classification of effects on daylight and sunlight

8

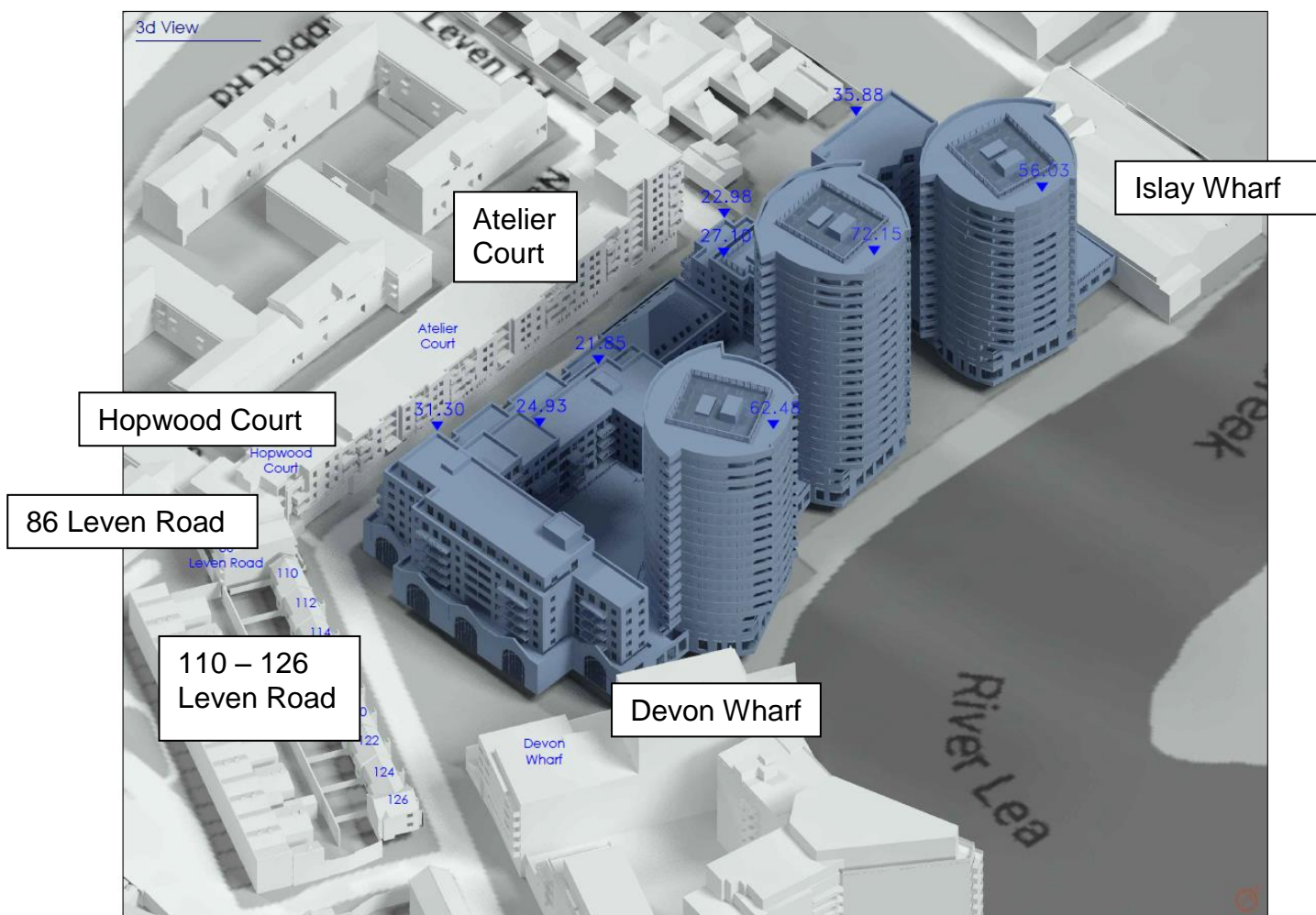


Figure 26: 3D Model of proposed development in context

Table 10: Summary of effects on daylight and sunlight to neighbouring properties

Properties	Total no. of windows / habitable rooms tested	Significance of daylight effects overall	Significance of sunlight effects overall
Devons Wharf	169 windows / 86 rooms	Moderate adverse	Negligible
Atelier Court	114 Windows / 95 rooms	Major adverse	Negligible
Hopwood Court	32 Windows / 26 Rooms	Moderate adverse	N/A
86 Leven Road	12 Windows / 3 rooms	Minor adverse	N/A
110 – 126 (even) Leven Road	54 Windows / 32 Rooms	Minor adverse	Negligible
Islay Wharf (proposed development)	387 Windows / 198 Rooms	Minor adverse	Negligible

Daylight

Impact on 8 ground floor artist studios in Atelier Court

- 7.257 Representations were received raising objections to the proposed development and the detrimental impact the scheme would have on 8 artist studios located within the ground floor of Atelier Court. It is noted that the ground floor contains 18 studios in total and that the studios impacted are those on the eastern side of the block.
- 7.258 Firstly it is important to recognise that policy D.DH8 of the Local Plan is primarily concerned with protecting daylight & sunlight within habitable rooms in residential buildings. The policy does not specifically protect office space or other uses, although it is fair to consider that other uses such as artist studios may in fact have a reasonable expectation of daylight. The BRE guide states that its guidelines “*may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight: this would normally include schools, hospitals, hotels and hostels, small workshops and some offices*”.
- 7.259 In order to assess the impacts of the proposal it is important to consider what requirement the studios have for light and how they are currently being used. As well as consider the design and layout of the units and the extent to which the impacts of the proposed development would affect daylight.
- 7.260 It is considered that the 8 studios have not been designed to maximise available light, with most located under overhanging balconies and windows being made up of wide glazing bars and opaque panelling. The approved plans as part of the planning permission issued on the 04/10/2006 (ref. PA/06/00679) differ from the window pattern implemented on-site. The vertical panels are narrower as built.

- 7.261 The existing daylight results demonstrate without the development in place that electric lighting would likely be needed for a significant time period throughout the year. These units have very low VSC results in the existing context.
- 7.262 From the site visit out of the 8 artist studios 7 had blocked up the windows internally with a mixture of boards, boxes, and other items. When looking on historic Google street view images it shows a number of the units with windows blocked up internally – this is confirmed in images dating from June 2012, June 2014, June 2015, September 2017, March 2018, and March 2019.
- 7.263 The council carried out an independent review of the applicant's Daylight & Sunlight assessment which was undertaken by Delva Patman Radler. Their review questions the validity of the claim that the studios are being maximised for daylight, when so many are clearly blocking their own access to light.
- 7.264 Taking into account all of the above, it would therefore be unreasonable to assert that these studios have a strict requirement for daylight. In some cases the units are being used in a way that directly blocks available light. In addition the fenestration, opaque glazing, and overhanging balconies mean that the design of these units does not maximise access to daylight. The development would materially reduce daylight levels to these units but this would not harm the current function or future usability of the studios. The harm would be very minor and it is therefore considered the impacts to these studios carries very limited weight.

Devons Wharf

- 7.265 For Devons Wharf of the 169 windows tested 75 would be above the BRE guide levels for VSC, 10 windows would see minor adverse effects, 31 moderate adverse, and 53 major adverse.
- 7.266 With respect to the NSL of the 86 rooms tested 62 would be above the BRE guide levels, 10 rooms would see minor adverse effects, 6 moderate adverse, and 8 major adverse.
- 7.267 It is considered that the effects on daylight to the properties in this building overall would be moderate adverse.
- 7.268 It is important to consider that the existing conditions without the development in place and it is noted that within Devons Wharf of the 169 windows tested 81 of the windows currently fall below the BRE target for VSC and 5 rooms out of 86 currently fall below the BRE target for the NSL.
- 7.269 The 8 flats on the northwest corner of Devons Wharf feature recessed balconies which severely restrict access to light albeit the main living area is served by other windows. The cantilevered section of the building which projects out coupled with balconies leads to the effects of the development on daylight being exacerbated.
- 7.270 The proposed development would nonetheless result in a material deterioration in daylight conditions and this carries some weight against the proposal. This will be further considered in the overall amenity balance.

Atelier Court (referenced as Phase 1 and 2 Leven Road in the Environmental Statement)

- 7.271 For Atelier Court of the 114 windows tested 5 would be above the BRE guide levels for VSC, 6 would see moderate adverse effects and 103 would see major adverse effects.

- 7.272 With respect to the NSL of the 95 rooms assessed 14 would be above the BRE guide levels, 4 would see minor adverse effects, 11 moderate adverse effects, and 66 major adverse effects.
- 7.273 The effects of the proposed development with respect to daylight would be felt most severely on Atelier Court. A majority of windows would see major adverse effects with respect to the VSC test and the NSL test. In real terms many existing neighbours within this block would experience a gloomier outlook than they do at present, and that a large number of windows would be affected, many quite significantly.
- 7.274 The design of Atelier Court itself has features which limit the amount of daylight that the existing properties receive. Semi-recessed balconies and fixed screens adjoin single aspect rooms within the building. The ground floor units would also be affected by either the building overhang or balcony above. It is also noted that that the existing conditions show 62 of 114 windows (54%) do not meet the BRE target for VSC.
- 7.275 The design of the proposed western perimeter block has evolved to try and reduce the impacts to this Atelier Court, and the height of the proposed western elevation has been reduced in places from six storeys to four (three with one storey setback). This has led to an improvement to the daylight results particularly with respect to the Daylight Distribution (NSL) within the rooms - most notably at the first and second floor levels. The updated daylight assessment shows that 26 of all 89 habitable rooms at Atelier Court (c. 29%) would fully comply with BRE, and another 44% of the rooms will still retain the 50% of Daylight Distribution.
- 7.276 If one considers only the primary living areas at Atelier Court, the proposed scheme would show that out of the 30 dwellings looking onto the site 14 dwellings would fully comply and another 10 dwellings would fall below the BRE target but retain at least 50% of Daylight Distribution. This totals 24 dwellings (80%). It also important to note here that, when looking at the primary living areas, the rooms with more compromised interior daylight levels would be concentrated on the constrained first-floor of Atelier Court. The image below demonstrates this.



Figure 27: DD/NSL Impacts on Primary Living Areas at Atelier Court

7.277 However, taking into account all of the above it is considered the development would cause harm to the daylight conditions to dwellings in Atelier Court, and that this harm carries moderate weight against the proposal. It is in conflict with policy D.DH8 (d) which seeks to prevent an unacceptable material deterioration in daylight and sunlight. This will be considered further in the overall amenity balance.

Hopwood Court (referenced as Phase 3 Leven Road in the ES)

7.278 For Hopwood Court of the 32 windows tested 5 would be above the BRE guide levels for VSC, 5 would see minor adverse effects, 10 moderate adverse effects, and 12 major adverse effects.

7.279 With respect to the NSL of the 26 rooms assessed 9 would be above the BRE guide levels, 6 would see minor adverse effects, 6 moderate adverse effects, and 5 major adverse effects.

7.280 Overall the impacts to these properties would be moderate adverse and whilst there would be a material deterioration in daylight to some of the windows this would not be significant overall and there would still be adequate levels of daylight to the rooms.

86 Leven Road & 110-126 (even) Leven Road

7.281 For 86 Leven Road of the 12 windows assessed 0 would be above the BRE guide level for VSC, 4 would see minor adverse effects, 1 moderate adverse effect, and 7 major adverse effects.

7.282 With respect to NSL of the 3 rooms assessed all 3 would be above the BRE guide level for NSL.

7.283 It should be noted that 86 Leven Road has been modelled against the approved development under PA/16/00538 as a future scenario as this has not been implemented. This is considered an acceptable approach. The VSC results show a considerable loss of light to the windows which are constrained at all levels by projecting balconies. When assessing the NSL 80% of the area of each room would receive unobstructed sky.

7.284 Overall the daylight conditions to these dwellings would still be acceptable and daylight would penetrate a large proportion of the rooms.

7.285 For 110-126 (even) Leven Road of the 54 windows assessed 24 would be above the BRE guide for VSC, 17 would see minor adverse effects, 13 moderate adverse effect, and 0 major adverse effects.

7.286 With respect to the NSL of the 32 rooms assessed 26 would be above the BRE guide levels, 2 would see minor adverse effects, 1 moderate adverse effect, and 3 major adverse effects.

7.287 Properties 110-126 Leven Road are dual aspect terraced houses with south-west facing gardens and rear elevations. The north-east elevations would be impacted by the proposed development. When looking at VSC results 76% of the windows will either fully meet the BRE target or only see minor adverse effects. Overall the impacts would not be significant and the properties would still have adequate access to daylight, particularly south facing living rooms which would be unaffected.

Islay Wharf

7.288 For Islay Wharf of the 387 windows tested 245 windows would be above the BRE guide levels for VSC, 19 would see minor adverse effects, 44 moderate adverse effects, and 79 major adverse effects.

- 7.289 With respect to the NSL of the 198 rooms 172 would be above the BRE guide levels for NSL, 9 would see minor adverse impacts, 17 moderate adverse impacts, and 0 major adverse impacts.
- 7.290 It is important to note here that the primary test for proposed/recently constructed accommodation in accordance with the BRE Guide is Average Daylight Factor (ADF).
- 7.291 For ADF, the results of the assessment demonstrate that 175 of the 198 habitable rooms tested at Islay Wharf (c. 88%) would be fully compliant with the ADF target values for their respective room uses. With regards to the 23 remaining habitable rooms below the ADF targets, these are primarily 17 large/deep single-aspect studio flats which look directly onto the site and the northern tower of the Development. Nonetheless, the retained ADF values to these flats on the lowest (first) residential floor are at 1.21% and 1.24% and the majority have the ADF values of 1.40% or more.
- 7.292 Overall these impacts would not be significant and the rooms within the proposed development would be adequately daylit with good light distribution. The proportion of VSC results in the major adverse category is not of significant concern given the high NSL scores and ADF results, and in the context of other tall buildings emerging in the area it would be consistent with daylight levels for developments of this type.

Sunlight

- 7.293 A window is considered to be adversely affected if a point at the centre of the window receives in the year less than 25% of the APSH, including at least 5% of the APSH during the winter months (21st September to 21st March) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to main living rooms (i.e. habitable rooms) of dwellings and conservatories, if they have a window facing within 90 degrees (o) of due south.
- 7.294 For the majority of the properties the impact on sunlight from the development would be negligible.
- 7.295 Atelier Court, Devons Wharf, and 110-126 Leven Road would all achieve results that demonstrate full compliance with the BRE criteria for both annual and winter sunlight. In total across these three groups of buildings only 44 site-facing windows are within 90 degrees of due south.
- 7.296 86 Leven Road and Hopwood Court have not been tested due to the fact that any affected windows are not facing within 90 degrees of due south.
- 7.297 Overall, the sunlight results show that of the 44 site-facing windows which face within 90° of due south, all (100%) of them will fully comply with both the annual and winter sunlight criteria.
- 7.298 Therefore, it can be concluded that the proposed development would not adversely impact on the current sunlight availability within the existing neighbouring properties.
- 7.299 For Islay Wharf the sunlight results demonstrate that of the 281 site-facing windows which face within 90° of due south, 258 (c. 92%) of them would fully comply with the annual sunlight criteria and all 281 (100%) would comply with the winter sunlight criteria. The windows not complying with the sunlight criteria are primarily located behind/beneath projecting balconies and are more sensitive to any meaningful increase in massing at the site. However, the vast majority of these windows would still have their retained ASPH values at 20% or more.

7.300 Furthermore, all the site-facing living areas at Islay Wharf would remain fully compliant with both the annual and winter sunlight criteria. Therefore, it can be concluded that the proposed development would not adversely impact on the anticipated sunlight availability within the proposed residential dwellings at Islay Wharf.

Overshadowing

7.301 BRE guidance suggests that for a space to appear sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on 21st March. It states that the “availability of sunlight should be checked for all open spaces”, which usually includes gardens, sitting-out areas, parks or playgrounds.

7.302 For overshadowing, the existing sensitive receptors are amenity areas surrounding the site, and they only consist of residential balconies. The gardens to 110 – 126 Leven Road are south of the houses themselves and so unaffected by overshadowing.

7.303 Balconies are not usually required to be tested as per the BRE Guide and, therefore, no overshadowing assessment has been undertaken in relation to existing neighbouring private amenity spaces.

7.304 The overshadowing assessment has been carried out in relation to the proposed amenity spaces at Islay Wharf: the ‘main’ amenity area located on the podium level and two rooftop amenity areas located on the 11th and 12th floors. The two developments would both create podium levels on which communal amenity space would be proposed. The two podiums would align and join albeit be managed separately. They would nonetheless be visually connected.

7.305 The two upper level amenity spaces would receive no change in their anticipated sunlight levels. See image below showing Islay Wharf amenity spaces.

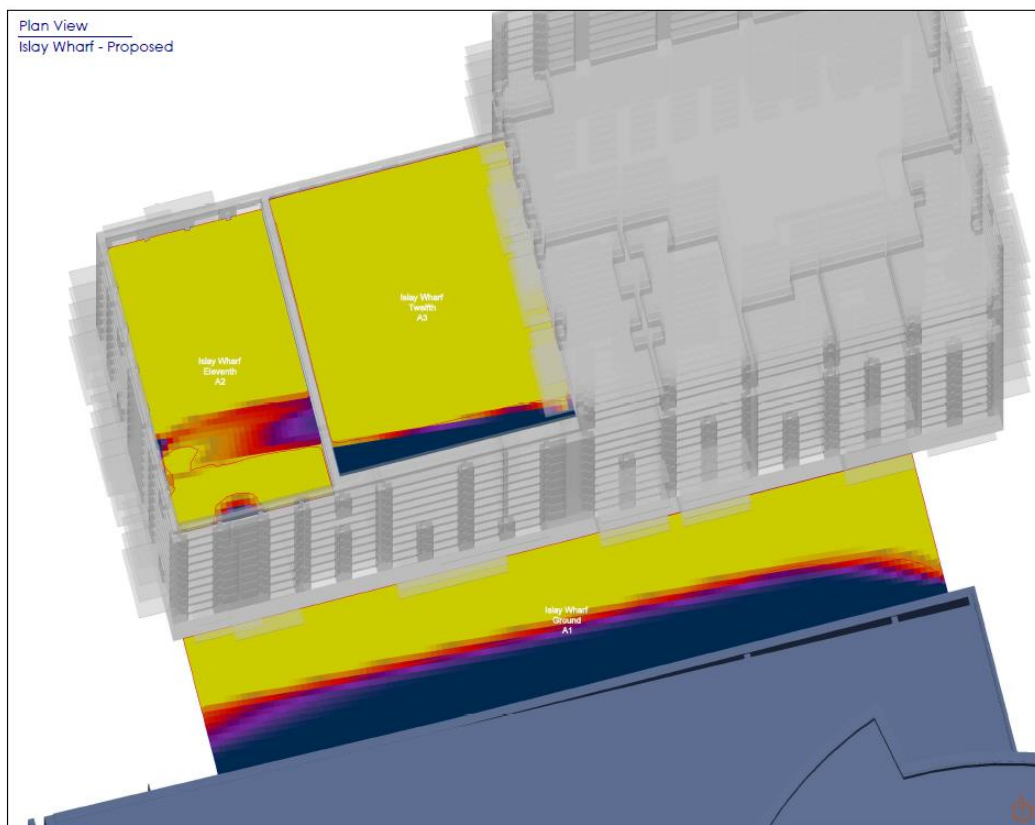


Figure 28: Model showing shadows cast over Islay Wharf

Overshadowing to River Lea

- 7.306 A transient overshadowing assessment in relation to the habitat along the River Lea was undertaken. This has been done as a direct response to LBTH's Scoping Opinion which states in its 'Ecology' section that an assessment of the impact on ecological receptors should also form part of this Chapter.
- 7.307 The results of the transient overshadowing study are contained in full (for 21st March and 21st June) at Annex 6 of the ES. The proposed development will cast some long shadow during the afternoon hours on 21st March when compared with the existing condition, and the shadow will extend over a full width of the waterway, and also over its eastern bank in the late afternoon hours. This impact, however, is not out of step with the effects caused by other similar developments located along the River Lea where the 'existing'/pre-development massing is very low-rise.
- 7.308 Furthermore, this level of impact would only occur under the clear sky conditions. The results for 21st June show that the shadow will be shorter and will only reach the eastern bank at 4pm onwards. This is a result of a higher angle of the sun in the summer months. Therefore, the shadow will be reduced and more transient between 21st March and 21st September, experienced only for later parts of a day.
- 7.309 Overall, given the supplementary transient overshadowing analysis, the impact of the proposed development on the levels of sun/shadow at the River Lea is considered to be negligible to minor adverse.

Overshadowing to proposed amenity spaces

- 7.310 The riverside walk and tram shed forecourt - the two publically accessible areas – would meet the BRE guide levels and would ensure that 50% of these areas would achieve at least 2 hours of sun on March 21st. The forecourt would be well sun-lit and the riverside walk would benefit from a lot of morning sun.
- 7.311 The proposed communal residential amenity spaces at podium level have been separated into two: the main podium; and northern podium. The main podium area results demonstrate that 49% of the amenity space would receive 2 hours of direct sunlight on the 21st of March. This is just 1% short of the 50% target and as such a very minor transgression. The space would benefit from good afternoon / evening sun as the buildings are lowest along the western elevation.
- 7.312 The northern podium results demonstrate that 35% of the amenity space would receive 2 hours of direct sunlight on the 21st March. This is 15% below the target and has reduced due to the changes in massing of the proposed scheme. It should be noted that the buildings pull away from the northern boundary which creates a rectangular section of the podium which would benefit from generous evening and afternoon sun as well as views over Bromley Hall School to the west and the River Lea to the east.
- 7.313 Taking into consideration all of the above it is considered that on balance the proposed amenity spaces would receive adequate sunlight and not be unduly overshadowed.



Figure 29: Areas sunlit for 2hrs on 21st March in yellow

Overlooking and outlook

Atelier Court

- 7.314 From the existing brick boundary wall of the depot, to Atelier court's façade measures 12.5m across at the narrowest point. The boundary wall is approximately 9m in height which is in effect three storeys in height. The wall runs from the corner northwards for approximately 65m until it joins with the existing three storey Edwardian office building.
- 7.315 The distance between the proposed western perimeter block and the habitable room windows of Atelier Court would vary from between 15.5m to 17.5m due to the uneven nature of the building line to Atelier Court. The distance between the proposed central and southern towers to Atelier Court would be 50m and 60m respectively.
- 7.316 The wall itself does not have any ornamental or decorative features and appears as a long and unabating structure which dominates the street. The combined height and width of the wall is clearly of a scale associated the historic use of the site; to house large transport infrastructure in the form of trams and buses. It is in direct contrast to the scale of the buildings on the opposite side of Leven Road.
- 7.317 The outlook to a number of the first floor living areas and ground floor bedrooms which sit behind semi-recessed balconies or overhangs would benefit from an enhanced street scene created by the development. The blank wall currently visible from these rooms would instead appear as a typical street scene in London, with residential windows on the opposite side of the street and active ground floor entrances. The windows would be setback further than the existing boundary wall by 3m or more and at the upper levels the building would step back considerably.

7.318 This would significantly improve the outlook for windows particularly at ground and first floor which are most affected in terms of daylight. The distance between the towers and the windows within Atelier Court would be significant.

7.319 Overall the proposal would provide a more interesting and attractive outlook to the ground and first floor habitable rooms, and for the floors above the proposed building would step-back and step-down from the corner sufficiently such that the properties in Atelier Court would still benefit from a good outlook.

7.320 Whilst the distance proposed would fall short in some cases of the 18m between habitable rooms this would be for a small proportion. The design of the western elevation steps-up from the existing office building to the corner where it meets with the block above the tram shed façade. The step-backs to the western elevation begin at level 3 and at each level up until level 6 more of the building is removed. The image below shows this.

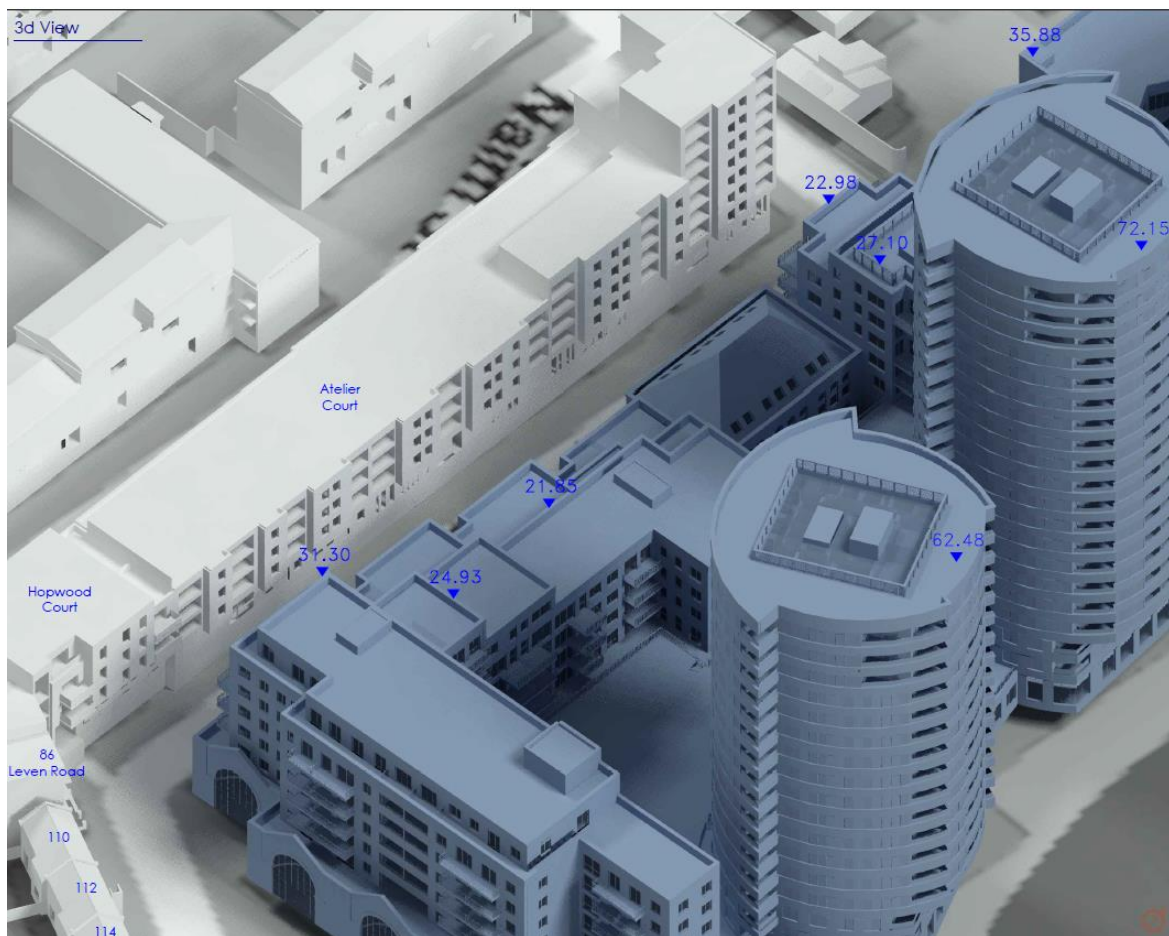


Figure 30: Model of proposed development in context of Atelier Court

7.321 The effects this has is that at the upper levels there is greater distance between the two dwellings ensuring good privacy and the outlook to the occupiers on lower floors would be markedly better than the existing wall which is a continuous frontage right up to the pavement. The properties at the southern end of Atelier Court would still have good outlook with views towards the terraced houses and along this section of the street - which feels more open as a result of the tram shed building's orientation away from the street line.

Hopwood Court, 86 Leven Road, & 110-126 (even) Leven Road

- 7.322 The distance between Hopwood Court and 86 Leven Road's habitable windows and the development would be 20m at the shortest point. Given this is at the corner the distance would ensure the dwellings have sufficient privacy. With regards to outlook the lower floors would have a taller building in front of them but this would be off-set by the improvements to the streetscene, particularly the activation of the corner through the arches and residential entrances, and views over the tram shed forecourt which is currently blocked by perimeter fencing.
- 7.323 For properties 110-126 (even) Leven Road again the closest distance would be 20m but this would increase steadily as the properties move further away, with No. 126 being 60m from the proposed building along Leven Road. The open tram shed forecourt and restored arches would improve the street scene and would be a marked improvement on the existing hostile perimeter fence. The houses feature small front gardens and good defensible space. Privacy and outlook to these units would be acceptable with the development in place.
- 7.324 From Devons Wharf to the southern tower would be 30m from the nearest window and 22m from the tram shed block at the closest point. The proposed tram shed block would be orientated such that most windows would be considerably further away. The impact on privacy would be negligible. In terms of outlook the proposal would enhance the appearance of the site particularly at lower levels and provide views of the tram shed forecourt, removing a high boundary fence that separates the two ground floor spaces. The tallest section of the building would be 45m away from the tower. In terms of impacts on outlook and privacy to Devons Wharf the proposal would be acceptable.

Sense of Enclosure

- 7.325 The western elevation to the proposed development would improve on the existing situation which currently creates a tunnelling effect with a 9m high brick boundary wall that is 65m long. The proposed development would be setback 2m from the pavement and more at upper levels; which would be less overbearing than the brick wall which is hard up to the boundary.
- 7.326 Similarly the tram shed forecourt would be opened up for the public and an improvement on the tall steel boundary fence that borders the site. Having a space that connects to Devons Wharf would create a more open sense of enclosure to the street and public realm than at present, and it would be beneficial to pedestrians.
- 7.327 The towers to the riverside would be cutback at lower levels and the riverwalk would step back in between the buildings. The buildings would therefore not be overbearing to the riverwalk.
- 7.328 The sense of enclosure to Devons Wharf's private amenity spaces would not be overbearing given the distance between the tall elements of the proposal and the existing balconies. Similarly for 110 -126 (even) Leven Road the taller elements would be sufficiently far away, and the opening up of the tram shed forecourt would improve the openness to the street. For both Hopwood Court and Atelier Court the buildings would appear in view, and alter the existing conditions, but this would not be significant. For Hopwood Court the angle of the tram shed building would ensure it does not feel overbearing to any balconies. For Atelier Court the stepping back and down from the south-west corner would ensure that building would not be unduly overbearing to any amenity spaces, and there would be considerable distance to the taller elements of the proposal.

Noise and Vibration

- 7.329 Council Environmental Health Officers have reviewed the submitted material. They have concluded that the completed development would not have any unacceptable impacts on neighbouring amenity from noise and vibration.
- 7.330 Nonetheless, the noise officer has requested 3 conditions be attached to the planning permission. These will be attached to any forthcoming consent.

Construction impacts

- 7.331 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 and with regard to likely significant effects identified within the ES 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.

Conclusion and overall amenity balance

- 7.332 In a number of dwellings within Atelier Court and Devons Wharf there would be an appreciable reduction in daylight. It can be said that the design of these buildings is not optimal with respect to daylight; some windows feature privacy screens and balconies or overhangs above, and are also recessed. The biggest losses with respect to daylight would be at ground level, although in actuality many windows would be covered by blinds or curtains to ensure privacy.
- 7.333 The proposed development has taken measures to reduce its impacts in the form of the reduction in height and mass of the western elevation. This has notably improved the Daylight Distribution to the living areas within Atelier Court. Nonetheless, as outlined above it is considered that this harmful impact on neighbouring properties daylight carries moderate weight against the proposal, and is in conflict with D.DH8 (d), which seeks to ensure adequate levels of daylight and sunlight.
- 7.334 With respect to sunlight the proposed development would have a very limited impact on neighbouring properties and all of them would accord with the BRE Guide levels for annual and winter sunlight hours with the proposed development in place.
- 7.335 Daylight and Sunlight are two of many factors when considering living conditions and should not be considered in isolation when weighing up the balance of harm. Outlook is of comparable importance. Currently the worst affected windows – at ground and first floor within Atelier Court look out onto a 9m high blank brick wall.
- 7.336 The proposed development would markedly improve the street scene and push back the building façade 3m from the existing boundary wall. This façade would be an improvement architecturally; it would animate and activate the street with residential windows and entrances, as well as balconies/private amenity space. The taller towers proposed would be sufficiently far away and the development overall would improve outlook to rooms at the ground and first floor of Atelier Court.
- 7.337 The improvements in the form of the opening up of the tram shed forecourt and access to the riverside would also lift the quality of the environment and public realm as a whole, and so indirectly improve living standards for the residents of surrounding buildings.
- 7.338 It is accepted that there is a conflict with aspects of London Plan Policies 3.5 A, 7.6B (d) and 7.7 (D)(a), and the Local Plan policy D.DH8 (d), but overall there would be improvements in the living conditions of neighbouring residents - particularly outlook to

rooms at lower levels - and these weigh in favour of the amenity balance. It is considered there is no overall conflict with the policies relating to amenity and that neighbouring occupiers would have good living conditions.

- 7.339 Under the chapter titled 'Achieving appropriate densities' in the NPPF paragraph 123 (c) states that for housing applications, a flexible approach to applying daylight and sunlight policies or guidance should be applied where they would otherwise inhibit an efficient use of the site (as long as the resulting scheme would provide acceptable living standards).
- 7.340 Given the quality of design and conclusion on the amenity balance with regard to living conditions, the scheme would comply with paragraph 123 of the NPPF.

TRANSPORT AND SERVICING

- 7.341 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.

Public transport accessibility and connectivity

- 7.342 All developments are expected to deliver improvements that support the ten Healthy Streets Indicators in line with Policy T2 of the Draft New London Plan. The development should support the Mayor's aims for all Londoners to do 20 minutes of active travel each day and for at least 80 per cent of trips across London to be made by walking, cycling and public transport by 2041. New development is expected to make a greater contribution to achieving this aim, particularly in well-connected parts of London such as the application site.
- 7.343 The proposal is to provide a walking and cycle route along the River Lea which is strongly supported. This would connect seamlessly to adjacent sites and be secured within the S106 agreement. To the north, this would include a tie-in to the proposed development of Islay Wharf. To the south, this would include a tie-in to the existing riverside path as part of the Devons Wharf development including removal of the wall along the site boundary.
- 7.344 In future, once all the sites within the Site Allocation and wider area come forward the Leaway will create pedestrian and cycle access along a significant part of the river and allow residents to enjoy new open spaces, notably the 1.3ha Poplar River Park consented as part of the Leven Gasworks development (PA/18/02803/A1).
- 7.345 It is noted that the planned Ailsa Wharf bridge currently benefits from a £2.4m GLA grant funding for the associated enabling and due diligence work required to bring the crossing forward, and a delivery mechanism has been secured within the S106 of the Ailsa Wharf consent.
- 7.346 Whilst the site has a very low PTAL score of 1b it is considered that a variety of modes of transport are available within reasonable walking distance which still ensures connectivity across the Borough and through London more broadly. Once the Elizabeth Line opens in Canary Wharf this will dramatically shorten journey times to central London and given that Poplar DLR will likely act as a point of interchange to this line - via the North Quay site - it is considered that the access to public transport will further improve.
- 7.347 Bus services available in the immediate locality provide north-south movement through the Borough, while the Langdon Park DLR service and Bromley-by-Bow tube station provide vital connectivity into adjacent Boroughs and across London within a 900m walking distance.

- 7.348 A sum of £201,364.00 has been secured by the council for TfL to improve the local bus network and ensure an extra bus can be provided at peak times to extend the 488 bus service from Bromley-by-Bow to better service the Lower Lea Valley. It is also noted that access to services at Star Lane DLR will be facilitated by the future delivery of the Ailsa Wharf Bridge, and the overall permeability benefits of the scheme are considerable, allowing for enhanced pedestrian and cyclist movements along the Lower Lea Valley.
- 7.349 It is anticipated that as the regeneration of the broader area is brought forward that the enhancement of public transport services coupled with the increased linkages facilitated by the development and those adjacent will ensure the development is sustainable, accessible and equitable for future residents.
- 7.350 The proposal brings forward considerable accessibility within the area. At present there is a significant deficit of pedestrian permeability through the broader site allocation. The application site will deliver two new access routes from Leven Road to the river. The northern route allowing for vehicles to access the site, whilst the southern route would be pedestrian and cycle friendly.
- 7.351 It is essential that these access paths through the site are secured as publically accessible and step free, year round and 24hrs a day. To ensure these spaces continue to create meaningful permeability and public benefit, their accessibility will be secured through the S106 legal agreement. The developer will be required to maintain the public access around the site to an agreed standard as defined and secured through the S106. Details of proposed lighting within the public realm will also be conditioned on consent.
- 7.352 With regard to vehicular access, this will be managed via Leven Road north of the existing office building which acts as the sole highway frontage to the development. The applicant has submitted a suite of swept path diagrams demonstrating how access can be safely managed for a variety of vehicles. The on-site arrangement would be for a shared surface which prioritises pedestrians over vehicular traffic.
- 7.353 It is considered that the movement of these vehicles can be managed safely on site, and would not compromise the integrity of the public realm or inappropriately utilise public footway for vehicle movements.

Car Parking

- 7.354 The development would provide all parking within the two podium garages accessed from the northwest part of the site. It would be limited to 5 general on-site parking spaces and 27 for blue badge holders. Two on-street car club spaces would be provided where the level access to the site would be removed.
- 7.355 Whilst officers note the request from the highways officer to have the development car-free given the limited PTAL and large number of residential dwellings coming forward it is considered that the equivalent of 1% was acceptable. The residents would be required to enter into a 'permit-free' agreement meaning that they would not be able to gain a parking permit for on-street parking within the borough. Overall it is considered the proposal is in line with the aims of the policy D.TR3 of the Local Plan (2020) and acceptable in the context.
- 7.356 Draft New London Plan Policy T6.1G requires that 3% of units have access to a blue badge bay within the site boundary from the onset of the development, and with the potential for this to increase by an additional 7% as needs require it. At present the 27 blue badge bays proposed would constitute 5% overall. It is considered that this is above the level required as a minimum and as part of the Parking Design and Management plan the additional 5% will need to be demonstrated. The podium garage could accommodate further space as well as general parking being removed.

- 7.357 While it is noted that the PTAL value of the site is low, there remains access to bus, light rail and tube services within 400 – 900m walking distance of the site in the form of Langdon Park DLR, Bromley-by-Bow Underground station, and bus stops. The applicant's transport assessment considers that the site has a PTAL level of 3.
- 7.358 It is also expected that over time greater accessibility provided by the Ailsa Wharf Bridge would, by virtue of its connections through to Newham and Star Lane DLR, provide an uplift in PTAL rating which is currently not accounted for. It is considered that on balance this provision would be acceptable and supported by the GLA and TfL. The provision of electric charging points to the accessible spaces would be required and secured by condition as requested by TfL.

Servicing and Deliveries (including waste)

- 7.359 The development proposes all servicing to take place on-site via the podium garage and the service yard. The commercial and residential elements would both be serviced either within the podium garage or within the yard space on-site. The site would be able to accommodate a maximum of six service vehicles at any one time, with vehicles able to enter and exit the site in a forward gear.
- 7.360 The podium garage would have a clearance height of 4.2m and therefore accommodate a number of different types of delivery vehicle. 'Keep Clear' signage and an on-site management team/concierge would maintain site operations so that vehicles do not park in locations that obstruct access – details to be secured within a Delivery and Servicing Plan, which would be secured by condition.
- 7.361 The majority of urban deliveries would be by light goods vehicles (LGV) or 'transit style vans' and the development shall include a centralised delivery point to accept deliveries of parcels by a concierge. These vehicles would be able to access the podium. Swept path diagrams have been provided which demonstrate a number of delivery scenarios where multiple vehicles arrive at once without blocking the site access or pedestrian access.
- 7.362 Council Highways Officers have no objection to this arrangement, and agreed with TfL's request to impose a Delivery and Servicing Plan condition to the consent, due to its proximity to the A12 which forms part of the Transport for London Road Network (TLRN). A final Servicing and Delivery Plan will be conditioned to any forthcoming consent.

Cycle Parking

- 7.363 The revised development proposals would provide a total of 954 cycle parking spaces for site residents, of which 56 spaces would be provided as Sheffield stands (28 Sheffield stands, with each accommodating 2 cycles). Sheffield stand cycle parking is to be provided as part of the long-stay residential cycle parking which would equate to 6% of the total cycle parking provision.
- 7.364 All residential cycle storage would be covered and secure. The revised ground floor layout has sought to make the long stay cycle parking provision attractive and accessible. Additional 'visitor' cycle parking would be provided in the public realm, suitable to accommodate 34 cycles (17 Sheffield Stands). This assumes 1 space for every 40 residential units (14 spaces), 156.5sq.m A1 food retail (8 spaces), 313sq.m A1 non-food retail (6 spaces) and 2,801sq.m of B1 office use (6 spaces).
- 7.365 Draft London Plan Policy T5 requires Policy requires 895 Long Stay spaces. The proposal therefore exceeds this requirement by 59 spaces. Final details of cycle parking layouts would be required to ensure it meets the London Cycle Design Standards (LCDS), and would be secured by condition.

7.366 Overall, the proposed cycle storage is considered to be adequate for both visitors and residents.

Healthy Streets and Vision Zero

7.367 It is noted that TfL has launched the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business. There are ten Healthy Streets indicators, which put people and their health at the heart of decision making, and aim to result in a more inclusive city where people choose to walk, cycle and use public transport. Alongside the Healthy Streets Approach, the Mayor's Vision Zero aspiration, which aims to eliminate death or serious injury on London's roads, supports changes to our road network to improve the safety of vulnerable road users.

7.368 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 20 minute radius of the site in order to identify deficiencies and appropriate improvements along routes that should be improved with this proposed development.

7.369 As part of the ATZ assessment four routes were identified. The two key routes to Bromley-By-Bow and Langdon Park are identified within the Ailsa Street Allocation. Therefore it was considered these were of the most importance. The council has secured £50,000.00 as a financial obligation to improve two key points along these routes.

Demolition and Construction Traffic

7.370 The Construction Environmental Management Plan secured via a planning condition would need to consider the impact on pedestrians, cyclists, and vehicles as well as fully considering the impact on other developments in close proximity. Subject to the details being acceptable to TfL and LBTH Highways consider there would not be an unacceptable impact.

7.371 The ES concludes that if the Bromley Hall School is operational (although this is unlikely to happen in the near future) then the CLP is relied upon for reducing the effects from major adverse to minor adverse. The CLP will contain strong measures to protect school children, in the event Bromley Hall is re-opened/redeveloped as a working school.

Travel Plan

7.372 The applicant has provided a framework travel plan which has followed TfL guidance which is welcomed. The final Travel Plan should be secured and monitored via the S106 agreement.

Summary

7.373 Subject to the above conditions it is considered the proposal would be acceptable in terms of supporting sustainable modes of transport, and will have no unacceptable 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).

ENVIRONMENT

Environmental Impact Assessment

- 7.374 The planning application constitutes an EIA development. The application was submitted in October 2019 accompanied by an Environmental Statement (ES) produced by Waterman on behalf of Leven Road LLP, and provided assessment of the following topics:
- Socio-economics;
 - Transportation and Access;
 - Air Quality;
 - Noise and Vibration;
 - Ground Conditions and Contamination;
 - Water Resources and Flood Risk;
 - Ecology;
 - Wind Microclimate;
 - Daylight, Sunlight and Overshadowing;
 - Archaeology;
 - Greenhouse Gases;
 - Townscape and Visual Impact; and
 - Built Heritage.
- 7.375 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.376 The application has been supported by an ES, an ES Interim Review Report Response (January 2020), and an ES Final Review Report Response (April 2020), both review report responses included a revised Non-Technical Summary (NTS).
- 7.377 The ES Interim Review Report Response (January 2020) and ES Final Review Report Response (April 2020), were considered to be 'further information' under Regulation 25, and were processed as required under the EIA Regulations.
- 7.378 The Council's EIA Officer has confirmed that the submitted ES (including the subsequent ES submissions as set out above) meets the requirements of the EIA Regulations, supported by an ES Review undertaken by the Councils retained EIA consultants.
- 7.379 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the Proposed Development, which forms the basis of the assessment presented in this report.
- 7.380 Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations. The environmental information comprises of: the ES, including any further information and any other information; any representations made by consultation bodies; and representations by any other person about the environmental effects of the Proposed Development.

ENERGY AND SUSTAINABILITY

- 7.381 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.
- 7.382 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.
- 7.383 Policy SI2 of the emerging London Plan requires major development to be net zero-carbon. This means reducing carbon dioxide emissions from construction and operation, and minimising both annual and peak energy demand in accordance with the following energy hierarchy.
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green)
- 7.384 Policy D.ES7 includes the requirement for all 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.
- 7.385 The submitted Energy Strategy identifies that the design has sought to reduce energy demand through energy efficiency measures (8%) and supply energy efficiently through integration of Air Source Heat Pumps.
- 7.386 The CO₂ emission reduction is anticipated to be 44.6% for the domestic buildings against the building regulation baseline which is just 0.4% short of the 45% minimum reduction required by policy. This is considered acceptable.
- 7.387 The report notes an annual domestic baseline CO₂ emission rate of 524 tonnes per annum, with the proposed scheme anticipating a 234 tonne reduction which means the proposal is 291 tonnes short of achieving zero carbon. With regard to D.ES7 which seeks a zero carbon development, the S106 will include a financial payment of £523,200 to offset the remaining 291 tonnes of carbon to comply with the policy.
- 7.388 With regard to the non-domestic elements of the scheme the baseline is 50 tonnes per annum and the proposal would provide an 18 tonne reduction which means the proposal is 32 tonnes short of achieving zero carbon. The S106 agreement will therefore require a financial payment of £56,800 to offset the remaining 32 tonnes of carbon to comply with policy.
- 7.389 The GLA and Council energy officers initially questioned the lack of PV array for on-site energy generation given the extensive roof space available. The scheme has been updated to provide approx. 530m² of PV panel area at roof level that is available, unshaded and accessible. This would result in an estimated maximum PV array of 82 kWp.
- 7.390 The applicant has provided greater detail on on-site renewable generation through photovoltaics and also the expected costs of ASHPs for residents which show costs in line with a gas CHP system. As well as further information on modelling outputs for the energy hierarchy.
- 7.391 The applicant has subsequently submitted an updated strategy as of March 2020 with information to address the GLA's and council's comments, which have all been broadly resolved.

7.392 In conclusion it is considered that the application would deliver sufficient carbon savings through both the energy hierarchy and via the financial obligations required to ensure the scheme meets the zero carbon targets for all development, as set by Policy S12 of the Draft New London Plan, and policy D.ES7 of the Local Plan.

Air Quality

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

7.394 The applicant has demonstrated that the residential development will not be affected by levels of air pollution above National Air Quality Standards. Therefore no additional mitigation will be required to protect future occupiers from existing environmental pollution.

7.395 The applicant has stated that heating for the development would be by air source heat pumps which have no local emissions to atmosphere. The applicant has undertaken a transportation air quality neutral assessment which meets the GLA benchmark and would meet the GLA air quality neutral standard.

7.396 The ES identifies the main likely effects on local air quality during construction would be related to dust. A range of measures to minimise or prevent dust would be implemented with the CEMP and it is considered that following mitigation, the effects from nuisance dust emissions would be not significant.

7.397 Emissions from construction vehicles would be small in comparison to the emissions from the volume of vehicles travelling on roads in the surrounding area of the site and would not significantly affect air quality. Therefore, the effect of construction vehicles entering and egressing the site during the construction period would be not significant. There is the potential for significant effects with surrounding developments coming forward at the same time. The CEMP and CLP will need to provide suitable mitigation and reviewed in detail prior to discharge of the conditions.

7.398 In accordance with the London Plan, all construction plant would need to adhere to the emissions standards for NO₂ and PM₁₀ (particles with a diameter up to 10µm) and PM_{2.5} (particles with a diameter up to 2.5µm) set out for non-road mobile machinery (NRMM). It is therefore considered the likely effect of construction plant on local air quality would be not significant.

7.399 Following completion, the Development is predicted to have a negligible impact on NO₂, PM₁₀ and PM_{2.5} concentrations, at all receptors considered. As such, the overall effect of the Development on air quality is not significant.

7.400 Overall the scheme would accord with policy D.ES2 of the Local Plan and policy 7.14 of the London Plan (2016) and conditions would be attached to any forthcoming consent to ensure local air quality is not adversely affected through the demolition and construction process.

Waste

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

7.402 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

- 7.403 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 and contribute towards the Local Biodiversity Action Plan (LBAP). Developments must also not include potentially invasive non-native species as determined by Schedule 9 of the Wildlife and Countryside Act. Any such existing species should be eradicate or controlled as part of redevelopment.
- 7.404 At present the site comprises almost entirely of a somewhat dilapidated warehouse structure. There are very limited biodiversity benefits at present, and as noted by Council's Biodiversity Officer, the current proposal would provide significant biodiversity enhancements that contribute to LBAP objectives and targets.
- 7.405 The Biodiversity officer questioned the lack of planting across the site as a whole and especially along the Riverwalk. Officers considered the comments and had to balance the increase in planting with ensuring the walkway would be unobstructed for cyclists and pedestrians. In response to the comments planting has increased where the built form steps back to 12/14m and this would further green the Riverwalk. In addition non-native species have been replaced with native species in response to the Biodiversity officer's comments.
- 7.406 The planting palette for the ornamental planting at ground level, and the more extensive first floor ornamental planting, includes a good range of nectar-rich flowers, which will contribute to LBAP objectives to increase forage for bees and other pollinators. The Lighting Strategy indicates low, hooded bollards for most of the lighting, including along the riverside. These will avoid light spill onto the river.
- 7.407 However, up lighting of trees is not supported. This can be addressed through the lighting condition. The ecology chapter of the ES recommends bat boxes and nest boxes for birds including house sparrow and black redstart. These would be appropriate on the site, and would contribute to LBAP targets. These will be secured via planning condition.
- 7.408 At present the biodiversity officer does not believe sufficient effort has been made to determine whether Black Redstarts are roosting on site. Notwithstanding this, officers consider that if brownfield style biodiverse roofs and black redstart nesting boxes are included within the development then this would enhance the site and only necessitate surveys if demolition were to take place during nesting season. These above points will be secured by condition.
- 7.409 With regard to the detailing of brown and biodiverse roofs, as well as the general planting and landscaping proposed on site, it is considered that the details of these elements of the scheme should be conditioned on consent, to allow for more detail to be provided to the biodiversity officer prior to commencement of development.
- 7.410 Subject to three conditions securing the biodiversity enhancements proposed, and ensuring no loss of native species on site, the development complies with policy and would lead to net gains in biodiversity.

Flood Risk & Drainage

- 7.411 Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drainage within new developments.
- 7.412 Paragraph 161 NPPF (2019): *Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-*

making stage, or if more recent information about existing or potential flood risk should be taken into account.

- 7.413 The proposal does not need to undertake the sequential test and as part of the Local Plan Site Allocation for Ailsa Street the exception test was undertaken. It was considered that the proposal would provide sustainability benefits that outweigh the flood risk. This development would accord with the principles of the site allocation and therefore meets this requirement.
- 7.414 The exception test also requires that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 7.415 The submitted Flood Risk Assessment (FRA) demonstrates that the proposed development would not be unduly at risk from flooding. The site is in Flood Zone 3a and mitigation measures are proposed to address the residual risk of tidal flooding during a breach scenario. The site is assessed to be at very low to negligible risk of flooding from all other sources. The mitigation measures can be summarised as follows:
- The siting of 'more vulnerable' areas i.e. sleeping accommodation above the flood level, on the first floor and above
 - Flood resilient construction to a level of 5.85mAOD for ground floor residential areas
 - Provision of an onsite safe area for the local community
 - Assessment of the adjacent River Lea wall, with repairs and modifications where necessary (secured by condition)
- 7.416 In consultation with the Environment Agency it is noted that a series of objections were raised initially with regard to the Flood Risk Assessment. The FRA was considered to fail in complying with the requirements of with paragraph 160 of the National Planning Policy Framework (NPPF) which requires it to be demonstrated that developments will be safe for their lifetime (100 years) and paragraph 163 which requires it to be demonstrated that development is appropriately flood resistant and resilient.
- 7.417 The applicant provided further information on the 19th March to the EA to address these concerns and they have subsequently removed their objection. This is due to the fact the applicant has submitted a tracking plan for the river wall setback as requested and the river wall improvement works, and the TE2100 raisings can be implemented by way of a planning condition.
- 7.418 With respect to Flood Risk the proposal would accord with the requirements of the NPPF (2019) and policies D.ES4 and D.ES5.
- 7.419 The drainage strategy for the Development has been designed to reduce flood risk, and would provide an improvement when compared to the existing situation (an 83% reduction in surface water runoff). The strategy would require storage of rainwater on site for a period of time to allow for reduced runoff rates, and this storage would be in the form of tanks at ground level within the podium and in storage within each of the podium roofs specifically designed to store water (known as blue roofs). The strategy takes into consideration the requirements for climate change.
- 7.420 In consultation with Thames Water, the authority have raised no objection to the proposed redevelopment of the site; however they have requested that a pair of conditions be imposed which require the submission of a structural piling statement and confirmation of water network upgrades or a housing and infrastructure phasing plan. The authority also

raises a number of points relating to drainage and licencing which will be included as informatives on the consent.

- 7.421 In addition to the above an additional condition requiring the submission of a surface water drainage scheme prior to commencement which will detail peak discharge rates, management of critical storm water drainage and details of adoption, monitoring and maintenance of drainage and SUDS features.
- 7.422 Subject to conditions the proposal would be acceptable with regards to surface water run-off and drainage.

Land Contamination

- 7.423 The application has been reviewed by the Council's Environmental Health Land Contamination officer and subject to standard conditions, the proposals would be acceptable. Any contamination that is identified can be addressed within the condition discharge process, and will ensure that the land is made safe prior to any construction or demolition work takes place.

INFRASTRUCTURE IMPACT

- 7.424 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £1,346,695.47 (inclusive of social housing relief and exclusive of indexation) and Mayor of London CIL of approximately £1,712,225.10 (inclusive of social housing relief and exclusive of indexation).
- 7.425 This would result in a total of £3,058,920.56. This figure is approximate from the information submitted and will be scrutinised again once CIL is payable upon commencement following planning permission being granted.
- 7.426 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.
- 7.427 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD and TfL which are as follows:
- £201,364 towards construction phase employment skills training
 - £77,390.48 towards end-user phase employment skills training
 - £50,000 towards ATZ works
 - £580,000 towards carbon off setting
 - £203,482 towards local bus services (TfL)

HUMAN RIGHTS & EQUALITIES

- 7.428 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.
- 7.429 The proposed new residential accommodation meets inclusive design standards and over 530 of the new homes will be wheelchair accessible, 154 within the affordable tenures, and 27 disabled car parking spaces provided. These standards would benefit future employees and residents, including disabled people, elderly people and parents/carers with children. The proposed affordable housing would be of particular benefit to groups that are

socially/economically disadvantaged. It is also considered that the application has undergone the appropriate level of consultation with the public and Council consultees.

7.430 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 the prior completion of a legal agreement to secure the following planning obligations

8.2 Financial Obligations

- a. £201,364 towards construction phase employment skills training
- b. £77,390.48 towards end-user phase employment skills training
- c. £580,000 carbon offsetting obligation
- d. £50,000 towards ATZ works
- e. £203,482 towards local bus services (TfL)
- f. £500 per heads of term

8.3 Non-Financial Obligations

- a. Access to employment
 - 20% local procurement
 - 20% local labour in construction
- b. Transport
 - Approval and implementation of Travel Plan
- c. Compliance with Considerate Constructors Scheme

8.4 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
3. Noise emitted from new fixed building plant
4. Inclusive Access Standards
5. Smart meters
6. Accessible parking
7. Cycle store compliance

Pre-commencement

8. Archaeology: Written Scheme of Investigation in consultation with GLAAS
9. Archaeology: Foundation design in consultation with GLAAS
10. Bat survey
11. Construction Environmental Management Plan and Construction Logistics Plan in consultation with TfL
12. Construction Waste Management Plan
13. Crane methodology in consultation with London City Airport
14. Demolition and Façade Retention Strategy
15. Energy Strategy
16. Highways Improvement Works
17. Jersey Cudweed Survey
18. Land Contamination Remediation
19. Odour from fixed plant and equipment
20. Piling
21. River wall and flood defence in consultation with EA
22. Wheelchair housing detailed plans

Pre-commencement of above ground works

23. Biodiversity enhancements
24. Details of fixed plant and machinery (air quality)

Pre-superstructure works

25. Affordable Workspace Management Plan
26. Delivery, Servicing, and Waste Management Plan
27. Details of external facing materials and architectural detailing
28. Details of hard and soft landscaping of all public realm and open spaces including details relating to play equipment, street furniture, biodiversity mitigation and enhancements.
29. Details of cycle parking
30. Lighting Strategy
31. London City Airport Bird Management Strategy
32. Play Space Management Plan
33. Secure by Design
34. Surface water Drainage Strategy

Prior to Occupation

35. BREEAM Certificate for Commercial Units and Workspace
36. Contamination verification
37. Parking Design & Management Plan
38. Noise Verification Report for Residential

39. Secured by design compliance
40. Water Infrastructure

Prior to completion

41. Wheelchair Unit Marketing

Informatives

1. Thames Water (Surface Water Drainage)
2. Thames Water (Underground Assets)
3. Thames Water (Water Mains)

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

2244-00-DR-1603 rev P01 Existing Arch Detail
 2244-00-DR-1604 rev P01 Maisonette Detail Elevation
 2244-00-DR-1605 rev P01 Southern Elevation Parapet and Arch
 2244-00-SC-0002 rev P05 Schedule
 2244-00-DR-0011 rev P01 Site Location Plan
 2244-00-DR-0001 rev P01 Existing Ground Level
 2244-00-DR-0002 rev P01 Existing First Level
 2244-00-DR-0003 rev P01 Existing Second Level
 2244-00-DR-0004 rev P01 Existing Elevations
 2244-00-DR-0005 rev P01 Existing Sections
 2244-00-DR-2000 rev P02 Location of Affordable Units Sheet 1
 2244-00-DR-2001 rev P01 Location of Affordable Units Sheet 2
 2244-00-DR-2002 rev P01 Location of Affordable Units Sheet 3

2244-00-DR-0100 rev P02 Site Plan - Level 00
 2244-00-DR-0101 rev P02 Site Plan - Level 01
 2244-00-DR-0102 rev P02 Site Plan - Level 02
 2244-00-DR-0103 rev P03 Site Plan - Level 03
 2244-00-DR-0104 rev P03 Site Plan - Level 04
 2244-00-DR-0105 rev P03 Site Plan - Level 05
 2244-00-DR-0106 rev P02 Site Plan - Level 06
 2244-00-DR-0107 rev P02 Site Plan - Level 07
 2244-00-DR-0108 rev P02 Site Plan - Level 08
 2244-00-DR-0109 rev P02 Site Plan - Level 09
 2244-00-DR-0110 rev P02 Site Plan - Level 10
 2244-00-DR-0111 rev P02 Site Plan - Level 11
 2244-00-DR-0112 rev P02 Site Plan - Level 12
 2244-00-DR-0113 rev P02 Site Plan - Level 13
 2244-00-DR-0114 rev P02 Site Plan - Level 14
 2244-00-DR-0115 rev P02 Site Plan - Level 15
 2244-00-DR-0116 rev P02 Site Plan - Level 16
 2244-00-DR-0117 rev P02 Site Plan - Level 17
 2244-00-DR-0118 rev P02 Site Plan - Level 18
 2244-00-DR-0119 rev P02 Site Plan - Level 19
 2244-00-DR-0120 rev P02 Site Plan - Level 20
 2244-00-DR-0121 rev P02 Site Plan - Level 21
 2244-00-DR-0126 rev P02 Site Plan - Level Roof
 2244-00-DR-0601 rev P03 North Elevation
 2244-00-DR-0602 rev P03 East Elevation
 2244-00-DR-0603 rev P03 South Elevation
 2244-00-DR-0604 rev P03 West Elevation
 2244-00-DR-0605 rev P03 Elevation 1
 2244-00-DR-0606 rev P03 Elevation 2
 2244-00-DR-0607 rev P03 Elevation 3
 2244-00-DR-0401 rev P02 Section 1- AA
 2244-00-DR-0402 rev P02 Section 2- BB
 2244-00-DR-0403 rev P02 Section 3- CC
 2244-00-DR-0404 rev P02 Section 4- DD
 2244-00-DR-0406 rev P02 Section 5- FF
 2244-00-DR-1601 rev P01 Detailed Tower Section and Elevation Planning
 2244-00-DR-1602 rev P01 Top Tower Detail Elevation

Schedule of Documents

Design and Access Statement 2244-00-BR-0010-P03 dated 18th March 2020

Planning Statement October 2019
Fire Statement Version 5 May 2020
Transport Assessment - PB8537-RHD-ZZ-XX-R-Z-001
Addendum Transport Assessment - PB8537-RHD-ZZ-XX-R-Z-0017-S2
Residential Travel Plan - PB8537-RHD-ZZ-XX-RP-R-001
Framework Workplace Travel Plan - T&PPB8537R001F0.1
Delivery and Servicing Plan - PB9537-RHD-ZZ-XX-RP-R-005
Outline Construction Logistics Plan - PB8537-RHD-ZZ-XX-RP-R-007
Statement of Community Involvement - Snapdragon
Flood Risk Assessment dated 27th September 2019
Walsh Design Note Revision 2 Project Reference 5004 (River Wall)
Updated Internal Daylight, Sunlight and Overshadowing Assessment March 2020
Supplementary Report: Daylight Effects on Neighbouring Buildings March 2020
Development Viability Report dated 23 September 2019
Health Impact Assessment WSP September 2019
MEP Engineering Utilities Report Revision 01 – 03 July 2019
Energy Strategy 08 – 31 March 2020
Acoustics Report For Planning Revision 2 – 18th September

Environmental Statement Non-Technical Summary
Environmental Statement Volume 1
Environmental Statement Volume 2
Environmental Statement Volume 3
Environmental Statement Volume 4
ES Interim Review Report Response (January 2020)
ES Final Review Report Response (April 2020)

Appendix 2 – Relevant Plans and CGI's

Proposed Ground Floor Plan



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CZWG Architects LLP
17 Bowring Green Lane
London, EC2A 4DU
Telephone: 020 7553 2822
Fax: 020 7553 0888
info@czwgarchitects.co.uk
www.czwg.com

Rev: P01 Date: 19/09/19 Drawn: CMA/PL
Issued for Planning
Rev: P02 Date: 21/02/20 Drawn: CMA/PL
Parking and Cycle storage amended layout updated.

By Room Name Legend

- 2B4P Maisonette
- 3B5P Maisonette
- A1/A3
- B1
- Balcony
- Bikes
- Delivery Room
- Entrance
- Parking
- Plant
- Refuse
- Residents Lounge
- Teenage Play Area

Client:
Leven Road LLP

Project:
Leven Road

Title:
Level 00

Drawing status:
Planning

CZWG
Scale @ A1
1 : 250
Drawing No:
2244-00-DR-0100
Date:

Rev:
P02

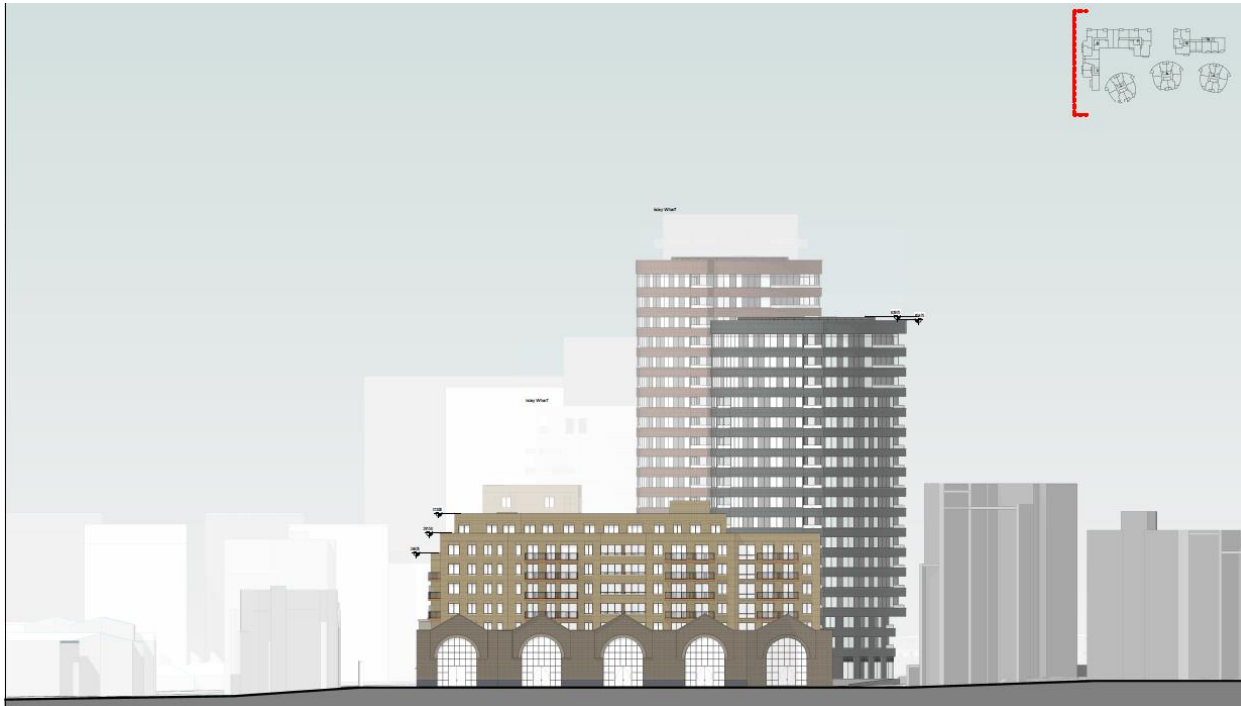
Proposed First Floor Plan



Proposed east elevation



Page 107
Proposed south elevation



Proposed west elevation



Proposed north elevation



CGI of south elevation



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CGI from Leven Road looking east (Islay Wharf back left)



CGI looking north, of the riverwalk, podium garden, and towers

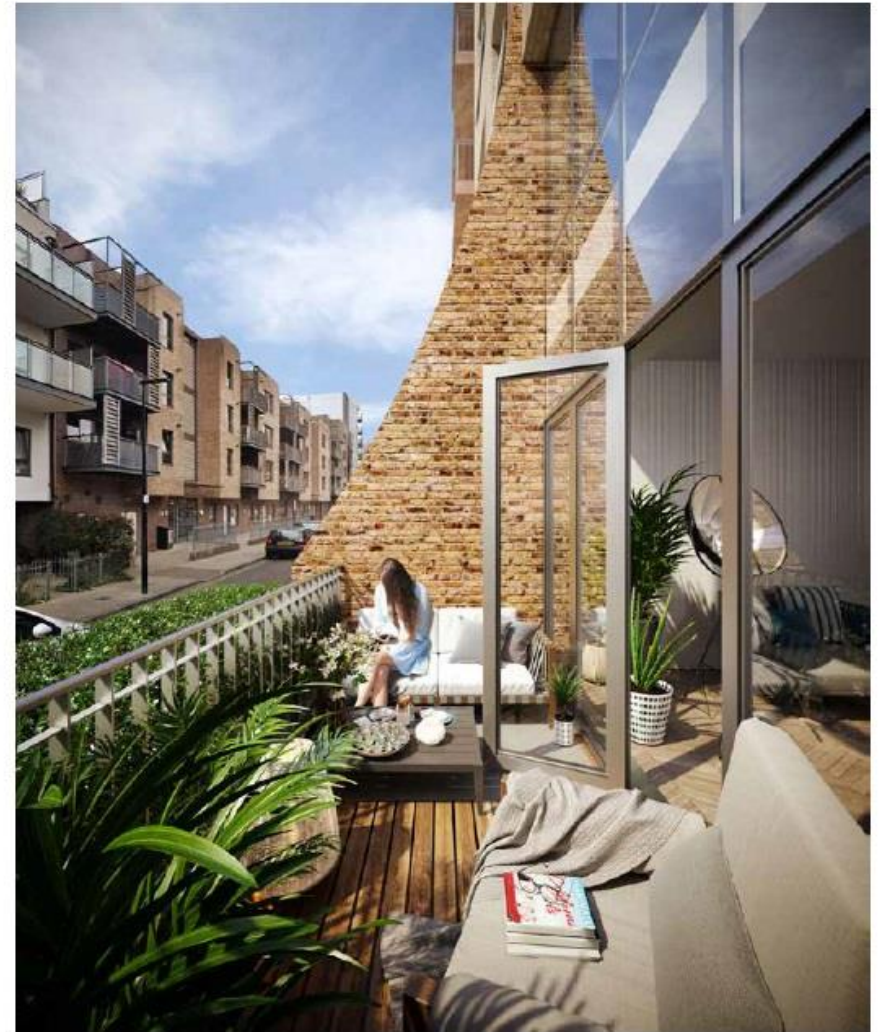


CGI of three towers proposed. View from Devons Wharf looking north





CGI of private amenity space to flat above tram shed gable (looking south)



CGI of private amenity space to west facing maisonettes on Leven Road



CGI of workspace area and lightwell



[click here for case file](#)

Application for Planning Permission

Reference	PA/19/02292
Site	Land Under The DLR Bounded By Scouler Street And Aspen Way And Prestage Way, Aspen Way, London
Ward	Poplar
Proposal	342-room, part-24 part-17 storey, apart-hotel (C1 Use Class), eight workspace units (B1 Use Class), new bus loop/stand, new youth play area, and public realm works
Summary Recommendation	Grant Planning Permission subject to conditions.
Applicant	Naval Row Freehold Limited
Architect/agent	Collado Collins Centro Planning Consultancy
Case Officer	James Woolway
Key dates	Application validated 17/10/2019 Neighbour letters issued 29/10/2019 3x site notices erected 06/11/2019 Press advertisement published 07/11/2019 Public consultation finished on 28/11/2019

EXECUTIVE SUMMARY

The application comprises of a proposal for the erection of a part-17 and part-24 storey building accommodating 342-apart hotel (use class C1) rooms with associated roof plant, ground level servicing, and café/restaurant at ground floor. The scheme also includes 8 office space units (use class B1) beneath the DLR viaduct, and extensive landscaping, the delivery of a large multi-functional youth play space and the provision of a bus loop through the site.

The proposal would serve to 'drop-in' to the 2012 Blackwall Reach Masterplan, replacing Blocks P and Q while seeking to integrate seamlessly with the infrastructure and road network within the existing and future context.

In land use terms, the highly accessible location adjacent to the Blackwall DLR Station and associated No.15 bus services provides immediate access to Major and Central Activity Centres at Canary Wharf and City of London ensures that the proposed C1 short-stay accommodation use will be appropriately sited for visitor and business accommodation.

With regard to the site's environmental conditions, hotel accommodation is considered an effective use of the site given the air quality conditions and immediate adjacency to Aspen Way and the elevated DLR viaduct to the south of the site.

The provision of a large, high quality, youth play area will contribute positively towards the renewal of the area and will integrate with the obligations of Blackwall Reach, Phase 4. Similarly, the landscaping and regeneration of the existing car-park and removal of hot food takeaway pods is a considerable public benefit and will enhance legibility, safety and urban design within the locality.

The height, massing and design is considered to respond appropriately to its context within a Tall Building Zone and Opportunity Area, while not resulting in harmful impacts to heritage assets in the locality.

The impacts with regard to daylight and sunlight of existing residential accommodation is minor, with daylight and sunlight impacts to the envelopes of the consented parameter blocks of the Blackwall Reach Masterplan considered acceptable given the context and public benefits provided by the scheme.

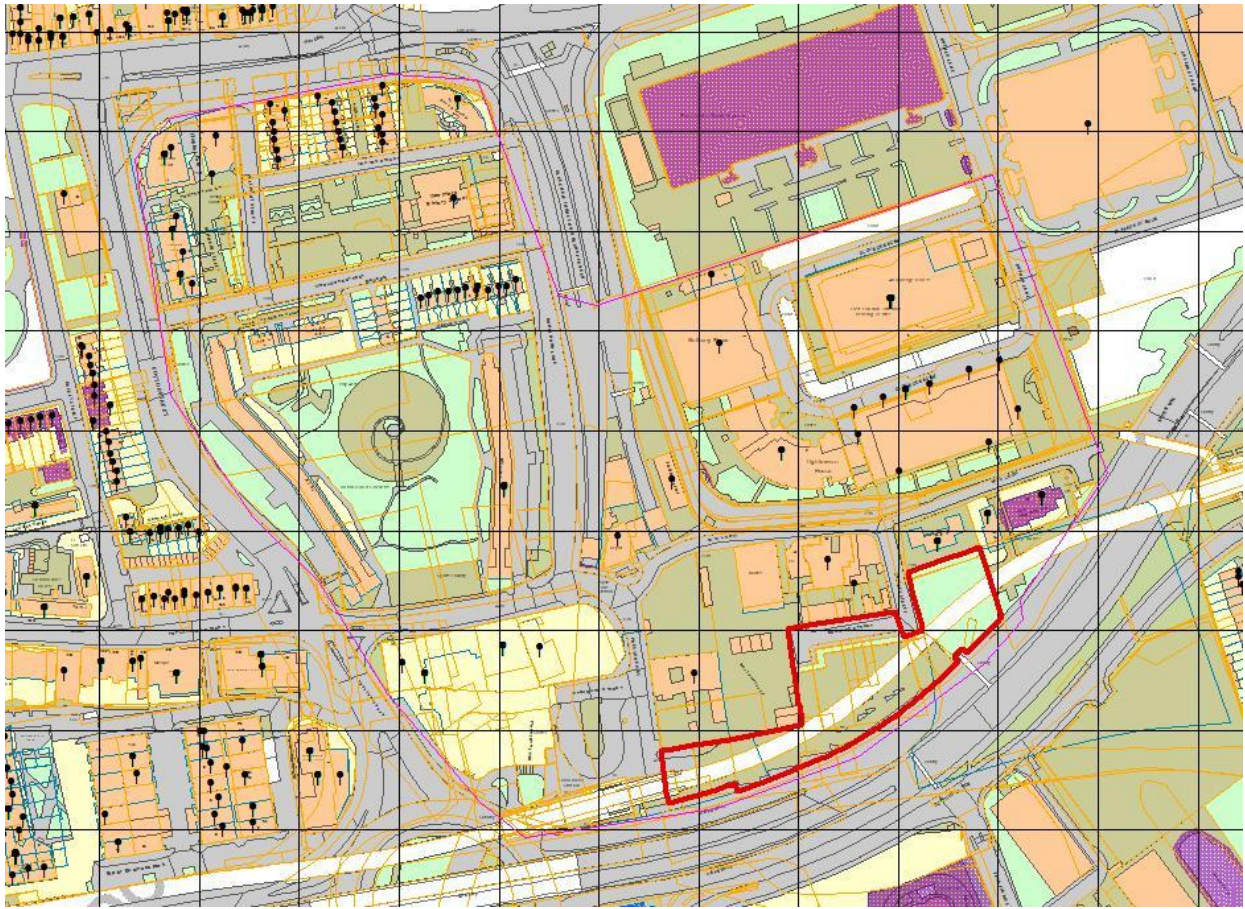
Highway improvement works, and a new bus loop and associated operational infrastructure have been developed in rigorous consultation with Transport for London, the GLA and Borough Highways Officers and will be provided within the proposal and secured in perpetuity by way of S106 legal agreement.

A strategy for minimising carbon dioxide emissions from the development is in compliance with policy requirements, with a substantive carbon offset contribution to be secured within the S106.

Biodiversity enhancements are also proposed which are considered sufficient to meet policy requirements, with the comprehensive landscaping of the site positively contributing towards ecology.

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.

SITE PLAN



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

Planning Applications Site Map PA/19/02292

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



London
Borough of
Tower Hamlets

Scale : 50m grid squares

Date: 14 July
2020

1 SITE AND SURROUNDINGS

- 1.1 The application site relates to land under the elevated Docklands Light Railway (DLR) track. The site is predominantly in use as a carpark bounded by Prestage Way, Scouler Street, Quixley Street and Aspen Way, an eight lane freeway, to the south.
- 1.2 The application site, approximately 0.65 hectares in size, and characterised by hardstanding to accommodate the pay and display car parking which operates on site. The built form on site at present is related only to the modular hot food takeaway container buildings which benefit from a temporary consent. An open section of the eastern periphery of the site comprises of heavily overgrown vegetation with no public access.
- 1.3 The site is heavily constrained due to its siting under the elevated section of DLR track between Blackwall and East India stations and includes a portion of heavily vegetated land to the east of the site which abuts the boundary of nos. 32 – 62 Naval Row.
- 1.4 The prevailing character of the area is a mix of low density residential to the immediate north along Aspen Way, and larger scale commercial and civic uses along Clove Crescent. To the south of Aspen Way is a cluster of tall buildings which includes the mixed use development at New Providence Wharf which includes Ontario Tower and Charrington Tower, as well as a large scale data centre.
- 1.5 The application site lies on the periphery of the Poplar High Street Neighbourhood Centre and the Naval Row Conservation Area in fairly close proximity to the Grade II listed East India Dock Pumping Station. Notably it is also located centrally within the Blackwall Tall Building Cluster and Phase 4 of the consented Blackwall Reach Masterplan pursuant to PA/12/00001; the details of which are examined in the below sections.
- 1.6 Due to its proximity immediately adjacent to Blackwall DLR station, and in close proximity to the associated bus services, the application site has a strong PTAL rating of 4 which rises to 5 at the immediate periphery of the site. The site has immediate access to Cycle Superhighway 3 (Barking to Tower Hill) via Naval Row, and access to 19 hire cycles at the junction of Prestage Way and Naval Row.
- 1.7 The application site is located within both the Lower Lea Valley and the Isle of Dogs and South Poplar Opportunity Areas, highlighting the strategic importance of the locality.
- 1.8 The site is located with an Archaeological Priority Area, and Flood Zones 2/3.



Figure 1: Application Site (Indicative)

2. PROPOSAL

- 2.1 The application proposes the redevelopment of the site for the erection of a 342-bedroom hotel (C1 use class) comprising of a part-seventeen, part-twenty-four storey building, with associated roof top plant room, ground floor servicing, parking and landscaping. The development also includes the redevelopment of land beneath the DLR viaduct to include landscaping, public realm, youth play and the provision of a new bus loop linking into the Blackwall Reach Masterplan.
- 2.2 The application site overlaps part of the Blackwall Reach Masterplan, a large scale Outline consent granted in 2012, Phase 4 of which was subject to an unsuccessful Compulsory Purchase order (CPO) in 2015. As such, the proposed development would replace Blocks P and Q of this Phase; however the ambition of the development is to continue to bring forward the infrastructure requirements of this phase – most particularly the bus loop and youth play area.

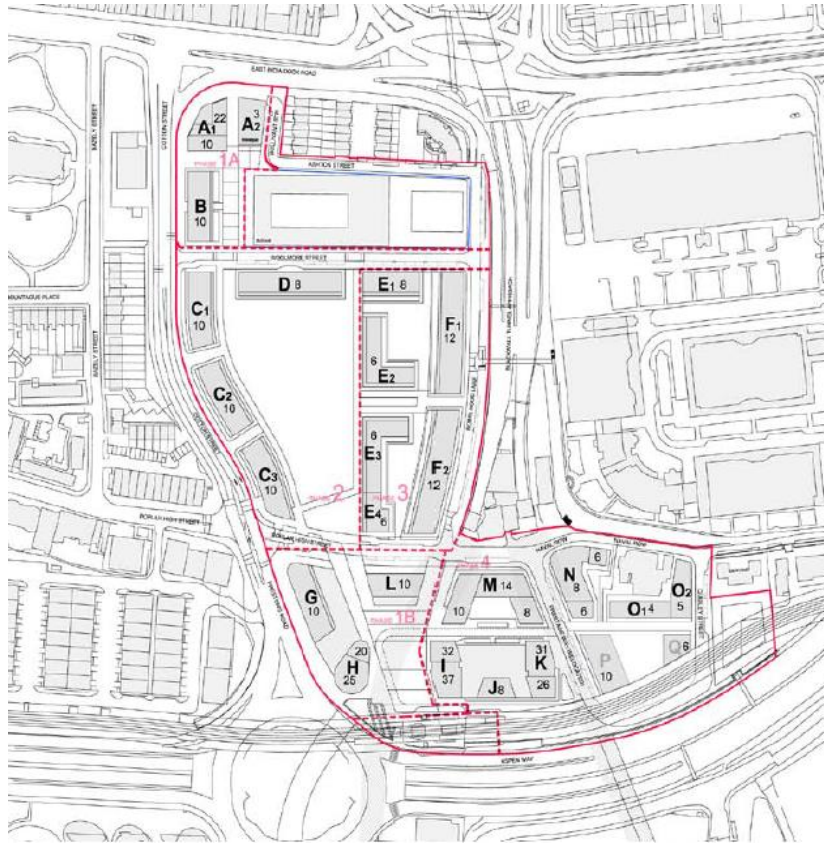


Figure 2: Blackwall Reach Masterplan (2012)

- 2.3 The only pedestrian access at present is accessed via Prestage Way, which acts as the primary access for the private carpark and Deliveroo kitchen pods which occupy the bulk of the site at present. Due to the private operation of the kitchen pods and car park, the site is largely fenced in from all other frontages, despite having immediate access to Scouler and Quixley Streets to its northern boundary. As part of the proposal the site will be opened up, significantly increasing the pedestrian permeability through this area. Vehicle and pedestrian access will be managed through Scouler and Quixley Streets, as well as Prestage Way in the interim.
- 2.4 The development will slot in with the proposed arrangement of Phase 4 to the Outline consent, including the realignments of Scouler Street and Prestage Way and the redirection of the bus service along a new carriageway beneath the DLR viaduct. The proposal seeks to ensure that Phase 4 can continue to be brought forward in absence of the application site, while ensuring the public benefits remain secured.
- 2.5 Due to the desire to create a development which integrates seamlessly with the Outline consent while ensuring a workable solution prior and following the build out of Phase 4, the development will have interim and 'final' landscaping and highways arrangements which deal with the site conditions prior to and following the realignment of Prestage Way to facilitate the new bus loop and the high density residential blocks of Phase 4 delivered at Blocks I, J and K while not prejudicing the delivery of the remaining housing blocks of the Phase.
- 2.6 The development will be serviced from Scouler Street in both the interim and final highways arrangement, while buses will be rerouted along the proposed new carriageway beneath the viaduct in both arrangements. Bus stands will be installed

within the red line boundary of the site in the interim arrangements, before being shifted onto the newly realigned Prestage Way in the final configuration.

- 2.7 In addition to the hotel use provided on site, a small number of flexible and small scale B1 units will be provided at the interface to Aspen Way beneath the viaduct in order to enhance the vitality of the regenerated carpark landscaping.
- 2.8 The proposed youth play area will be linked by way of soft and hard landscaping, and delivers on the ambitions of the Outline consent which sought to incorporate active play at this location for use by future occupants. The nature of this play space is intended as an active youth space, with various sports accommodated including basketball, badminton and table tennis. In total, the development contributes the majority of the site towards landscape enhancement and play facilities.
- 2.9 In architectural terms, the building will comprise of a green panelled aluminium façade system which an exaggerated crown to both the shoulder building and primary tower.

3 RELEVANT PLANNING HISTORY

PA/17/03211 – Permitted 13/07/2018

Erection of nine Class B1c 'commercial kitchen' pod units, together with three ancillary pod units for storage and distribution, on a temporary basis for 3 years.

PA/16/03605 – Permitted 28/11/2016

Erection of seven Class B1c commercial kitchen pod units (on a temporary basis for 18 months)

PA/16/02913 – Permitted 05/09/2017

Submission of details pursuant to condition J1 (reprovision of multi-use games area) of planning permission PA/12/00001 dated 30/03/2012

Blackwall Reach Outline Consent

PA/12/0001 – Permitted 30/03/2012

Outline application for alterations to and demolition of existing buildings, site clearance and ground works and redevelopment to provide:

- Up to 1,575 residential units (up to 191,510 sq.m GEA - Use Class C3);
- Up to 1,710 sq.m (GEA) of retail floorspace (Use Class A1-A5);
- Up to 900 sq.m of office floorspace (Use Class B1);
- Up to 500 sq. m community floorspace (Use Class D1);
- Replacement school (up to 4,500 sq.m GEA - Use Class D1);
- Replacement faith building (up to 1,200 sq.m - Use Class D1)

The application also proposes an energy centre (up to 750 sq.m GEA); associated plant and servicing; provision of open space, landscaping works and ancillary drainage; car parking (up to 340 spaces in designated surface, podium, semi-basement and basement areas plus on-street); and alterations to and creation of new vehicular and pedestrian access routes.

All matters associated with details of appearance, landscaping, layout and scale and (save for the matters of detail submitted in respect of certain highway routes, works and/or improvements for the use by vehicles, cyclists and pedestrians as set out in the Development Specification and Details of Access Report) access are reserved for future determination and within the parameters set out in the Parameter Plans and Parameter Statements

4 PUBLICITY AND ENGAGEMENT

- 4.1 A total of 322 planning notification letters were sent to nearby properties on 29/10/2019. Site notices were displayed around the site on 06/11/2019 and a press notice was advertised on 07/11/2019.
- 4.2 The number of representations received in response to notification and publicity of the application is as follows:
- 6 letters of objection from 5 individual objectors, and 1 letter of observation.
- 4.3 The comments raised in objection to the proposal can be summarised as follows:
- Impact on the delivery of the Blackwall Reach Masterplan
 - Sunlight and daylight impacts to consented and existing residential units
 - Proximity of development to adjacent sites
 - Impact on Naval Row Conservation Area
 - Overlooking to consented blocks
 - Scope of Council's neighbour notification
 - Interference with DLR and Blackwall Tunnel exclusion zones
- 4.4 The comment received in observation of the application can be summarised as follows:
- Conditions should be imposed which protect microclimatic and environmental conditions around the site
- 4.5 The applicant engaged in their own community consultation prior to submission in July of 2019 which involved a consultation event preceded by the leafletting of 6,000 addresses within the locality.
- 4.6 The scheme was developed through extensive pre-application discussions with the Council between October 2018 and September 2019, including CADAP review, with the scheme dramatically changing over this period to better align with the Outline Consent and improve the overall architectural quality.

5 CONSULTATION RESPONSES

LBTH Design

- 5.1 Design officers broadly supportive of the scheme with regard to height, mass and scale; however concerns raised relating to the maximisation of active frontages to

Prestage Way and the securing of high quality material – namely anodised aluminium – requested.

- 5.2 Design and conservation officers acknowledge that while there would be some impact on the setting of the Naval Row Conservation Area, it was considered in principle acceptable subject to the resolution of broader design elements
- 5.3 An active frontage assessment has subsequently been submitted by the applicant which serves to evidence how the scheme has maximised the active frontages to the primary pedestrian areas and amended drawings have been received which replace the powder coated aluminium with anodized aluminium. A further condition securing anodised aluminium will be secured on consent.

LBTH Transportation and Highways

- 5.4 Council highways officers raise the following concern with regard to the scheme of highways works as proposed by the development:
- Applicant must demonstrate servicing vehicles can safely enter and exit Scouler Street without conflict with accessible parking bays
 - Submitted plans should clearly mark out where it is expected that new highway(to be adopted) will be
 - For the new bus loop, a 2m width footway should be constructed either side of the carriageway
 - All highways land must be constructed to adoptable standards, with adoption agreed through S38 of the Highways Act (1980)
- 5.5 Council highways officers raise the following concerns with regard to the proposed highways arrangement of Phase 4, to which the development seeks to integrate:
- The Blackwall Reach Phase 4 highways arrangement would create conflicts with Cycle Superhighways 3 (CS3) to an unacceptable degree
 - The applicant should demonstrate an alternative safe cycling route that avoids the section of Naval Row between Poplar High Street and Quixley Street
- 5.6 A further Transport Addendum was submitted by the applicant which sought to address the salient highways points which included further vehicle tracking.
- 5.7 The applicant has sought to address all concerns within the demise of the application site, with a series of Road Safety Audits undertaken in collaboration with TFL and Borough Highways Officers. While the fundamental highway safety concerns do not relate to the works proposed by the development, it was viewed as essential to consider how the application may be able to enhance pedestrian and cyclist safety locally.
- 5.8 A detailed assessment of the highways impacts of the proposed scheme, and the mitigation measures implemented, will be discussed in detail in the Transport section of this report.

LBTH Waste Policy and Development

- 5.9 Concerns raised with regard to accessibility of a refuse lorry to the site via the junction of Naval Row and Scouler Street. Concerns with regard to the non-separated bin stores, which may give rise to mixed refuse (recycling/refuse).
- 5.10 Submitted swept path diagrams for a 7.5t box truck indicate that the development can be safely accessed for servicing and waste collection. Details on the refuse stores, including separation of bins, to be secured by way of detailed waste condition.

LBTH Environmental Health (Air Quality)

- 5.11 Development is acknowledged as being air quality neutral, and as such Air Quality Officers raise no objections subject to conditions relating to construction, odour, and low NOx boilers.

LBTH Environmental Health (Noise/Vibration)

- 5.12 No objection subject to conditions

5.13 LBTH Environmental Health (Contaminated Land)

- 5.14 No objection subject to conditions

LBTH Sustainable Urban Drainage

- 5.15 No comments received.
- 5.16 Notwithstanding the lack of comments received, a standard condition will be secured to consent requiring the submission of a SUDS strategy post-consent.

LBTH Biodiversity

- 5.17 Officers recommend a series of conditions relating to timing of site clearance to minimize impact to wildlife and to the securing of general biodiversity enhancements.
- 5.18 Biodiversity officers make note that the clearing of scrub at the eastern end of the site to make way of for the child play space would result in a loss of biodiversity, but it is anticipated that the proposed landscaping will offset this.
- 5.19 Furthermore, the officer raises some concerns with regard to the detailed planting within the landscaping masterplan and it is noted that a sufficiently worded landscaping and biodiversity condition will ensure appropriate vegetation is planted post-consent.

LBTH Energy Efficiency

- 5.20 Proposed CHP to supply development to reduce onsite carbon reduction requirements is not considered suitable; applicant is advised to undertake a review of the energy proposals utilising the revised carbon factors of SAP10. Alternative low carbon heating methods, and integration of renewables, should be investigated with the strategy revised.

- 5.21 Following the submission of a revised energy strategy, and following meetings with GLA energy officers, the proposed strategy is considered acceptable and Borough energy officers recommend the imposition of three conditions and a contribution of £923,400.00 to achieve zero net carbon on site.

LBTH Policy

- 5.22 Policy officers have raised concern with regard to the perceived loss of residential accommodation associated with the proposal's conflict with Blocks P and Q of the Blackwall Reach Masterplan, and raise issue with the level of detail included in the submitted residential re-provision study.
- 5.23 Officers have also commented on whether an appropriate level of detail has been included in an assessment of the local need for short-stay accommodation, and of those within the Borough, as to whether an overconcentration of hotels will occur by virtue of consenting the development.
- 5.24 It is noted that the applicant has provided supplementary assessments of the residential re-provision within the broader Phase 4 Outline Consent which seeks to directly address this comment. This is discussed in the Land Use section of the report in greater detail, as is the suitability of the location for short-stay accommodation use and associated overconcentration.

LBTH EIA (Wind)

- 5.25 Wind and micro-climate independently reviewed by Temple Group. Seven points of clarification/issue raised which are subsequently addressed by the applicant in a supplementary submission as detailed in the Environment section of this report.

LBTH HIA

- 5.26 Objection to the submission of a Rapid Health Impact Assessment (HIA), contrary to policy which requires GLA referable schemes to undertake a Detailed HIA.
- 5.27 It is noted that HIAs are to be developed in line with published LBTH Public Health guidance, as set out within Policy D.SG3. At the date of submission, and at present, this guidance has not yet been published. It is considered that in this instance, the undertaking of a Rapid HIA is considered sufficient.

LBTH Enterprise & Employment

- 5.28 Enterprise and Employment officers have requested the following obligations be included within the S106 if consent should be granted:
- £ 880.00 to support and/or provide the training and skills needs of local residents
 - £ 52,683.00 towards the training and development of unemployed residents in Tower Hamlets

- 5.29 These figures will be secured through a s.106 Agreement.

5.30 Docklands Light Rail (DLR)

- 5.31 Docklands Light Rail advises that they have no comment to make on the acceptability of the scheme until such time as the applicant undertakes a DLR Technical Submission. Until the completion of this assessment, the applicant is advised by the DLR that they proceed at their own risk.
- 5.32 It is noted that a formal Technical Submission to the DLR is a separate undertaking to the planning process, and one which requires a detailed submission of the final design and methodology for a consented scheme.
- 5.33 The applicant has subsequently submitted a desktop pre-cursor Technical Submission for consideration by the LPA; however it is noted that the DLR do not object in-principle to the proposal.
- 5.34 The applicant will be obligated to enter into an Asset Protection Agreement (APA) with Docklands Light Rail, and submit for a Technical Submission prior to any works on site. Seven conditions will be secured in relation to the safeguarding of DLR assets, as detailed in the below TFL consultation section and transport section of this report.

Environment Agency

- 5.35 No objection, advises the applicant that finished floor levels should be provided at above the 2100 breach flood level of 6.2m AOD.
- 5.36 Advice will be included as an informative on consent.

Historic England/GLAAS

- 5.37 GLAAS officers recommended the undertaking of a geo-archaeological borehole to determine the significance of any archaeological remains beneath the site, and whether the proposed building footprint may impact on any remains or artefacts.
- 5.38 Borehole testing undertaken in May 2020 served to satisfy GLAAS officers with regard to the significance of the site. GLAAS have since recommended the inclusion of two conditions which will be secured on consent.

London City Airport

- 5.39 No comment.
- 5.40 Condition will be secured on consent with regard to cranes, referable to London City Airport.

Thames Water

- 5.41 No objection, informative requested.

TfL – Land Use Planning

- 5.42 The scheme of highway and transport related works has been developed in collaboration with Transport for London across pre-application and submission. Comments were received in February 2020 with their extensive comments summarised as follows:

- Framework of controls need to be secured regarding bus stand relocation
- Suitable mechanism needs to be included which ensures each phase of bus standing is delivered prior to the removal of the previous
- Vehicle tracking for the phase 1 interim bus layout should be provided
- Discussion regarding additional bus mileage mitigation is required between TFL, Council and the applicant
- Infrastructure protection conditions need to be placed on consent with regard to the Blackwall Tunnel
- Demolition and construction methodologies will need to be reviewed and agreed and access to DLR infrastructure maintained
- A DLR Assess Protection Agreement will need to be entered into
- Detailed matters in relation to protecting the integrity of the DLR must be dealt with prior to determination
- A number of Healthy Streets improvements should be secured in support of the application
- An additional short-stay cycle space is required
- A parking design and management plan should be secured
- Active Electric Vehicle Charging points should be provided for at least one blue badge bay
- Permit free obligation should be secured via a S106 obligation
- Swept path analysis or blue badge parking should be provided
- A Travel Plan should be improved in light of comments and secured by S106 agreement
- CLP should be secured by condition
- Secure appropriate Mayoral CIL payment towards Crossrail

5.43 The submission of a further Transport Technical Note prepared by Odyssey was prepared in May 2020 following two further meetings with TFL and the Council which sought to address the above points as well as the agreement to contribute £40,000.00 towards the additional bus mileage generated by the movement of the bus stands within the application site.

5.44 Additionally, a further Road Safety Audit was undertaken in June 2020 to provide further detail on the Blackwall Reach Masterplan highways arrangement; and its safety implications for pedestrians and cyclists following the development of a detailed brief in collaboration with TFL and Council officers.

5.45 It is considered that the submitted information, and the commitment to obligations and conditions, has addressed the detailed comments provided by TFL in February 2020. These comments are discussed in greater detail within the transport section of this report.

Greater London Authority (Planning)

5.46 The principle of developing the site in the Isle of Dogs & South Poplar Opportunity Area to provide a new 342 bedroom hotel and opportunity area location is acceptable. GLA advise that further engagement with neighbouring stakeholders is needed to demonstrate that the proposal would not compromise the delivery of residential units or floor space within the consented Blackwall Reach Masterplan.

- 5.47 The GLA are supportive of the urban design, siting that the scheme responds well to its local context and proposed a high-quality development that would not harm the significance of nearby heritage assets.
- 5.48 Further details on the energy strategy are requested, in line with policies 5.2 of the current London Plan and S13 of the draft New London Plan.
- 5.49 GLA officers recommend a suitable mechanism to ensure the bus standing is adequately re-provided across all phases. Access to DLR infrastructure and its safe operation must be maintained. Additional short-stay cycle spaces for the apart-hotel are required, and cycle-parking for the commercial units should be provided. Healthy Streets improvements should be secured in support of the application.
- 5.50 It is noted that the above comments have broadly been addressed through subsequent revisions to the Transport Statement, Energy Statement, and the submission of a detailed residential re-provision assessment. These elements are all discussed in the respective sections of this report.
- 5.51 **Greater London Authority (Energy)**
- 5.52 GLA Energy Officers provided a series of detailed comments within the GLA Energy Sheet relating to the Energy Hierarchy of Policy SI2 to the draft New London Plan.
- 5.53 These points were addressed following a series of revisions and discussions with the applicant, the GLA and Council energy officers and are discussed in greater detail in the relevant sections below.

Metropolitan Police (Designing Out Crime)

- 5.54 Detailed comments provided on scheme, with recommendation of one condition and one informative for consent.
- 5.55 It is noted that a number of the comments on the scheme can be satisfactorily addressed within a standard Secure by Design condition, requiring accreditation post-consent.

London Fire Brigade

- 5.56 No comment.
- 5.57 Notwithstanding the lack of response by London Fire Brigade, a Fire Strategy Statement has been submitted and a further condition securing a final Fire Strategy will be conditioned post-consent and referred to LFB for comment.

Poplar Neighbourhood Forum

- 5.58 No comments received.

National Air Traffic Services (NATS)

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

6.7 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, E10

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 & Heritage
- iii. Neighbouring Amenity
- iv. Microclimate
- v. Transport and Servicing
- vi. Infrastructure Impact
- vii. Human Rights and Equalities

Land Use

7.2 The proposal is to redevelop the site for the erection of a 342-bedroom hotel (C1 use class) comprising of a part-seventeen, part-twenty four storey building, with associated roof top plant room, ground floor servicing, parking, extensive landscaping and eight B1 workspace units.

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 both the Lower Lea Valley Opportunity Area and the Isle of Dogs and South Poplar Opportunity Areas, highlighting the site’s potential for redevelopment.

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 It is considered that the principle of short stay, ‘apart-hotel’ accommodation, is considered acceptable and appropriate at this location and would contribute towards addressing London’s increasing demand for short-stay accommodation within the capital. The site’s inclusion within both the Isle of Dogs & South Poplar and Lower

Lea Valley Opportunity Areas recognises the sites importance in an area of change and regeneration, as detailed in the following paragraphs.

- 7.9 In the first instance is it considered that the proposed scheme is appropriate with regard to its size and scale given it's siting in the near-centre of the Blackwall Tall Building Zone, and its immediate emerging context which includes a series of tall buildings now delivered within Phase 1b of the Blackwall Reach Masterplan.
- 7.10 The site is excellently positioned with regard to accessibility for public transport, immediately adjacent to the Blackwall DLR station and existing bus services associated. The DLR services provide immediate access to the Canary Wharf Major Centre, an area which accommodates the bulk of London's commercial activity. Further services to London City Airport from Bank and Tower Hill Underground Stations ensure swift access to Central London for visitors to the city. Mindful of the above, it is considered that the site is ideally positioned for a short-stay accommodation use for both commercial and tourist purposes.
- 7.11 Draft Policy E10 of the new London Plan makes note that in parts of inner London outside of the Central Activity Zone (CAZ), serviced accommodation should be promoted in designated centres and within Opportunity Areas where they are well connected by public transport to Central London. Mindful of the sites designation within two separate Opportunity Areas, its immediate access to the CAZ and Canary Wharf Major Centre, and siting at the edge of an emerging Neighbourhood Centre it is considered that the scale of development and use is therefore considered appropriate with regard to policy D.TC6.
- 7.12 Applications for hotels must not be found to contribute towards creating an overconcentration of short-stay accommodation in the locality. While the policy does not provide further guidance with regard to how an assessment should be undertaken of 'over-concentration', it does acknowledge the function and role of different short-stay typologies including budget hotels, traveller hotels, and boutique accommodation.
- 7.13 In undertaking an assessment of 'over-concentration' the applicant has submitted a Supplementary Planning Note which seeks to identify short-stay accommodation in the locality and its associated typology. In undertaking this assessment, the 'locality' has been defined by a 500m radius of the application site to replicate a prospective customers search area around Blackwall DLR. As detailed within the assessment, the applicant has identified 5 hotel operators including The Radisson Blu, Docklands Lodge, Ibis London Docklands, Rainbow Studio Canary Wharf, and Travelodge London Docklands.
- 7.14 It is noted that the applicant has not considered consented, but undeveloped, hotel sites. In making an assessment of overconcentration it is considered appropriate to consider the existing context, given the difficulty in ascertaining the likelihood of development for extant consents.
- 7.15 It is noted that of the 5 hotels within a 500m radius of the site, all are conventional hotels with the exception of Rainbow Studios which operates under an 'AirBnB' model. With regard to this, it is considered that the apart-hotel model would contribute towards the diversity within the existing short-stay accommodation market while not resulting in an 'overconcentration' within the locality.

7.16 Significantly, and with respect to part c of Local Plan Policy D.TC6 of the local plan, the application site is located within Phase 4 of the 2012 Blackwall Reach Masterplan, as detailed below. The application site lies across Blocks P and Q of this phase, which is identified as accommodating 73 new homes across both blocks. The proposal would therefore preclude the delivery of these two blocks within the Masterplan, and as such results in a conflict with part c of the policy.



Figure 3: Application site context

7.17 It is noted that Phase 4 to the 2012 Blackwall Reach Outline Consent was subject to an unsuccessful Compulsory Purchase Order (CPO) in 2015, meaning that the Phase remains in fragmented land ownership. While the 2012 Masterplan is considered as a live permission, no Reserved Matters have been discharged with regard to Phase 4 in the intervening 8 years post-consent, and it is noted that due to the constraints of land ownership the applicant cannot bring forward either Blocks P or Q in isolation.

7.18 Mindful of this, an appropriate level of weight has been given to the prejudicing of residential delivery within Phase 4 of the Masterplan.

7.19 Notwithstanding this, in considering the loss of residential accommodation associated with the proposed scheme the applicant has undertaken a residential re-delivery exercise which serves to argue that the 73 residential units associated with Blocks P and Q could feasibly be 'reabsorbed' within the balance of Phase 4.

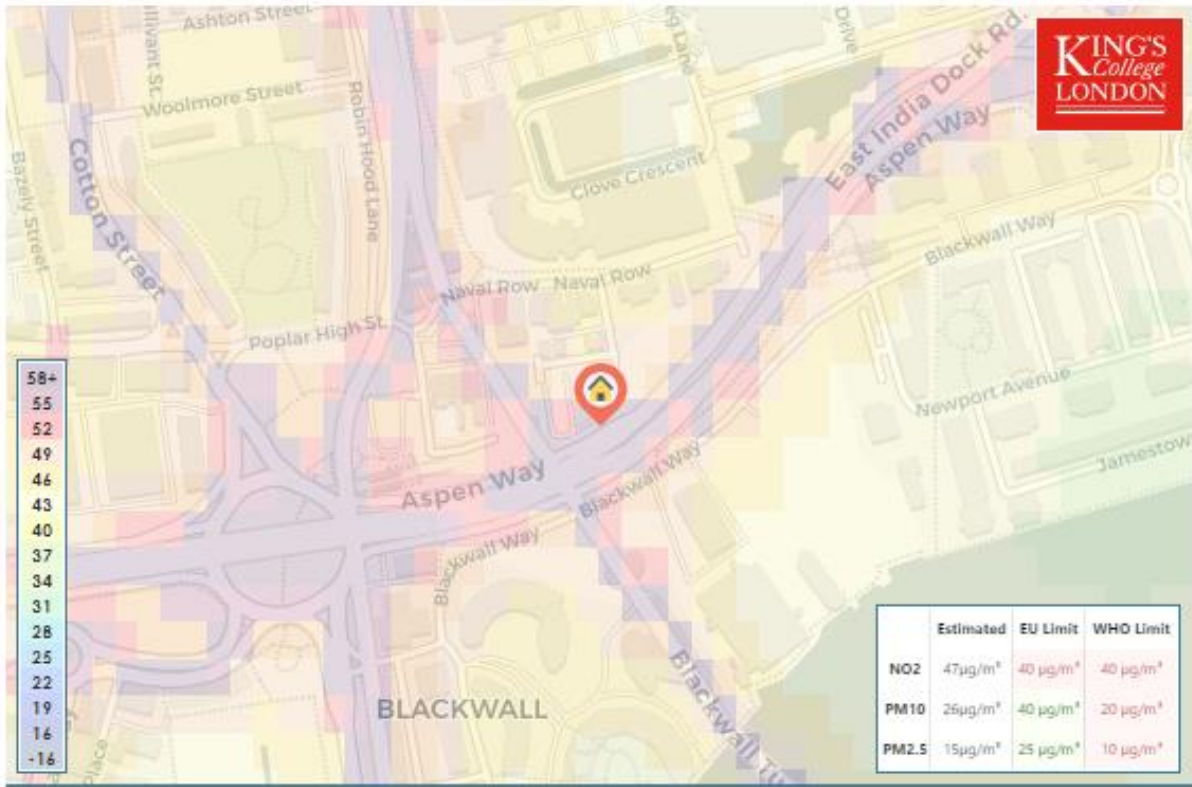
- 7.20 It is noted that Council policy officers, and objectors, raised concern with regard to the originally submitted residential study and as a result a more detailed study was subsequently undertaken by the applicant and appended to the application in December 2019. GLA Planning Officers are fundamentally supportive of the approach outlined by the applicant, as outlined within their Stage 1 consultation response.
- 7.21 The testing seeks to analyse the consented parameter blocks (I, J, K, N, and O) to assess whether the mix and tenure of residential units, as secured within the Outline consent and S106, could be maintained while absorbing the 73 units lost from Blocks P and Q. As such, the study sought to determine whether 643 units in total could be accommodated within the above blocks, at the below pre-determined residential mix:

Target unit mix
11.3% 1 bedroom
67.5% 2 bedroom
12.4% 3 bedroom
8.2% 4 bedroom
0.6% 5 bedroom

- 7.22 The methodology for determining the potential residential accommodation within Phase 4 was based on creating indicative layouts based on the parameter block maximum dimensions, and creating typical floor plates. As no Reserved Matters have been submitted or discharged for Phase 4, the unit layouts and floor plates have not been established for these Blocks and as such have been generated to indicate the potential capacity of the blocks. The study included provision for the appropriate amount of cycle and refuse stores, cores, and minimum internal standards.
- 7.23 The assessment concluded that Blocks I, J, K, N and O could accommodate 650 units, 7 more than required. The resulting residential mix is noted below, as compared against the consented targets for Phase 4:

Modelled unit mix	Target unit mix
10.2% 1 bedroom	11.3% 1 bedroom
68.9% 2 bedroom	67.5% 2 bedroom
12.0% 3 bedroom	12.4% 3 bedroom
8.2% 4 bedroom	8.2% 4 bedroom
0.8% 5 bedroom	0.6% 5 bedroom

- 7.24 It is considered in light of the updated residential study that the balance of Phase 4 has the likely capacity to absorb the units of Blocks P and Q which would be 'lost' by virtue of this application. It is noted that there remain concerns with regard to the detailed layout of some units, with particular regard to aspect ratios and composition of some blocks; however it is considered that the intent of the study which was to establish whether the quantum of housing could feasibly be re-provided is sound.
- 7.25 Further to the above study, it is crucial to note that the proposed scheme will serve to integrate as seamlessly as possible into the balance of Phase 4 and will provide considerable contributions to the Masterplan by way of the bus loop, viaduct enhancements, and child play spaces. These components are considered critical to delivering Phase 4 of the Masterplan which notably remains in fragmented ownership.
- 7.26 Mindful of the capacity of Phase 4 to absorb the 73 residential units of Blocks P and Q, and the significant contributions the application makes towards ensuring the successful delivery of the Masterplan, it is as such considered that the application does not compromise the ambition to deliver 1,575 new homes within the Blackwall Reach Masterplan and as such would not be contrary to part c of Policy D.TC6.
- 7.27 Further to the above, it is also considered that a hotel use on the site may be more appropriate than that of a sensitive use such as residential given the sites immediate proximity to the four lane carriageway of Aspen Way. It is noted that based on 2016 GLA Atmospheric Emissions Inventory data that the site, which is also recognised with the Local Plan Policies Map as having substandard air quality, suffers from particularly poor air quality with a particular regard for Nitrogen Dioxide levels as noted in the image below.



Nitrogen Dioxide ($\mu\text{g}/\text{m}^3$) - Tower Hamlets, E14 9PS

Figure 4: Nitrogen Dioxide levels (2016)

- 7.28 With regard to the poor air quality, it is considered that a hotel use which will benefit from sealed rooms and no obligation to provide private amenity spaces such as that associated with typical C3 residential units is a preferable use within an area of particularly poor air quality.
- 7.29 It is noted that due to the separation from Aspen Way, the proposed youth play area would benefit from improved air quality when compared against the main development area within the site and as confirmed by LBTH Air Quality officers would be within acceptable thresholds for sustained play.
- 7.30 Due to the nature of the apart-hotel typology as being similar to that of 'serviced apartments' a Management Plan and controls on duration of stays will be conditioned on consent to ensure that the development meets the criteria of para 11.47 of Policy D.TC6 in ensuring that it remains short stay accommodation.
- 7.31 With regard to the above it is therefore considered that the proposed hotel use would be appropriately located, would not result in an overconcentration of short-stay accommodation, and would not prejudice Tower Hamlets' housing delivery aspirations. It is also noted that the proposed hotel use is considered a suitable alternative use within an air of particularly sub-standard air quality.
- 7.32 *Proposed B1 Uses*
- 7.33 The application includes the provision of eight flexible B1 workspaces, comprising of 'container units' along the periphery of the site at its interface with Aspen Way which total 220sqm of B1 use.

- 7.34 With regard to Policy, D.EMP2 of the Tower Hamlets Local Plan encourages the development of new employment space within designated employment locations, Tower Hamlets Activity Areas and identified site allocations. Where outside these designated areas, new employment floorspace must meet a series of tests as below:
- a) it can be demonstrated that there is a reasonable prospect of occupancy
 - b) the employment use would contribute towards integrated place making
 - c) the area forms part of a cluster of similar employment uses, or
 - d) the employment space is being provided as part of a temporary use
- 7.35 It is noted that while the site was located within the Blackwall Reach Site Allocation within the now superseded Tower Hamlets Managing Development Document (2013), this Site Allocation is no longer designated within the Tower Hamlets Local Plan.
- 7.36 While the site is located at the very periphery of the Poplar High Street Neighbourhood Centre and Blackwall Local Employment Location (LEL), it is noted that the application site therefore falls outside of a designated employment centre and as such is subject to the above tests.
- 7.37 It is considered that the flexible B1 uses within the scheme are appropriately sited adjacent the hotel use which will accommodate a significant business accommodation function. It is expected by virtue of their scale and nature that the office 'pods' would provide an opportunity for small and medium enterprise (SME) and start-up businesses which will benefit from the adjacency to short stay accommodation.
- 7.38 It is noted that the Blackwall LEL seeks to provide "smaller units suitable for small-to-medium enterprises". With regard to this, it is considered that while on the outside periphery of the LEL it would contribute towards this location aspiration. It is expected that due to the small scale and flexible nature of the office pods that it would foster local start-ups and small businesses within the Borough.
- 7.39 With regard to place making, it is considered that further activation and football beneath the DLR viaduct will enhance the vibrancy of the area and contribute towards the successful regeneration of a site with considerable anti-social behaviour pressures.
- 7.40 On balance it is considered the flexible workspaces within the development will contribute towards place making within the locality, and will complement the proposed and delivered uses within the Blackwall Reach Masterplan and the Blackwall LEL in accordance with the aims of part 3 to D.EMP2.

Design

- 7.41 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.
- 7.42 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.

- 7.43 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 area
- 7.44 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.

Height, Scale and Massing

- 7.45 The application site sits centrally within the Blackwall Tall Building Zone, which is described within Policy D.DH6 as requiring proposals to step down in height towards the edge of the cluster and to remain subservient to the Canary Wharf Tall Building Zone.
- 7.46 The application proposes a 24-storey tower, with a stepped 17-storey shoulder block which serves to break up the massing of the tower block. The scheme is intended to be metal clad, with twin shades of green providing visual contrast between the tower volumes within the architecture. The crowns of both elements are expressed vertically, with the upper level crown concealing plant and lift overruns at the roof, while the 17-storey rooftop will benefit from an outdoor space for use by guests.
- 7.47 The consented and built form context in which the development sites is typified by tall buildings. Notably the recently constructed Blocks H, G and L of Blackwall Reach Phase 1b consist of a 25-storey block and two 10-storey blocks to Poplar High Street. More centrally within the cluster sit Blocks I, K, M and J of the consented Phase 4 of Blackwall Reach which represent the tallest elements of the Outline Masterplan with upper levels of 37, 31, 14 and 8 storeys allowed by the parameter plans.



Figure 5: Contextual townscape view (Poplar Docks)

- 7.48 With respect to the above it is therefore considered that the scheme importantly relates appropriately to its built form context, and its role centrally within the Blackwall Tall Building Zone with particular regard for Policies D.DH6 and S.DH1.
- 7.49 In considering the broader policy requirements of Local Plan Policy D.DH6 it is considered that the proposed materiality will provide a successful contrast to other buildings in the locality, particular the masonry vernacular of the recently constructed Blocks H, G and I. It is considered in light of this to contribute positively towards a varied and interesting skyline within the locality.
- 7.50 As demonstrated within the submitted Townscape Assessment, particularly when considered in the cumulative assessment of consented blocks it is considered that the development does not detract from the townscape. The descent in height from the middle point of the tall building zone which is characterised by the 37-storeys of Block I is considered to contribute towards a 'nodal skyline' as identified within Tall Building Zone guidance in the Local Plan.
- 7.51 As noted by Borough Design and Conservation officers and Members of the Conservation and Design Advisory Panel (CADAP), the overall massing and height of the scheme is considered appropriate for its immediate context. It's impact on local heritage assets, particularly the Naval Row Conservation Area is noted as being limited, and is discussed in greater detail in the below 'Heritage' section of this report.
- 7.52 It is noted that the proposed building footprint immediately abuts the western boundary of the site at its interface with the adjoining site at Prestage Way. It is

acknowledged that this interface is particularly strained, and will result in a building built to the near boundary of the adjacent site.

- 7.53 At present the site is occupied as predominantly a storage and goods yard, and within the Blackwall Reach Masterplan will accommodate the realignment of Prestage Way above the Blackwall Tunnel Exclusion Zone and parts of Blocks K, N and M within the parameter plans of Phase 4. In its present state the adjoining site would not be detrimentally impacted, visually, with regard to the adjacency of the building. Further to this, given the sites usage, it is not considered that there are any reasonable impacts to amenity or its operational requirements.
- 7.54 It is further considered that the relationship would not unduly impact on the alternative development ability of the site given its relative size and physically unconstrained nature, as compared to the application site.
- 7.55 In considering the acceptability and impact of the buildings siting at the boundary, it is important to note that the Blackwall Tunnel Exclusion Zone, as below, bisects the adjacent site near the boundary with the application site. This exclusion zone precludes substantial build over, and would therefore restrict any large schemes from similarly building in close adjacency to this boundary.

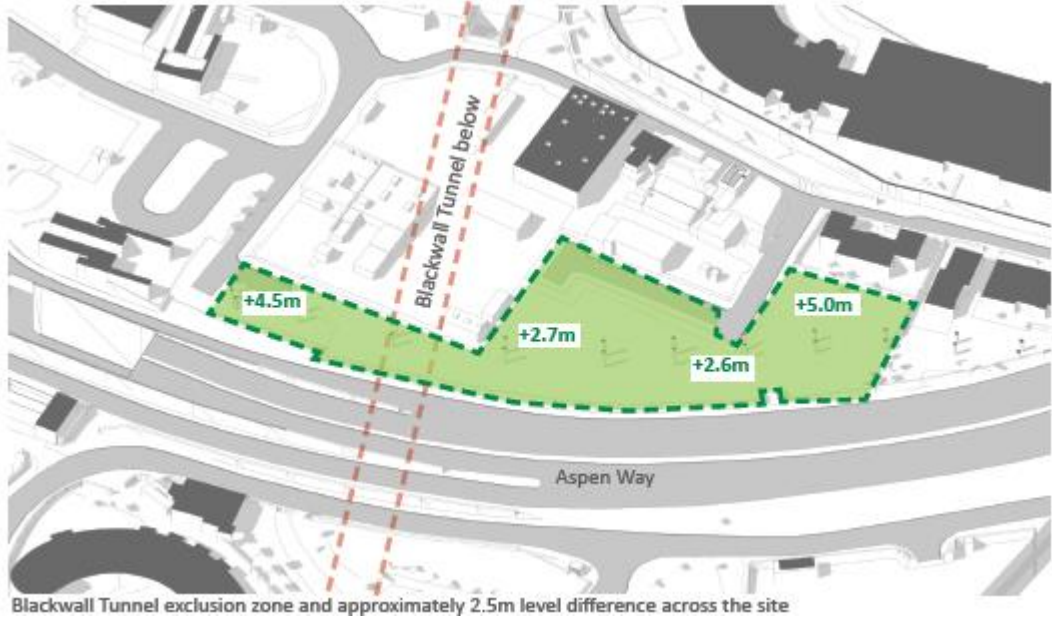


Figure 6: Blackwall Tunnel Exclusion Zone

- 7.56 Furthermore, the proposed siting of the building does not serve to conflict with any remaining parameter blocks of the Outline Consent with regard to proximity or separation at this western interface. Mindful of the adjoining site constraints, the limited impact to adjoining parameter blocks and the considerable public benefits of the scheme it is considered the limited setback from the adjoining site is considered acceptable.

Appearance and materials

Tower Block

- 7.57 The architecture of the building is defined by two intersected volumes comprising of 17 and 24-storey tower blocks. The façade is comprised of repetitious metal panels and expressed fins which enhance the verticality of the scheme and provides a commercial aesthetic to the building which will add to its distinctiveness in the locality.
- 7.58 Fenestration to the broader norther and southern elevation consist of large glazed panelling which reflect the interior composition of the apart-hotel rooms and provides a reflective quality which contrasts with that of the metal cladding. The slender eastern and western elevations benefit from more limited and slimmer fenestration, with the vertical fins of the metal cladding more clearly expressed in these elevations – enhancing the verticality and slenderness of these elevations.
- 7.59 The palette of the two intersecting volumes which comprise the tower block consists of two shades of dark green, providing contrast between the blocks and an interesting visual point of different within the locality. It is considered the palette and materiality will ensure the proposal reads as an identifiable and distinct contribution to the Tall Building Zone and skyline around Blackwall DLR.



Figure 7: South Facing CGI

- 7.60 Both volumes terminate with an expressed and transparent crown. The façade system of the shoulder block extends beyond the upper level floorplates to enclose an outdoor amenity space for hotel guests, while the 24-storey upper level crown conceals the roof plant and lift overrun. The crowns of both components contribute towards distinctiveness within the skyline, without being overly dominant or stylized.

Lower Levels

- 7.61 The design of the lower levels of the proposal, at its intersection with the public realm and landscaping, are considered of critical importance in the success of the building given its site context and layout.
- 7.62 The siting of the building ensures that the development will benefit from 3 frontages, which will eventually extend to 4 once the balance of Blackwall Reach Phase 4 is built out. The primary access to the site is anticipated to be from Prestage Way and Blackwall DLR, beneath the viaduct. As such, the lower level treatment is considered particularly important given the future 360 degree frontage of the site.
- 7.63 The primary entrance to the hotel is by way of the southern edge of the building line, which interfaces directly beneath the DLR viaduct with the proposed landscaping enhancements. The hotel entrance itself is located on the south-eastern corner of the building line and recessed beneath an almost triple height overhang, with a sheltered cut out at ground level defining the means of access for guests arriving primarily from the DLR. A separate access for the restaurant and café is located more centrally within the southern elevation, and benefits from an identical entry treatment.
- 7.64 The metal cladding of the building, which is the predominant material of the tower blocks, terminates at a double height ground and mezzanine floor which will comprise of reconstituted stone. The ground level frontages are characterised by tall glazed windows which frame the internal reception, lobby and restaurant and café areas.



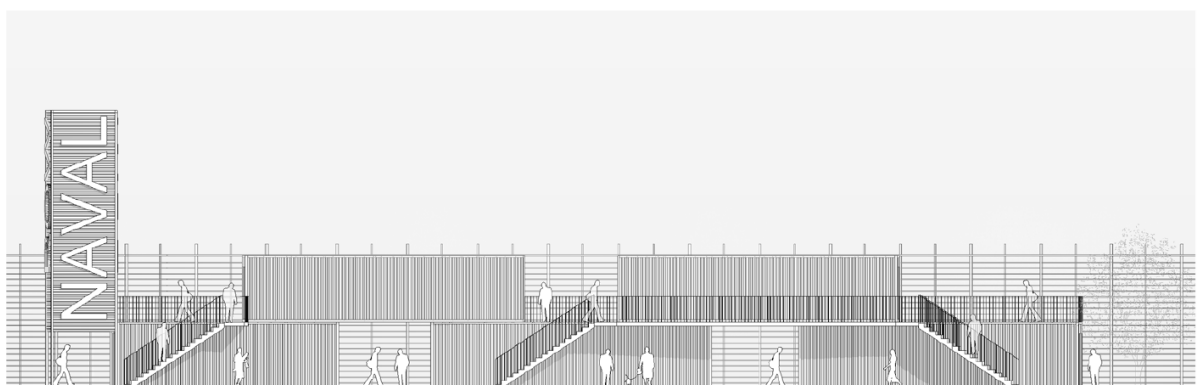
Figure 8: Ground Floor Pedestrian Entrance CGI

- 7.65 The proposed ground floor treatment is considered to ground the building successfully, and provides a successful distinction in materiality between the upper levels of the tower block of the hotel and the ground floor pedestrian experience which is broadly supported by Borough Design Officers.

- 7.66 It is noted that officers raised concern with regard to the level of activation, given its unusually high level of frontages when considered in the 'final' arrangement following the implementation of Blackwall Reach Phase 4. In support of the application the applicant has submitted an active frontages assessment which outlines the maximum level of activation possible with regard to servicing requirements and site constraints has been achieved.
- 7.67 In summary, in the final layout whereby Prestage Way is re-aligned in accordance with the ambitions of Blackwall Reach Phase 4, the scheme would benefit from 78.9% active frontages at ground level. The limited amount of servicing requirements to the northern Scouler Street frontages constitutes only 18.6% of the overall northern elevation. While in the final arrangement it will have greater visibility due to the continuation of Scouler Street through the neighbouring sites, in the interim arrangement the limited amount of inactive frontage will be sited furthest away from pedestrian areas while maximising the primary southern, northern and eastern elevations.
- 7.68 Overall the lower level treatment of the building is considered a successful grounding of the tower blocks and provides an appropriate pedestrian scale while contrasting the upper level metallic finishes with a reconstituted stone finish. It is considered that the design quality of the building will be critical to its success, and as such detailed material conditions will be placed on consent to ensure the high quality finishes of all building materials.

Office Pods

- 7.69 Set to the southern boundary of the site, and providing visual screening and acoustic amelioration to Aspen Way, the office pods serve an important design role within the scheme.
- 7.70 The eight office pods are arranged in two groups of five and three, with an interlocking stacked design as highlighted below. In appearance terms, the pods will look similar to that of shipping containers and are designed internally to provide flexibility to small and medium enterprises and are described within the submitted Planning Statement as supporting local start-ups.



02 Container Elevation 02
1:100

Figure 9: Demountable Office Pods (Elevation)

- 7.71 The appearance would be similar to that of other in-situ shipping container developments, with the most notably example being that of Boxpark Shoreditch and Brixton. The detailed design of these pods will be secured by condition, but it is anticipated their external finishes could provide flexibility and vibrancy within the landscape while fulfilling a practical role in visually and acoustically screening the impacts of Aspen Way which abuts the site to the south.
- 7.72 The office pods will also serve to provide much needed passive surveillance in an area which at present is subject to anti-social behaviour. The activation these pods will provide within the landscaping will be crucial, and will further increase the footfall from the Blackwall DLR, to the considerable benefit of the scheme.
- 7.73 Vertical elements are included within the container units, which will provide wayfinding for the site beneath the DLR viaduct. The final detailed design of these containers will be secured by condition upon consent.

Landscaping & Play Space

- 7.74 The proposed landscaping represents a significant public benefit within the scheme, as does the associated child play space at the eastern periphery of the application site. The scheme seeks to integrate as closely as possible with the aspirations of the Blackwall Reach Outline Consent, and provides for both an interim and long term landscaping arrangement which safeguards infrastructure delivery such as the proposed bus loop through Phase 4 and the site while providing for a high quality public realm and urban design response in the intervening period.
- 7.75 In addition to the regeneration of an underutilised carpark space beneath the elevated DLR viaduct, the scheme accommodates for critical infrastructure associated with Phase 4 of the Blackwall Reach Masterplan in order to seamlessly 'slot in' with the final development.
- 7.76 The provision within the landscaping schemes for the site include an immediate 'interim' layout (as below) which will be in place until such a time as the balance of Phase 4 is brought forward and the re-alignment of Prestage Way. This interim scheme will provide for a bus-loop through the site, as supported by Borough Highways Officers and Transport for London (TFL) bus operations and planning officers.



Figure 10: Interim Landscaping Arrangement

- 7.77 In supplementing this bus loop, the public realm beneath the viaduct and around the proposed hotel and office units will be revitalised with hard and soft landscaping and a robust lighting strategy to create a vibrant enhancement of an underutilised and area typified by anti-social behaviour. The landscaping will comprise of a series of ‘character areas’ moving from the DLR connection at the west, through the central public plaza and onwards to the play area. Each area will be characterised by hard and soft landscaping defining each area.
- 7.78 It is noted that at this point of the DLR viaduct it benefits from an atypically high separation distance from the ground, which will allow for generous sunlighting from the south to support the soft landscaping.
- 7.79 The viaduct space will incorporate public seating, and passive amenity spaces within it, particularly notable at the western edge of the scheme at the entrance from the Blackwall DLR station. A meandering path will provide wayfinding west to east to provide an intuitive guidance towards the active youth play space at the eastern periphery of the site.
- 7.80 A considerable amount of soft landscaping and tree planting is included at the pedestrian entrance to the restaurant and café and along the edge of the public realm skirting the building footprint, providing a high quality entrance to the public areas of the building and the guest lobby.
- 7.81 It is noted that within the scope of this application the proposed enhancement works to Scouler Street, which are identified within Phase 4 of the Blackwall Reach Masterplan, are to be brought forward and delivered by the applicant within this permission, to be secured by way of s.106 obligation. These enhancements include

resurfacing Scouler Street and shifting the carriageway to the north, removal of the northern footway and retention of the two mature large canopy trees.

7.82 The 'long term' arrangement is designed to accommodate the final realignment of Prestage Way once Phase 4 has been completed. This arrangement ensures the reinstatement of landscaping and treatments to the western entrance to the site, and provides an even greater level of public enjoyment due to the partial remove of the carriageway at this location.



Figure 11: Final Landscaping Arrangement

7.83 In addition to the landscaping of the carpark space, the scheme will deliver a large multifunctional youth play space at the eastern edge of the site. The play space contribution seeks to address the allocation of the space within the Outline Consent for an active play area. Notwithstanding the desire to accommodate a MUGA at this location, due to the siting of viaduct pylons it is not possible to deliver a full sized pitch.

7.84 As with the delivery of the bus loop the provision of a child play space at this location has no grounds in policy requirements for a hotel scheme and instead continues to ensure that the application site is able to 'slot in' to Phase 4 as successfully as possible through delivering the latent infrastructure requirements within the site.

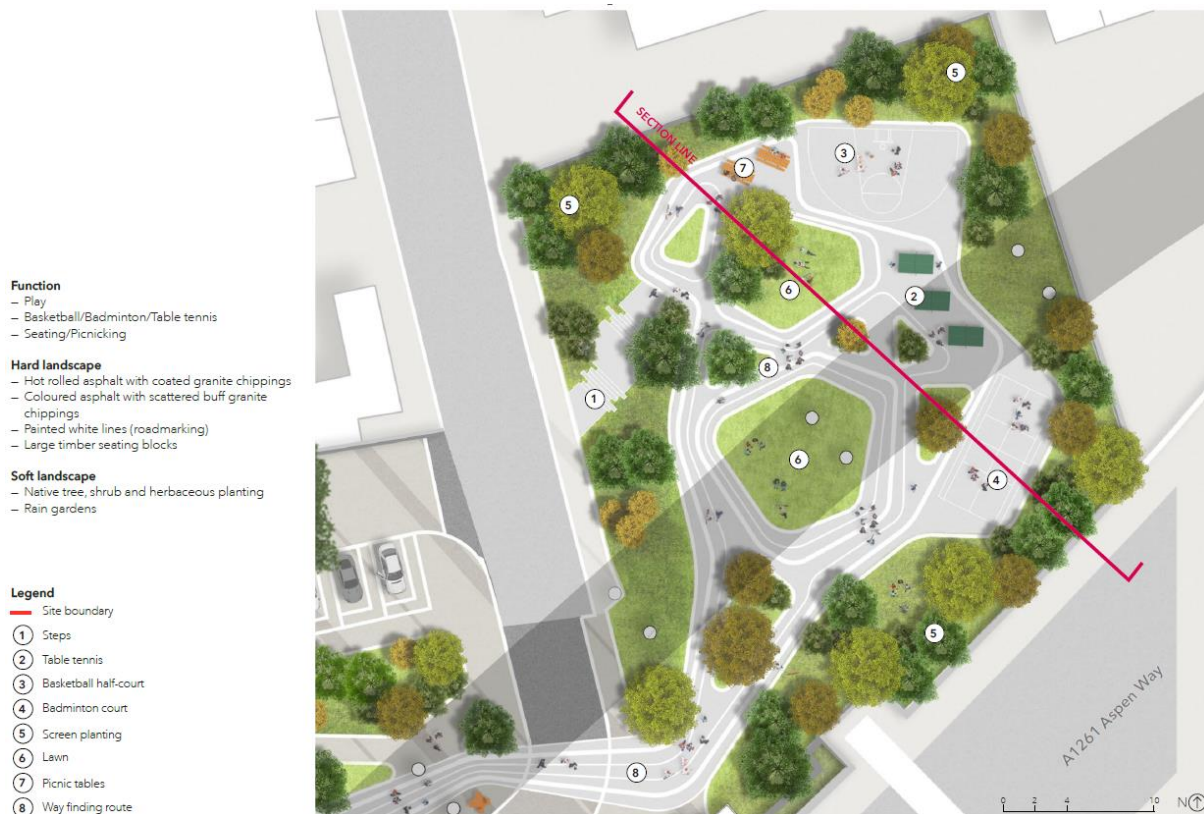


Figure 12: Multifunctional Playground

- 7.85 The child play space will address a significant shortfall of active play in the locality, and is targeted at upper ages from 12 and above. These age grounds require more active provision within open space, and this will be accommodated through basketball, table tennis and badminton courts within the landscaped play area. The play area will be heavily landscaping, particularly at the interface with Aspen Way, and will provide passive and active functions to a high standard.
- 7.86 It is noted that the site is constrained by a considerable slope in the land which rises from approx. 3m at the southern entrance of the hotel to 4.85m at the middle of the child play site. To ensure accessibility for all users the play space will be ramped from beneath the viaduct up to the child play area as well as the inclusion of stepped access from Quixley Street.
- 7.87 As noted earlier, the generous elevation of the DLR tracks above the site allows for considerable planting beneath it as highlighted in the below image of the multifunctional play area. The plantings will allow for a green screening to the adjacent neighbours at Naval Row as well as to Aspen Way providing for visual and acoustic amelioration to these interfaces.



Figure 13: Multifunctional Playground (Section)

- 7.88 The landscaping enhancements across the site contribute towards an Urban Greening Factor of 0.39, which exceeds the target score of 0.3 for commercial developments within draft new London Plan Policy G5 and serves to highlight the contribution the scheme makes towards regenerating the existing viaduct underpass.
- 7.89 The proposed landscaping within the scheme, and multifunctional play space, are considered significant public benefits and serve to directly accommodate critical infrastructure as identified within the Blackwall Reach Masterplan. The proposed bus loop will provide interim and long term arrangements for bus services, and have been designed in collaboration with TFL officers, while the youth play area will address a deficit in the locality and achieve the ambitions of the Outline Consent.

Safety and Security

- 7.90 The proposal will act to enhance safety and security in the locality which at present due to the sites recessed nature beneath the DLR viaduct, limited activation as a private car-park, and its immediate proximity to the elevated Blackwall DLR station has resulted in anti-social behaviour concerns in the locality.
- 7.91 The new landscaping and various enhancements to the car-park will dramatically increase footfall associated with both the hotel and office uses on site, as will the relocation of the bus stands within the site boundary.
- 7.92 The site will remain open to the public at all times; including the multifunctional play area to the east of the site. Enhancements to lighting will be crucial in ensuring the site remains safe, and a final lighting strategy will be conditioned and consulted with Metropolitan Policy, as will Secure by Design Accreditation.

7.93 Conclusion

- 7.94 The proposed hotel tower block on site is considered appropriately located to accommodate a tall building which will respond positively to its built and consented development. The materiality and architectural response of the tall building will respond positively to the skyline of the Blackwall Tall Building Zone, with design detail breaking up the broad north/south elevations while accentuating the slenderness of the east/west elevations.

- 7.95 The proposed offices pods are considered to contribute positively towards place making on site, and will provide an interesting character and diversity to the built form on site.
- 7.96 The landscaping, and delivery of the multifunctional playground, are welcome additions to the scheme and are considered as significant public benefits. The continued intention to integrate with Phase 4 of the Blackwall Reach Masterplan is welcomed, and the enhancement works beneath the DLR viaduct and delivery of the bus loop will contribute positively towards place making and regeneration.
- 7.97 As such, the proposed development meets the requirements of tall building policy D.DH6 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

- 7.98 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.
- 7.99 The ground floor is set at grade level and offers step free, wheelchair access. Furthermore, the proposed development will provide 4 accessible car parking space which is reserved for use by disabled visitors.
- 7.100 Policy E10 provides flexibility with regard to providing for either 10% accessible bedrooms, or 15% accessible hotel rooms. The applicant has demonstrated that 38 bedrooms (11% in total) will be designed as accessible. In line with the policy ambitions of E10 within the draft New London Plan, a condition will be secured on consent requiring the submission of detailed design of the accessible bedrooms.
- 7.101 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

- 7.102 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

- 7.103 The Heritage, Townscape and Visual Impact Assessment (HTVIA) as submitted in support of the application includes 20 verified views (as below) which consider the likely significant effects of the proposed development on a number of representative townscape views.



Figure 14: Location of views

7.104 These views were chosen through rigorous pre-application discussions which focused on the impacts in particular to the listed All Saints Church and Naval Row Pumping House as well as to the Naval Row Conservation Area.

7.105 The submitted AVRs confirm that the height of the development, particularly when considered within the cumulative scenarios, do not create an unreasonable impact on townscape views with regard to its height. As described in the earlier sections, the height is considered proportionate to its role in a Tall Building Zone, and Opportunity Area, amongst other tall buildings.

7.106 It is considered that the impact to the setting of All Saints Church is limited, with its appearance in the background to its setting not considered harmful to its significance as a listed asset. Similarly, it is considered that a tall building set within the backdrop to both the listed East India Dock Boundary Wall and Naval Row Pumping House does not detract from their setting or significance to an unreasonable degree.

Surrounding Conservation Areas

7.107 The application site sits in close proximity to the Naval Row Conservation Area, and will feature prominently in the backdrop to both the Conservation Area itself and the Grade II Listed Naval Row Pumping House located at 66 Naval Row. It is noted that the built form of the tower will be set back approximately 30m from the Conservation Area itself.

7.108 It is noted that Borough Design and Conservation Officers, Historic England and Conservation specialists of the Conservation and Design Advisory Panel, raise no in-principle objection to the application on heritage grounds while acknowledging that the scheme will have some limited impact on assets, it would represent less than substantial harm to the assets.

7.109 It is of note that objectors have raised concern with regard to the application sites proximity to the Naval Row Conservation Area, and its considerable increase in height with regard to the consented parameter plan Blocks P and Q within the Masterplan.



Figure 15: View 2 (Naval Row CA & Listed Pumping House)

7.110 In understanding the schemes impact on the Naval Row Conservation Area in particular, it is noted that the special quality of the Conservation Area is described within the supporting text of its Management Plan is generated by the “surviving structures associated with the historic port and shipbuilding activities of the 19th Century”. Within the appraisal it is noted that it does not consider the inclusion of contemporary buildings within the background as a risk to be considered in preserving the special character of the CA.

7.111 Policy S.DH3 places the onus on developers to ensure that proposals must preserve, or where possible, enhance the Borough’s designated and non-designated heritage assets in a manner appropriate to their significance. It is noted that the Naval Row Conservation Area is a particularly modest Conservation Area which preserves a collection of interesting and characterful maritime and naval heritage assets including the Dock Wall and Pumping House.

7.112 It is noted that tall and contemporary buildings now provide a backdrop to the Conservation Area, with the New Providence Wharf’s Charrington Tower and Blackwall Reach Phase 1b forming part of this contemporary background to the Conservation Area. These contemporary buildings do not unacceptably compromise the setting of the building, and it is considered that this proposal would preserve the special quality of the Conservation Area which is rooted in the varied collection of maritime buildings along Naval Row.

7.113 Furthermore, it is considered that when viewed in a cumulative sense that the application site does not detract any further from the setting of the Conservation Area than that of the consented blocks of I, J and K as seen in the below image.



Figure 16: View 2 - Cumulative (Naval Row CA & Listed Pumping House)

7.114 In summary, it is considered that while the building will contribute towards a collection of buildings within the backdrop to the Naval Row Conservation, its siting, height and massing does not detract from the significance or setting of the Conservation Area due to the defined significance of the CA being found within the collection of buildings itself.

Archaeology

7.115 Development plan policies require measures to identify, record, protect, and where appropriate present the site's archaeology. The application site is located within an Archaeological Priority Area, and it is acknowledged within the submitted Archaeological Assessment that the site has a high potential for prehistoric cultural remains.

7.116 The Greater London Archaeological Advisory Service (GLAAS) was consulted within the scope of the application, who determined that the application lies within an area of particular archaeological interest and that further investigative work should be undertaken prior to determining the application due to the relatively undisturbed nature of the car-park site, and its historic setting overlooking the Thames Marshes aligned with the east-west Roman routeway from the City.

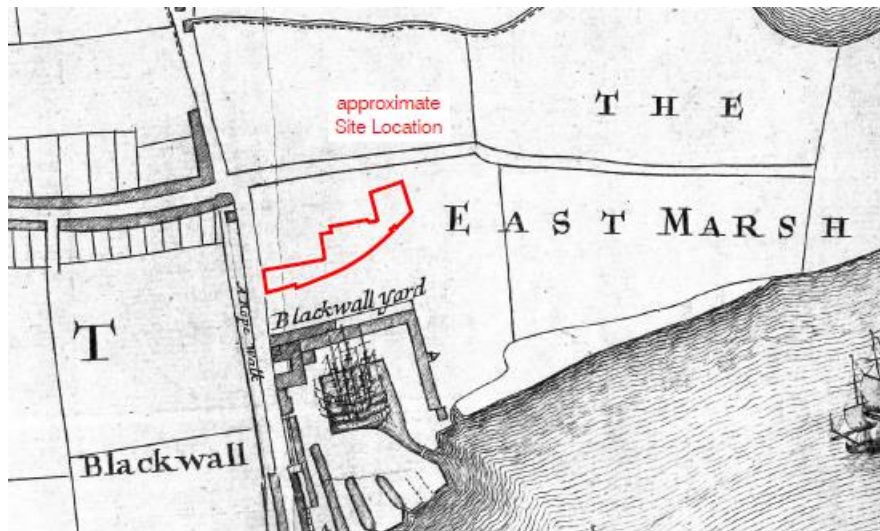


Figure 17: Historic Setting

7.117 It was recommended that the applicant undertake geo-archaeological coring within the site, to determine that there would be no conflict between the building's siting and archaeological artefacts or remains. This work was undertaken in May 2020 and determined that while the findings were notable, that fieldwork could be safely conditioned upon consent.

7.118 GLAAS advisors have requested two conditions be placed on consent to secure a written scheme of investigation and implementation of a scheme of public heritage for the benefit and education of site users. Both conditions are recommended to be tied to this consent.

Neighbouring Amenity

7.119 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

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

7.121 There are a number of residential properties surround the site which can be impacted by the development, these along with consented residential units within Blackwall Reach Phase 4 have been tested as part of the application, and the results have been independently reviewed by Delva Patman Redler (DPR) on behalf of the Council, these are discussed below.

7.122 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), also referred to as Daylight Distribution (DD), 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.

- 7.123 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.
- 7.124 The applicant has submitted a Daylight and Sunlight Report prepared by CPMC in support of the application. As the site forms part of the Blackwall Reach Outline Consent, the applicant has modelled against a series of scenarios with the prescribed 'baseline' being that of the Outline Consent in which the impacts of Blocks P and Q are modelled against other parameter blocks within the Masterplan (most notably Blocks O1 and O2) and other existing residential developments.
- 7.125 While it is noted within DPR's review of CPMC's report that another baseline should be considered whereby the impacts of the proposed scheme are considered in isolation against the prevailing Masterplan, considerable weight is given to the cumulative assessment of the Masterplan given this has been the approach consistently since 2012.

Impact on neighbouring properties

- 7.126 CPMC's review has evaluated loss of daylight and sunlight to existing and consented properties using the BRE Report BR 209, Site Layout Planning for Daylight and Sunlight, a guide to good practice. The Council appointed DPR as an independent Daylight and Sunlight consultant to review the applicant's Daylight/Sunlight Information.
- 7.127 The following developments, and neighbouring properties have been assessed and are identified in Figure 18 below:
- Block K, Blackwall Reach Masterplan (*consented parameter plan*)
 - Block M, Blackwall Reach Masterplan (*consented parameter plan*)
 - Block N, Blackwall Reach Masterplan (*consented parameter plan*)
 - Block O1, Blackwall Reach Masterplan (*consented parameter plan*)
 - Block O2, Blackwall Reach Masterplan (*consented parameter plan*)
 - 26 Naval Row (*consented*)
 - Naval House (*existing*)
 - 62 – 64 Naval Row (*existing*)
 - Steamship Public House (*existing*)

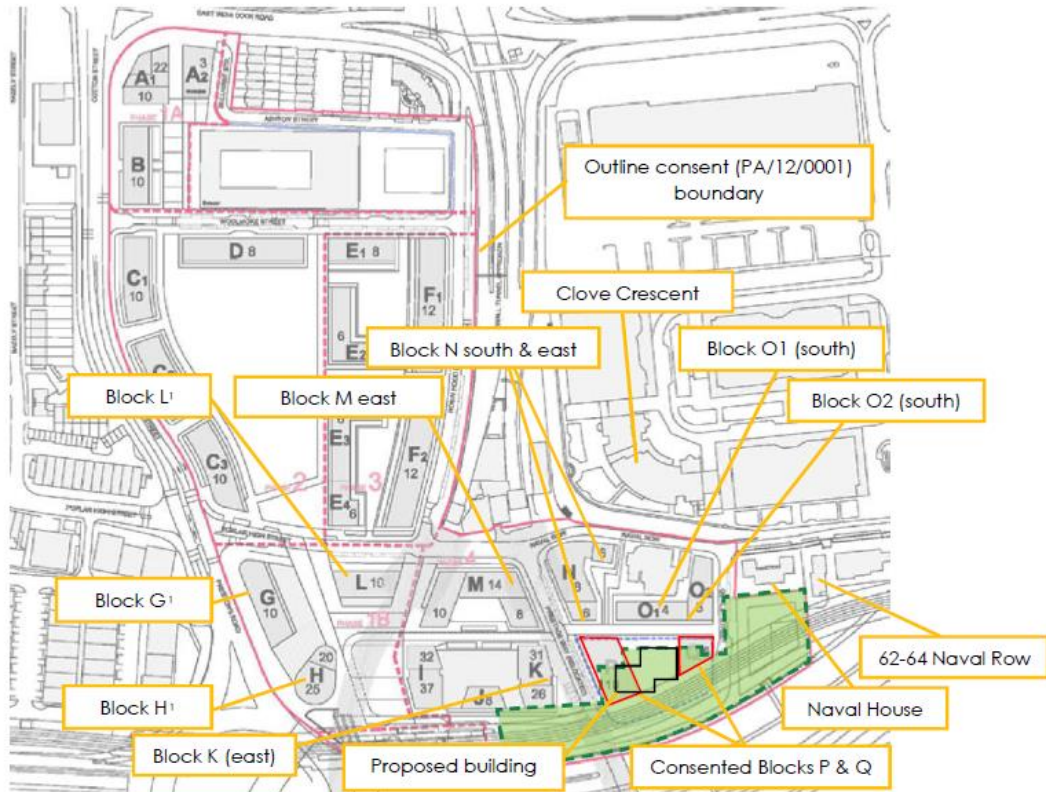


Figure 18: Tested properties (excl. Steamship Public House & 26 Naval Row)

Daylight

7.128 The tables below show a summary of the impacts of the proposals for each of the 9 properties listed:

Property	Number of Windows / 'Rectangular Test Areas' Tested	Windows that meet BRE Guidelines		VSC Windows No. of Windows Experiencing Adverse Impacts			Number of Improved windows / Rectangular Test Areas
		No.	%	20-29.99% loss (minor adverse losses)	30-39.99% loss (moderate adverse losses)	>40% loss (substantial losses)	
Block K	145	145	100%	0	0	0	29
Block M	72	71	99%	1	0	0	0
Block N	64	41	64%	21	2	0	12
Block O1	28	6	21%	2	5	15	3
Block O2	10	10	100%	0	0	0	8
Naval House	38	38	100%	0	0	0	0
62 - 64 Naval Row	19	19	100%	0	0	0	0
Total	376	330	88%	24	7	15	52

Figure 19: Daylight Impacts

Naval Row - Additional Daylight Distribution (DD) Testing								
Floor Ref.	Room Ref.	Property Type	Room Use.		Lit Area Existing	Lit Area Proposed	Pr/Ex	Meets BRE Criteria
26 Naval Row								
First	R1	Residential	Bedroom	Area m2	4.65	4.05		
				% of room	36%	31%	87.00%	YES
	R2	Residential	Bedroom	Area m2	5.70	5.19		
				% of room	40%	37%	91.00%	YES
	R3	Residential	Bedroom	Area m2	5.55	4.99		
				% of room	29%	26%	90.00%	YES
	R4	Residential	Bedroom	Area m2	5.60	5.26		
				% of room	38%	36%	94.00%	YES
	R5	Residential	LKD	Area m2	10.71	9.67		
				% of room	32%	28%	90.00%	YES
Second	R1	Residential	Bedroom	Area m2	4.39	3.82		
				% of room	34%	29%	87.00%	YES
	R2	Residential	Bedroom	Area m2	5.37	5.49		
				% of room	38%	39%	102.00%	YES
	R3	Residential	Bedroom	Area m2	5.29	5.11		
				% of room	29%	28%	97.00%	YES
	R4	Residential	Bedroom	Area m2	5.78	5.28		
				% of room	39%	35%	91.00%	YES
	R5	Residential	LKD	Area m2	25.96	24.82		
				% of room	77%	74%	96.00%	YES
Third	R1	Residential	LKD	Area m2	26.54	26.44		
				% of room	84%	84%	100.00%	YES
	R2	Residential	Bedroom	Area m2	8.49	7.84		
				% of room	82%	75%	92.00%	YES
	R3	Residential	Bedroom	Area m2	9.40	8.34		
				% of room	77%	69%	89.00%	YES
	R4	Residential	Bedroom	Area m2	9.72	4.84		
				% of room	75%	37%	50.00%	NO

Figure 20: 26 Naval Row (Daylight Distribution)

Naval Row - Additional VSC and APSH Results (The Steamship)														
Floor Ref.	Room Ref.	Property Type	Room Use.	Window Ref.	VSC	Pr/Ex	Meets BRE Criteria	Window Orientation	Annual	Pr/Ex	Meets BRE Criteria	Winter	Pr/Ex	Meets BRE Criteria
The Steamship														
First	R1	Residential	Bedroom	W1	Existing 8.34 Proposed 7.99	0.96	YES	175°	19	1.00	YES	2	2.50	YES
	R2	Residential	Kitchen	W2	Existing 16.43 Proposed 11.09	0.67	NO	175°	38	0.68	YES	4	0.75	MARGINAL
				W3	Existing 21.74 Proposed 20.01	0.92	YES	85°N	26	*North*	3	*North*		
				W4	Existing 16.46 Proposed 15.08	0.92	YES	85°N	*North*	*North*				
Second	R1	Residential	Bedroom	W1	Existing 19.77 Proposed 14.16	0.72	NO	175°	44	0.75	YES	11	0.73	YES
	R2	Residential	Bedroom	W2	Existing 21.20 Proposed 15.27	0.72	NO	175°	33	0.78	YES	8	0.64	YES
									49			11		
									38			7		

Figure 21: Steamship Public House (VSC & APSH)

Naval Row - The Steamship Daylight Distribution (inc dual and single aspect kitchen scenarios)								
Floor Ref.	Room Ref.	Property Type	Room Use.		Lit Area Existing	Lit Area Proposed	Pr/Ex	Meets BRE Criteria
The Steamship								
First	R1	Residential	Bedroom	Area m2	5.98	5.54		
				% of room	64%	59%	93.00%	YES
	R2	Residential	Kitchen (Dual Aspect)	Area m2	13.80	13.84		
				% of room	98%	98%	100.00%	YES
			Kitchen (single aspect)	Area m2	10.76	8.57		
				% of room	76%	61%	80.00%	YES
Second	R1	Residential	Bedroom	Area m2	8.84	7.29		
				% of room	94%	78%	82.00%	YES
	R2	Residential	Bedroom	Area m2	7.64	6.30		
				% of room	96%	79%	82.00%	YES

Figure 22: Steamship Public House (Daylight Distribution)

7.129 It is noted that VSC impacts resulting in a 20-29.99% loss are considered minor adverse, 30-39.99% moderate adverse and over 40% as substantial adverse impacts.

Blocks K, M, N, O1 & O2 – Methodology

7.130 When undertaking the assessments for the consented parameter plans of Blackwall Reach, the applicant has tested against the previous baseline and impacts included the consented Blocks P and Q which will be replaced by the proposed scheme. DPR have considered this approach acceptable in their review; however requested a secondary baseline be considered whereby the impacts of the proposed scheme are considered in isolation, which was subsequently undertaken by CPMC for the purpose of completeness.

7.131 It is noted that DPR raise issue with CPMC’s application of BRE guidance in terms of comparing percentage reductions (i.e. 20% in the case of VSC and APSH) between the Outline Consent and the proposal. It is acknowledged that this does represent explicit application of the BRE guidance, and is used as a comparative baseline.

7.132 Due to the outline nature of the extant permission, the internal layouts and configuration of the rooms are unknown and as such façade testing has been undertaken – a methodology which was reviewed and supported by DPR in their review. In undertaking this assessment, CPMC have followed the same approach as that during the 2012 Outline Consent whereby the facades are divided into c.3m rectangular “test areas” to ensure the effect on sections of the façade can be relatively easily identified and considered

7.133 The second part of this testing involved considering the mean façade VSC for the entire neighbouring facades facing the site, and the lower levels of the immediate elevations. This assessment serves to give more detailed impacts at lower levels where the effects of overshadowing are worse, and to provide a more accurate assessment of impact.

Daylight

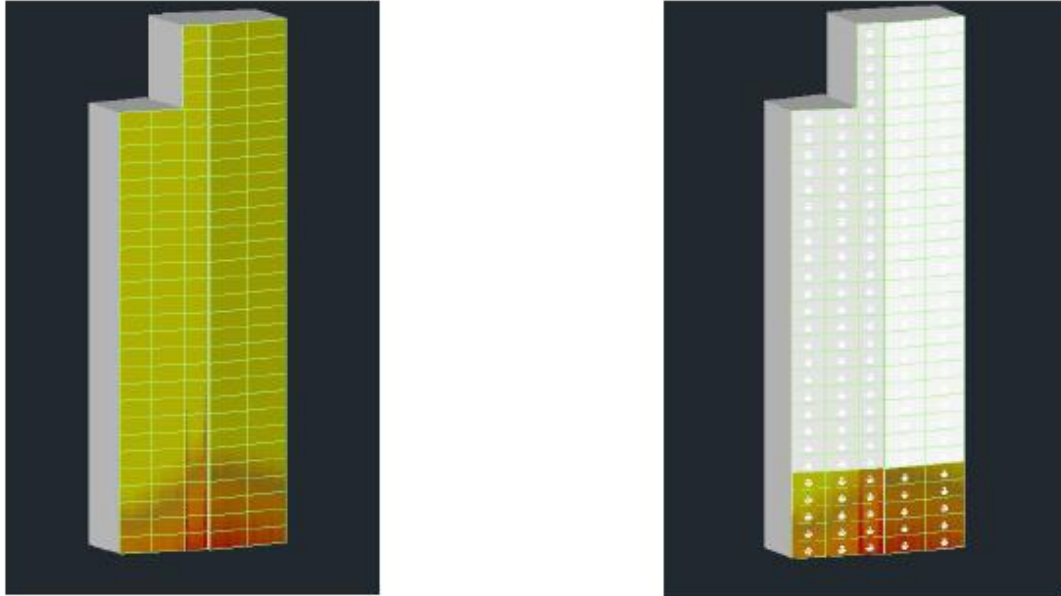


Figure 23: Facade Testing & Lower Level Detailed Testing

Block K

7.134 Block K is a 31 storey tower block to the immediate west of the application site, as identified in Figure 18. With regards to daylight, the façade testing result in a VSC mean of 30.4 – reduced from 33.55 when compared against the original Blocks of P and Q. Lower level testing highlights that the lowest 4 levels of Block K gains an improved daylight condition with a VSC mean of 25.01 compared with 19.59 in the Outline Consent. This is attributed to the loss of Block P which maintained a closer and broader elevation to Block K. The testing highlights 0 adverse impacts, and 29 improvements.

Block M

7.135 Façade testing of Block M show that all areas pass the VSC test with the exception of one area on the seventh floor which falls short (0.01) of the BRE criteria. The results from the full façade analysis show an average VSC of 21.89 compared with 23.76 against the consented scheme, while the lower level testing results indicate a VSC mean of 13.61 down from 14.77.

Block N

7.136 Block N, an L-shaped block sited to the corner of Prestage Way and Naval Row, suffers 23 VSC transgressions (21 minor, 2 moderate adverse) between ground and seventh floors. The analysis also shows improvements within 12 study areas with some instances benefitting from 100% improvement in mean VSC values. The average results for the façade analysis show a VSC mean of 19.72 down from 21.68 against consented. Lower level testing results in a score of 15.95 against 15.58 consented.

- 7.137 The southern edge of Block N has been tested separately, and the mean VSC result of 12.85 at this elevation highlights an improvement against the previous result of 8.38. These impacts as caused by the proposed scheme are considered by DPR in their review as “minor additional impacts” when compared against the outline consent.
- 7.138 CPMC undertook further testing of the Block N courtyard facades, which highlighted a series of failures. CPMC notes that due to their siting, it is particularly unlikely that habitable rooms would face out from this space as placing windows within a winged/internal courtyard corner area is advised against in BRE guidance and the area already benefits from poor lighting. DPR conclude that the configurations on this façade will need to be reviewed further in reserved matters submissions for Block N and should not be heled against this application.

Block O1

- 7.139 Block O1 is sited immediately to the north of the application site, and it is anticipated would be most heavily impacted by the proposed scheme. The Block is described within the 2012 Outline Consent as forming a row of townhouses, and while internal layouts have never been developed due to the lack of Reserved Matters being discharged, it is anticipated that the internal arrangements would allow for some level of dual aspect due to this likely housing typology.
- 7.140 None of the 28 test areas within the southern elevation of Block O1 would achieve the 27% VSC; however it is noted that these results remain the same as the Outline Consent. Of these 28 windows, 15 suffer major adverse impacts, 5 moderate adverse and 2 minor adverse impacts when compared against the consented Blocks P and Q, with 3 windows benefiting from improved VSC conditions. Overall, both CPMC and DPR have concluded that these constitute major adverse impacts.
- 7.141 The impacts to Block O1 result in a mean VSC of 11.54 compared to 18.41 with Blocks P and Q in place.
- 7.142 In considering the impacts to Block O1, CPMC have undertaken a comparative analysis against the now built blocks of Phase 1b of the Blackwall Reach Masterplan (Blocks G, H & L). It notes that the full height mean VSC result for the southern aspect of Block G is 11.93, as compared to 11.54 as an impact to Block O1 due to the proposed scheme, which DPR note in their review as being not dissimilar impact levels.
- 7.143 CPMC also highlight that the previous impacts of Block P and the southern aspect of Block N resulted in a mean VSC of 8.38, notably lower than that of the impacts to Block O1 and which would not benefit from a potential dual aspect townhouse typology.

Block O2

- 7.144 Block O2 maintains a narrow aspect to the application site at its southern edge. When assessed against the consented scheme, it is noted that there are no VSC transgressions and 8 of 10 study areas benefit from significantly improved VSC conditions. The overall VSC mean rises to 23.53 from 18.57 when compared to the Outline Consent.

Naval House

7.145 As an existing residential property, all windows and rooms have been tested. All rooms pass with regard to VSC and DD.

62 – 64 Naval Row

7.146 As an existing residential property, all windows and rooms have been tested. All rooms pass with regard to VSC and DD.

Steamship Public House

7.147 The Steamship Public House was included in an updated Daylight & Sunlight Report, following recommendation by DPR in their February review. The internal arrangements of the potentially habitable rooms within the Public House are unknown, and it was noted on site visit that first floor windows were sheeted across.

7.148 CPMC have tested all windows likely to be considered habitable. While 3 of the 6 tested windows have VSC results below the 0.8 BRE guidance it is noted that they are particularly minor failures and that all windows pass the Daylight Distribution/NSL tests – even with the assumption of a single aspect kitchen.

7.149 DPR agree with CPMC's methodology and findings and agree with the conclusion of minor adverse impacts to these

Sunlight

Block K

7.150 As the adjacent elevation of Block K is oriented within 90 degrees of north, it does not require assessment. CPMC does note, however, that due to the more slender and distanced nature of the proposed scheme that morning APSH and WPSH levels would improve – particularly for lower levels.

Block M

7.151 As compared to the Outline Consent CPMC identify 5 annual transgressions between the third and seventh floors, and two winter transgressions at sixth and seventh floors. The winter hour losses are 1 hour in each case, with all other windows either passing or oriented north.

7.152 DPR note that when tested without the comparison against the consented scheme as a comparative baseline with regard to BRE guidance that 11 would not meet the recommended APSH levels, and 9 would fail in meeting the required WPSH levels.

7.153 DPR notes this as being a moderate loss when assessed against the outline scheme.

Block N

7.154 CPMC identify 3 APSH failures between ground and first floor and 10 WPSH failures between ground and third floor levels. They note that there are 11 test areas which benefit from improved APSH results and 12 improved WPSH results as compared against the Outline Consent.

7.155 DPR find that 9 test areas would not meet 25% APSH targets, but acknowledge that 5 of these areas benefit from improvements against the Outline Consent. They note that when considering winter sun transgressions, about half of the winter sun received would be lost when compared to the Outline Consent. Overall DPR consider these minor additional impacts.

Block O1

7.156 CPMC note that there are 12 APSH transgressions between ground and third floor, and 10 WPSH transgressions. There are noted to be 10 test areas which benefit from improved APSH/WPSH conditions. CPMC further note that where there are transgressions, the annual APSH often remains above 20%.

7.157 DPR find there to be 12 APSH transgressions and 11 WPSH transgressions when considered against BRE guidance. Overall it is considered to be a major adverse impact when assessed against the outline consent.

Block O2

7.158 CPMC report zero transgressions with regard to APSH and WPSH impacts to Block O2. Furthermore, there are 6 APSH improvements and 9 WPSH improvements. It is noted that the proximity of Blocks P and Q resulted in APSH results in some instances of less than 5%.

Naval House

7.159 CPMC report 1 minor APSH transgression at ground and 2 WSPH transgressions at second and third floors. All other windows pass, with one slight improvement at ground level.

7.160 DPR's assessment finds 2 windows fail APSH and 4 fail WSPH targets. The overall impacts to this building are considered negligible by DPR.

62 – 64 Naval Row

7.161 CPMC state that all windows either pass or are oriented north, with one improvement at ground level.

7.162 DPR's assessment finds that 1 would fail with regard to APSH, while all windows meet the 5% winter sun guidance in relation to WPSH. They conclude that these impacts are also considered negligible.

Overshadowing

7.163 A shadow analysis for the neighbouring amenity spaces around the development was completed by CPMC in their submitted Daylight and Sunlight Report. These included amenity spaces within residential properties, an area within the walled courtyard of Clove Crescent, and potential amenity areas within the consented Phase 4 Outline Consent parameter blocks.

7.164 The results highlight that with the exception of 3 areas at 62 – 64 Naval Row that all amenity areas considered will received the recommended 2 hours of sunlight to at least 50% of their area when the development is complete. The reductions as compared to the outline consent scheme were considered not to be material, and

DPR concluded within their review these impacts should therefore be considered negligible.

Adjacent Development Impacts

- 7.165 As noted within the design section of this report, it is acknowledged that objection has been received during neighbour consultation with regard to the building's siting on a constrained site. Objectors note that the building is constrained with regard to the DLR exclusion zone, Blackwall Tunnel, and its adjacency to the neighbouring plots.
- 7.166 In assessing the acceptability of the proposed, these constraints have been considered in great detail. It is not considered that the scheme would conflict with the Blackwall Tunnel exclusion zone, and the applicant will need to enter into an Asset Protection Agreement with regard to both the tunnel and DLR infrastructure. No in-principle objection has been received from DLR consultees, and a series of detailed conditions will be imposed on consent to safeguard the asset – as discussed in the relevant below section.
- 7.167 As discussed in the earlier sections, the Blackwall Tunnel exclusion zone serves to bisect the adjoining development site and would limit any significant proposal at this location in immediate proximity to the application site. Furthermore it is considered that with regard to the relative size of the open and 'developable' land within each site, that additional flexibility could be accommodated within the adjoining site notwithstanding the limited capacity for substantive development at this location.
- 7.168 Mindful of the application site's constraints, and the ambition to regenerate an underutilised carpark, it is considered that the development would not unduly prejudice development of adjacent sites to an unreasonable degree and on balance the siting of the building to the site edge is considered acceptable.

Daylight & Sunlight Conclusions

- 7.169 The impact of the scheme with regards to daylight and sunlight impacts to existing and consented residential development is complex and varied in scale. While it is considered broadly that the impacts to existing residential properties along Naval Row would be predominantly minor or negligible, the impacts to the consented parameter blocks of the Outline Consent are more severe.
- 7.170 In considering these impacts, weight has been given to the age of the 2012 consent and to the fragmented land ownership which remains unresolved since the unsuccessful CPO in 2015. Further to this, significant weight has been given to the capacity for the most significantly impacted blocks, particularly Block O1, to configure itself to mitigate or minimize these impacts during a future Reserved Matters submission. It is difficult to clearly identify the impacts in great detail lieu of any internal details or residential configuration.
- 7.171 It is also acknowledged that the arrangement of Blocks P and Q impacted some parameter blocks, notably Blocks K, O2 and the southern elevation of N, more significantly than the proposed scheme. Some weight has also been prescribed to what have been considered as acceptable impacts elsewhere within Blackwall Reach, such as Block G which maintains similar VSC façade tested results.

7.172 While it is noted that there are some major adverse results associated with the development in regard to the 'townhouse' residences of Block O1, it is considered that with regard to the above points, and the significant public benefits associated with the site and its regeneration, it is on balance considered that the daylight and sunlight impacts associated with the development to be acceptable.

Overlooking

7.173 The proposal will maintain interfaces with the residential units of Blocks K, O1 and O2 once completed and integrated within the broader Masterplan area. There are no existing residential interfaces which would suffer from overlooking associated with the scheme.

7.174 It is noted that objectors have raised concern with regard to overlooking associated with the scheme, and consented parameter blocks. In considering this, it is noted that the Development Specification for the 2012 Masterplan Consent required a minimum 10m separation distance between Blocks P and Q and the blocks to the north of Scouler Street.

7.175 The proposed hotel, which would have less of an impact on overlooking than a typical residential scheme, maintains between a 16.3m and 22m separation between Blocks O1 and O2 and a 31m separation between Block K and the application site. While it is acknowledged that 18m is given as guidance within the Local Plan, it is considered the hotel use and previously consented setback give sufficient comfort to amenity impacts.

7.176 With regard to the above, it is considered that there will be no unreasonably loss of amenity with regard to overlooking associated with the development.

Noise and Vibration

7.177 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 conditions be attached to the planning permission in relation to the residential and hotel elements of the scheme.

Wind/Microclimate

7.178 The application is supported by a Wind Microclimate Report undertaken by Arcaero incorporating a wind tunnel test and consideration of cumulative schemes, including the Blackwall Reach Masterplan. The assessment did not include landscaping within the testing, and concluded that in the worst case scenarios across all seasons that 2 of 75 testing points were not considered suitable for their use. These two locations relate to outdoor seating to the southern and eastern pedestrian frontages to the scheme.

7.179 An independent review has been undertaken by Temple Group at the request of the Council which was completed in February 2020. Temple Group requested clarifications on 7 points, relating to data, local context and suitability of conditions for outdoor seating and the rooftop amenity space.

7.180 Arcaero provided a response shortly thereafter to the satisfaction of Temple Group who issued a final report outlining the resolved matters.

7.181 It is noted that it was accepted by Temple Group that with proposed landscaping included, the impacts at pedestrian level would be suitably mitigated. Further wind testing to the guest amenity space at level 16 will be conditioned on consent; however it is noted that the provision of amenity space does not form a policy requirement and is therefore given substantially less weight than a residential balcony or communal area.

7.182 Construction Impacts

7.183 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

7.184 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.

Integration with the Blackwall Reach Masterplan

7.185 The application plays a significant role in delivering strategic transport ambitions within the locality and the Blackwall Reach Masterplan. As described in earlier sections, the application will seek to slot in with the remainder of Phase 4 of the Blackwall Reach Masterplan and provide for an interim and long term bus loop solution within the site in order to remove the existing bus standing from Prestage Way adjacent Blackwall DLR. The removal of the existing bus stands, and provision within the application site, will allow for the redevelopment of Phase 4 should land acquisition be successful in the future.



Figure 24: Proposed Highway Plan - Blackwall Reach Outline Consent

- 7.186 The scheme has been developed through extensive pre-application and post-submission discussions with TFL’s strategic transport officers and bus operations officers, as well as Council Highways Officers to develop interim and long term arrangements which will be functional, safe and pedestrian friendly in line with the ambitions of Blackwall Reach and Council policy.
- 7.187 In the interim arrangement (below), the existing bus turnaround at the termination of Prestage Way will be relocated to the application site which will facilitate the delivery of the high density residential blocks of Phase 4 of the Masterplan. The bus stands will be relocated onto the new carriageway, with the transition period secured through the S106 agreement to ensure that the bus stands will be seamlessly transitioned onto site in order to avoid disruption to the network.



Figure 25: Interim Highways Arrangement

7.188 In the final arrangement (below) whereby Prestage Way has been realigned and Blocks I, J, K and M of Blackwall Reach have been delivered, the bus stands will be moved off the application site and on to the carriageway to the eastern side of Prestage Way. This transition will similarly be secured by way of S106 obligation.

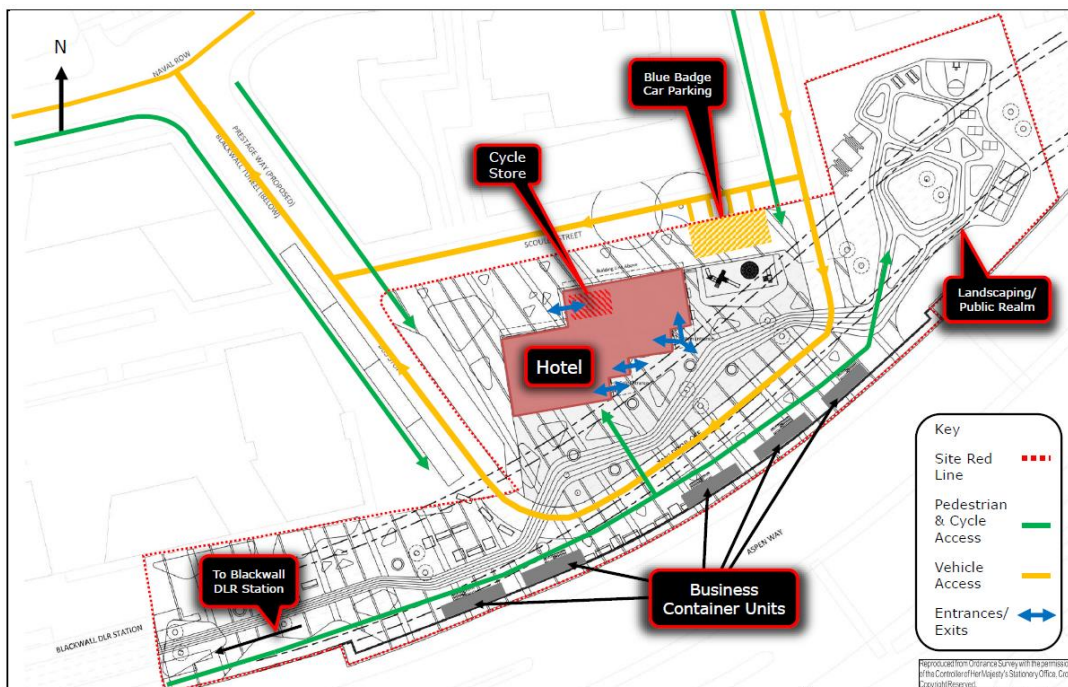


Figure 26: Final Highways Arrangement

7.189 Council Highways officers have raised concern with regard to cyclist safety associated with the proposed bus loop within the Phase 4 Masterplan which the application seeks to integrate with. Particular concerns have been raised with regard

to bus movements along Naval Row potentially interfering with Cycle Superhighway 3 (CS3).

- 7.190 It is noted that these conflicts occur outside of the application site, and are not associated with the proposal as the proposal itself does not seek to reroute buses along Naval Row, but only enable them for the wider benefit of the Blackwall Reach Masterplan.
- 7.191 Notwithstanding the areas of risk being outside of the application site, and not inherently associated with the proposal, the applicant has undertaken a robust Road Safety Audit (RSA) in collaboration with TFL and Borough Highways officers. The RSA seeks to identify the potential risks, and makes a series of recommendations which respond to 11 locations (labelled A – K) within the network which pose a threat to public safety.
- 7.192 Of these areas, only one (location E) is within the application site and relates to pedestrian conflict with bus movements due to the reduced kerb line. It is noted that the applicant has accepted the recommendations of the RSA and has amended the plans accordingly to introduce a raised kerb edge for the bus stands within the application demise to limit this risk.
- 7.193 The remaining 10 risk locations fall outside of the demise of the application site, and relate to the previously consented highways layout for the Blackwall Reach Masterplan. This detailed RSA, and its recommendations, will provide an opportunity for safety measures to be implemented which relate to signage, wayfinding, parking bay removal and highway treatments to be adopted within the scope of the Reserved Matters discharge for Phase 4 at such a time as it occurs.

DLR Infrastructure

- 7.194 The application site is situated immediately beneath and adjacent to Docklands Light Railway (DLR) assets by virtue of proximity to the elevated DLR viaduct. The hotel block itself will intrude within the DLR exclusion zone (as below) at an upper level while maintaining the setback at lower levels, and as such DLR have been consulted with in both pre-application and submission with regard to the acceptability of this.

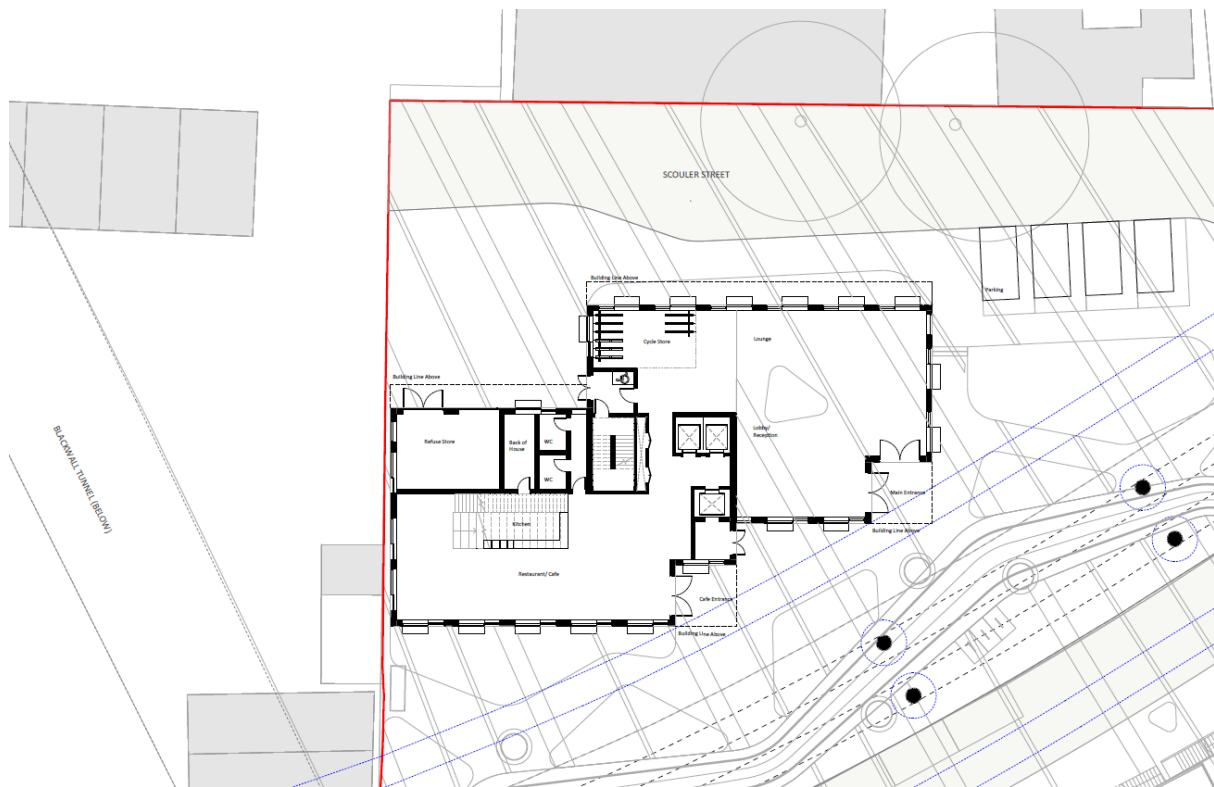


Figure 27: DLR Exclusion Zone (Proposed GF Plan)

7.195 In DLR’s consultation response, they raise no objection to the buildings siting but stress that the final acceptability of the scheme with regard to impact to their assets will be determined post consent once the final scheme is subject to a DLR Technical Submission. The Technical Submission must include the following components as a minimum:

- Conceptual Design Statement
- Topographical Survey
- Ground investigation and soil tests
- Loadings that may affect the DLRL infrastructure
- Predicted effects of the works
- Ground movements such as heave or settlement
- Distortion of the DLRL infrastructure
- Proposals for the limitations of the above
- Assessment of Ground Movements
- Proposals for inspections
- Proposals for monitoring
- Comprehensive risk assessment

7.196 While it is not considered appropriate for the scheme to undertake a Technical Submission prior to determination due to the level of detail required, the applicant has provided a desktop assessment of the scheme against the relevant criteria which fall within the Technical Submission to provide comfort that this information has informed the scheme and remains as a pre-cursor to a full Technical Submission post-consent.

7.197 Notwithstanding the above, to further protect the DLR asset, 6 conditions have been recommended by TFL to be included and 1 informative. These conditions relate to radio impacts, construction impacts, cranes, and commencement notice. It is also noted that the applicant must enter into an Asset Protection Agreement with Docklands Light Railway prior to any commencement.

7.198 These conditions and informative will be placed on consent to ensure protection of DLR's asset.

Car Parking & Taxis

7.199 The development would be 'car free' with the exception of four disabled access spaces. This is in line with policy D.TR3 of the Local Plan (2020). Two taxi bays are proposed within the new carriageway beneath the DLR viaduct for pick up and drop off use by hotel guests.

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

7.201 TFL has queried whether guests and visitors 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. The process for managing these spaces with regard to staff and guests will be included within a Servicing and Management Plan, which will be conditioned.

Servicing and Deliveries

7.202 The proposed scheme will be serviced from Scouler Street, with the existing turning point at the dead end of Scouler Street utilised in the interim highways arrangement before utilising the shared surface version of Scouler Street in the final arrangement.

7.203 Waste officers have no in-principle objection to this arrangement, with detailed waste arrangements including volumes, collection, and storage details to be secured by way of condition on consent.

Access

7.204 The main pedestrian access to the site is proposed to be via Prestage Way, immediately adjacent to the Blackwall DLR. It is anticipated the greatest level of footfall will be generated from this location, both with regard to pedestrian movements from the DLR and bus station. Pedestrian access is also facilitated via Quixley Street at the corner of Scouler Street. This access will be considered primary for users of the play area from within the locality.

7.205 In the long term highways arrangement for Blackwall Reach, Scouler Street will be extended through adjacent developments and pedestrianised through new surface treatments and removal of all non-service related vehicles on the carriageway.

7.206 Disabled parking has been made available at the interface with Scouler Street, whereby access will be gained through Quixley Street.

7.207 As described earlier, servicing and refuse stores will be located at the termination of Scouler Street to the northern elevation of the hotel block. The limited servicing

space will ensure the pedestrian experience remains enhanced, as will the generous activation to the remainder of the northern elevation.

Cycle Parking

7.208 A total of 39 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 access from Scouler Street and the hotel lobby hotel with 1 Sheffield stand provided next to each office container unit (8 in total).

7.209 The breakdown of cycle spaces is as follows:

- 17 spaces – staff (via Sheffield Stands)
- 7 space – short stay (via Sheffield Stands)
- 16 spaces – office use (via five Sheffield Stands)

7.210 TfL raised concerns in relation to the number of visitor short-stay cycle parking proposed, with requesting that an additional one be included to meet draft New London Plan policy. The additional space was committed to in a subsequent Transport Technical Note, and will be secured by way of condition on consent.

7.211 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

7.212 As requested by both GLA and TfL, the applicant undertook an Active Travel Zone (ATZ) assessment and a Healthy Streets approach has been adopted within the Transport Assessment. The ATZ, and Healthy Streets TA, both identified a series of transport interchanges which could be improved. It is noted by the applicant and Highways officers that the mechanisms to implement and fund these interventions is unclear, and it is not considered appropriate or practical to secure them through this consent.

Works to Public Realm

7.213 The proposals include a complete upgrade of the urban realm around the building, including new paving, new trees, planters, benches and external lighting as part of the extensive landscaping treatments associated with the development. This will also include extension improvement works to Scouler Street, to enable the early provision of pedestrian enhancement works to this street as detailed within the 2012 Blackwall Reach Design Code.

7.214 The public realm works will require the entering into of a S278 agreement with the Council, with the scheme of highways improvement works to be detailed within it.

Demolition and Construction Traffic

7.215 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

7.216 The applicant has provided a framework travel plan which has followed TfL guidance which is welcomed and considered acceptable by TfL and Highways officers.

7.217 The final Travel Plan should be secured and monitored via S106 agreement.

Summary

7.218 The proposal will serve to positively contribute towards the Blackwall Reach Masterplan through facilitation and delivery of transport infrastructure. 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

7.219 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.

7.220 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)

7.221 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.

7.222 The CO2 emission reduction is anticipated to be 46% 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.

7.223 The S106 would include a financial payment of £ 1,462,050 to offset the remaining carbon and comply with policy D.ES7.

7.224 It is noted that GLA energy officers raised a series of issues with regard to the submitted Energy Strategy. Through a series of further submission and meetings with Council and GLA energy officers it is considered that these matters have been addressed, with further carbon reductions achieved and a commitment to monitoring.

Sustainability

- 7.225 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 scores of 70% and 72% for the office and hotel sections of the scheme respectively.
- 7.226 The proposal for the scheme to achieve a BREEAM Excellent will be secured via condition.

Summary and Securing the Proposals

- 7.227 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 Zero Carbon Futureproofing Statement
 - Submission of post construction energy assessment including 'as-built' calculations to demonstrate the reductions in CO2 emissions have been delivered on-site
 - Submission of BREEAM Final Certificates to demonstrate an Excellent rating has been delivered for the different uses

Air Quality

- 7.228 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 demonstrate that the proposed uses are acceptable and show how development would prevent or reduce air pollution.
- 7.229 The application is accompanied by an Air Quality Assessment demonstrating compliance Development Plan policies. The proposed development, given its lack of parking for visitors and coaches to discourage vehicle movements on site, will be air quality neutral.
- 7.230 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.
- 7.231 The Council's air quality officer has reviewed the proposals and raised no objections subject to 3 conditions relating to construction dust management, odour from fixed plant, and low NOx boilers.

Waste

- 7.232 Policy D.MW3 of the Local Plan (2020) requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements.
- 7.233 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

- 7.234 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.
- 7.235 The application site at present is largely hardstanding carpark; however there is a large quantity of overgrown vegetation at the eastern edge of the site at the location of the proposed youth play space. It is noted that the ecology report for this scrub found that it was dominated by invasive and non-native species such as buddleia and sycamore.
- 7.236 It is noted by Borough Biodiversity officers that the loss of this scrubland, while populated by invasive species, will constitute a locally significant adverse impact on biodiversity. Council policy requires net gains of biodiversity on site which will contribute towards the Local Biodiversity Action Plan (LBAP) targets.
- 7.237 It is noted by the officer that between the 1,087sqm of new woodland and wildflower planting in addition to the biodiverse rooftops to the office buildings and various bat boxes should be sufficient to cover the loss and contribute towards a net gain of biodiversity on the site. The specific details of these elements will need to be secured and detailed post-consent.
- 7.238 Subject to conditions securing the biodiversity enhancements proposed the development would be considered comply with policy and contribute positively towards local biodiversity and ecology.

Flood Risk & Drainage

- 7.239 Development Plan policies seek to manage flood risk and encourage the use of Sustainable Urban Drainage.
- 7.240 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.
- 7.241 Further details of Sustainable Urban Drainage (SUDS)

Land Contamination

- 7.242 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

- 7.243 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £2,390,960 and Mayor of London CIL of approximately £1,761,760. 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.

7.244 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.

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

7.246 £880.00 towards construction phase employment skills training

7.247 £52,683.00 towards end-user phase employment skills training

Human Rights & Equalities

7.248 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.

7.249 The proposed provision of the hotel meets inclusive design standards and at least 10% of the new bedrooms will be wheelchair accessible and 4 disabled car parking spaces provided. These standards would benefit future employees and visitors, including disabled people, elderly people and parents/carers with children.

7.250 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 the prior completion of a legal agreement to secure the following planning obligations

8.2 Financial Obligations

- a. £880.00 towards construction phase employment skills training
- b. £52,683.00 towards end-user phase employment skills training
- c. £923,400 carbon offsetting obligation

8.3 Non-Financial Obligations

a. Access to employment

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

b. Transport

- Approval and implementation of Travel Plan
- S278 works
- Car-free

c. Compliance with Considerate Constructors Scheme

d. Public Realm Access

e. Play Space Access

- f. Bus stands – interim & final
- g. TFL bus operations unit (first right of refusal)

- 8.4** That the Corporate Director of Place is delegated the power to negotiate the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Place is delegated power to refuse planning permission.
- 8.5** That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters:

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. Final 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
19. DLR Commencement Notification
20. DLR Crane & Lift Management Plan
21. DLR Scaffolding Plans

22. DLR Radio Survey
23. DLR & LCY Access Agreements
24. Archaeological condition 1
25. Archaeological condition 2

Pre-superstructure works

26. Details of external facing materials and architectural detailing.
27. 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.
28. Biodiversity
29. Management Plan
30. Details of cycle parking
31. Surface water - Drainage Strategy
32. Disabled Car parking
33. Electric vehicle charging points
34. Delivery, Servicing and Waste Management Plan
35. Details of Accessible Bedrooms

Prior to relevant works

36. Details of sound insulation for the hotel units

Occupation

37. Secured by design compliance
38. Thames Water
39. BREEAM
40. Post construction verification

Compliance

41. DLR Safety (Falling Objects)
42. DLR Radio Frequencies

APPENDIX 1 – List of Plans for Approval

Schedule of Drawings

19003 E0-100 Rev P1 Existing - Location Plan
P0-099 Rev. P1 Proposed Ground Floor Plan
P1-099 Rev. P1 Proposed Ground Floor Plan (Interim)
P1-100 Rev. P1 Proposed Ground Floor Plan (Final)
P1-102 Rev. P1 Proposed Typical Lower Floor Plan
P1-118 Rev. P2 Proposed Typical Upper Floor Plan
P0-117 Rev. P2 Proposed Level 16 Floor Plan
P0-125 Rev. P2 Proposed Level 24 Floor Plan
P0-126 Rev. P2 Proposed Roof Floor Plan
P2-100 Rev. P1 Proposed Section A-A
P3-300 Rev. P2 Proposed Elevation Detail
P3-301 Rev. P2 Proposed Elevation Detail 02
P3-302 Rev. P2 Proposed Elevation Detail 03
P3-303 Rev. P2 Proposed Elevation Detail 04
P3-400 Rev. P2 Proposed Elevation Detail 01
P3-401 Rev. P1 Proposed Ground Floor Entrance Façade
P3-500 Rev. P1 Demountable Commercial Units - Elevations
19003 P3-100 P2 Proposed Contextual Elevation - 01
19003 P3-101 P1 Proposed Contextual Elevation - 02
19003 P3-102 P2 Proposed Contextual Elevation - 03
19003 P3-103 P2 Proposed Contextual Elevation - 04
19003 P3-200 P2 Proposed Contextual Elevation - 01
19003 P3-201 P2 Proposed Contextual Elevation - 02
19003 P3-202 P2 Proposed Contextual Elevation - 03
19003 P3-203 P2 Proposed Contextual Elevation - 04
19219-020b Spa Delivery & Service Vehicles
19219-020b Spa Delivery & Service Vehicles
19219-021b Spa Bus & Rigid
19219-024 Land For Adoption
19219-025 Spa Refuse Vehicle Interim
19219-026 Spa Refuse Vehicle Final
E1-001 Rev. P1 Existing Site Plan
E3-100 Rev. P1 Existing Contextual Elevation 01
E3-101 Rev. P1 Existing Contextual Elevation 02
E3-102 Rev. P1 Existing Contextual Elevation 03
E3-103 Rev. P1 Existing Contextual Elevation 04

Schedule of Documents

Collado Collins Design & Access Statement; dated 16 December 2019
CityDesigner Heritage, Townscape and Visual Impact Assessment; dated October 2019
MAB Flood Risk Assessment; dated October 2019
CPMC Daylight & Sunlight Report; dated October 2019
CPMC Daylight & Sunlight Addendum; dated 26 May 2020
PCA Archaeological Desk-Based Assessment; dated August 2019
DLR Key Issues Assessment; dated February 2020
Delta Simons Preliminary Ecological Appraisal; dated October 2019
JS Lewis Energy and Sustainability Statement; dated October 2019
JS Lewis Energy Addendum; dated March 2020
Sharps Redmore Environmental Noise Assessment; dated 9 October 2019
Delta Simons Preliminary Geo-Environmental Risk Assessment; dated October 2019
Spacehub Landscape and Public Realm Strategy; dated October 2019
Newington Statement of Community Involvement; dated September 2019
Odyssey Transport Statement; dated October 2019
Odyssey Transport Technical Note; dated May 2020
Servicing Management Plan; dated March 2020
ArcAero Wind Microclimate Report; dated 9 September 201

