

Strategic Development Committee



Agenda

Thursday, 19 November 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 Dipa Das, Councillor Kevin Brady, Councillor Sabina Akhtar, Councillor Tarik Khan, Councillor Val Whitehead and Councillor Rabina Khan

Substitute Members:

Councillor Dan Tomlinson, Councillor Leema Qureshi and Councillor Sufia Alam

(The quorum for the Committee is 3)

The deadline for registering to speak is **4pm Tuesday, 17 November 2020**

The deadline for submitting information for the update report is Noon
Wednesday, 18 November 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

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London Borough of Tower Hamlets

Strategic Development Committee



Thursday, 19 November 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 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 as a correct record the minutes of the meeting of the Strategic Development Committee held on 14th October 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
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4. **DEFERRED ITEMS**

There are none

5. **PLANNING APPLICATIONS FOR DECISION**

There are none

6. **OTHER PLANNING MATTERS**

17 - 18

6.1 **Site at the former Bishopsgate Goods Yard, Braithwaite Street E1 (PA/14/02011 and PA/14/02096)**

19 - 120

Weavers

Proposal:

An OUTLINE application (PA/14/02011) for the comprehensive mixed use redevelopment of the site comprising (floorspace in Gross Internal Area):

Recommendation:

Tower Hamlets raises no objection to the granting of planning permission subject to the completion of a S.106 legal agreement and recommended planning conditions.



Proposal:

Redevelopment of the site to provide a residential building up to 53-storey.

Recommendation:

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

The Committee is invited to comment on the issues identified and to raise any other planning and design issues or material considerations that the developer should take into account at the pre-application stage, prior to submitting a planning application.

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



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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, 14 OCTOBER 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 Dipa Das
Councillor Kevin Brady
Councillor Sabina Akhtar
Councillor Tarik Khan
Councillor Val Whitehead
Councillor Rabina Khan

Apologies:

None

Officers Present:

Jerry Bell	– (Area Planning Manager (East), Planning Services, Place)
Rachel Mckoy	– (Head of Commercial & Contracts, Legal Services Governance)
Aleksandra Milentijevic	– (Planning Officer, Place)
Zoe Folley	– (Democratic Services Officer, Committees, Governance)

1. ELECTION OF VICE-CHAIR FOR THE COMMITTEE FOR 2020/21.

It was proposed by Councillor John Pierce and seconded by Councillor Sabina Akhtar and RESOLVED

1. That Councillor Abdul Mukit MBE be elected Vice-Chair of the Strategic Development Committee for the Municipal Year 2020/2021

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were none

3. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED:

1. That the unrestricted minutes of the meeting of the Committee held on 24th September 2020 be agreed as a correct record and signed by the Chair.

4. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee RESOLVED that:

1. The procedure for hearing objections and meeting guidance be noted.
2. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
3. 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 be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

5. STRATEGIC DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

On a unanimous vote, the Committee RESOLVED:

1. That the Strategic Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendices 1, 2 and 3 to the report be noted.

6. DEFERRED ITEMS

There were none

7. PLANNING APPLICATIONS FOR DECISION

There were none.

8. OTHER PLANNING MATTERS

9. PRE-APPLICATION PRESENTATION - ORCHARD WHARF (PF/18/00199)

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

RESOLVED:

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

The meeting ended at 8.00 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.



STRATEGIC DEVELOPMENT COMMITTEE

19 November 2020

Report of the Corporate Director of Place

Classification: Unrestricted

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. 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 are 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.

3. PRE-APPLICATION BRIEFINGS AND PRESENTATIONS

- 3.1 Presentations will be held in accordance with the attached protocol.

4. PUBLIC SPEAKING

- 4.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

5. RECOMMENDATION

- 5.1 That the Committee take any decisions recommended in the attached reports.

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER THE ITEM OTHER PLANNING MATTERS

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See individual reports

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

References	PA/14/02011 and PA/14/02096
Site	Site at the former Bishopsgate Goods Yard, Braithwaite Street E1
Wards	Weavers (Tower Hamlets), Hoxton East and Shoreditch (Hackney)
Proposals	An OUTLINE application (PA/14/02011) for the comprehensive mixed use redevelopment of the site comprising (floorspace in Gross Internal Area):

Residential (Class C3) comprising up to 500 residential units; Business Use (Class B1) up to 130,940 sq.m.; Hotel (Class C1) up to 11,013 sq.m.; Retail, financial & professional services, restaurants, cafes & hot food takeaways (Class A1, A2, A3, A5) up to 18,390 sq.m. of which only 3,678 sq.m. can be used as Class A5; Non-residential Institutions (Class D1) / Assembly and Leisure (Class D2) up to 6,363 sq.m.; Public conveniences (sui generis) up to 298 m²; Basement, ancillary and plant up to 21,216 sq.m. Formation of new pedestrian and vehicular access; means of access, circulation and car parking within the site and provision of new public open space and landscaping. The application proposes a total of 10 buildings that range in height, with the highest being 142.4m AOD and the lowest being 29.2m AOD.

With all matters reserved save that FULL DETAILS for Plot 2

Submitted for alterations to, and the partial removal of, existing structures on site and the erection of a building for office (Class B1) and retail use (Class A1, A2, A3, A5) comprising a part 17/ part 29 storey building; and Plot 7 comprising the use of the ground level of the Braithwaite Viaduct for retail and food & drink uses (A1, A2, A3, A5) and works to and use of the Oriel and adjoining structures for retail and food & drink uses (A1, A2, A3, A5). (Amended Description).

For that part of the site within the London Borough of Tower Hamlets, the proposed development comprises the following:

- Up to 44,067 sq.m. of residential use (Class C3);
- Up to 21,341 sq.m. of Business Use (Class B1);
- Up to 11,013 sq.m. of Hotel Use (Class C1);
- Up to 13,881 sq.m. of Retail Use (Class A1, A2, A3, A5) of which only 2,776 sq.m. can be used for hot food takeaways (A5); Non-residential Institutions (Class D1) / Assembly and Leisure (Class D2) – up to 4,109 sq.m.; up to 298 sq.m. of sui generis use; up to 8,464 sq.m. of ancillary and plant space.

LISTED BUILDING APPLICATION (Ref: PA/14/02096):
Restoration and repair of the existing
Grade II listed Braithwaite Viaduct and adjoining structures for
proposed Class A1/A2/A3/A5/D1 use at ground and basement levels.
Structural interventions proposed to stabilise London Road structure,
removal of sections of London Road roof to
create openings over proposed new public squares;
formation of new shopfront openings, installation of new means
of public access up to park level. Part removal of adjoining unlisted
wall on Brick Lane to provide improved public realm and pedestrian
access into the Site.

Summary Recommendation	Tower Hamlets raises no objection to the granting of planning permission subject to the completion of a S.106 legal agreement and recommended planning conditions.
Applicant	Hammerson PLC and Ballymore (The Joint Venture)
Architect	Eric Parry Architects
Case Officer	Max Smith
Key dates	<ul style="list-style-type: none">- Applications registered as valid on 9 September 2014- Mayor of London directed that he would act as Local Planning Authority for the purposes of determining the applications – 23 September 2015- GLA officers recommend that application be refused April 2016.- First re-consultation on application amendments October 2019- Second reconsultation on amendments to design and updated Environmental Statement (Reg. 21) July 2020.- Proposed Mayor of London’s Stage III hearing – 3 December 2020.

EXECUTIVE SUMMARY

The purpose of this report is to advise the Strategic Development Committee on the assessment of planning and listed building consent applications that will be determined by the Mayor of London at a hearing on 3 December 2020. The report recommends that the Council raises no objection, subject to planning conditions and planning obligations to be secured in a Section 106 Legal Agreement.

In accordance with part 1 of the terms of reference, the committee’s resolution will form the basis of the Council’s representations at the Mayor of London hearing.

The site comprises the former Bishopsgate Goods Depot and has been largely vacant following a fire in 1964. Approximately half of the remaining structures on the site were demolished in 2002/3 to allow the construction of the London Overground railway. Approximately 72% of the site is in Tower Hamlets, with the remainder in Hackney.

The site is currently vacant or in temporary use as football pitches and Shoreditch Box Park comprising shopping and restaurant uses accommodated in shipping containers. Some of the remaining structures are Grade II listed, including the inactive grade II listed Braithwaite

Viaduct, the Grade II listed forecourt wall, Oriel Gateway to Shoreditch High Street. These structures are in poor repair and have been placed on the Historic England's Heritage at Risk Register.

The site is bounded to the north by Sclater Street and Bethnal Green Road, to the east by Brick Lane, to the south by the railway cutting with lines into Liverpool Street and to the west by Shoreditch High Street. Braithwaite Street bisects the site north to south.

Shoreditch High Street Station (London Overground) sits in the western part of the site with access from Braithwaite Street. The Overground railway runs through the northern part of the site (east to west) on an elevated concrete viaduct. The railway itself runs inside a concrete "box" or elevated tunnel which allows development to take place around it without disrupting the railway operation.

In 2014 planning and listed building consent applications were submitted to the London Boroughs of Hackney and Tower Hamlets for the comprehensive redevelopment of the site. This included 1,464 new homes, 52,000 m² office space, 18,000 m² of retail space including small units, a new elevated public, together with retained and restored heritage features. In September 2015 the applications were taken over by the Mayor of London.

Both Tower Hamlets and Hackney Councils reported the applications to their respective planning committees to secure a resolution on what decision the Councils would have made if they were able to determine the application and hence set their respective position at the Mayor of London's planning hearing. Tower Hamlets' Strategic Development Committee (10 December 2015) resolved that permission should be refused for reasons relating to heritage, townscape impacts, site design principles, affordable housing, housing mix and choice and amenity impacts (daylight and sunlight).

In April 2016 the GLA's officer report recommended the planning permission should be refused for reasons relating to heritage, design, amenity (daylight and sunlight). The London Mayor agreed to defer the determination hearing to allow the applicant further time to evolve the design and work with the GLA and the boroughs to respond to comments.

Since the cancellation of the Stage 3 hearing in 2016, substantial negotiations have taken place with the GLA and officers of both boroughs along with community engagement. The original application plans have been amended to reduce the overall amount of development, to reduce building heights, to change the balance of uses across the western and eastern parts of the site and to introduce new access routes and open spaces. Revised plans were formally submitted in October 2019 for the scheme as proposed.

As revised, the development would be arranged as a series of building plots, fronting existing streets and linked with new internal routes. Plot 2 in Hackney would comprise office and retail space in a building of 17/29 storeys. Plots 1 and 3 straddle the boundary of Tower Hamlets and Hackney and would provide office and commercial floorspace in buildings of up to 16 storeys (Plot 1) and 7 storeys (Plot 3).

Plots 4, 5 and 10 in Tower Hamlets would provide residential development in a series of buildings situated on both sides of the Overground viaduct, along Bethnal Green Road and Sclater street ranging from 6 storeys up to a maximum of 19 storeys. Plot 6 would be purpose built for community/cultural uses fronting onto Brick Lane and be up to 4 storeys in height. Plot 8 would provide residential and hotel floorspace in a building situated on top of the viaduct and up to 25 storeys in height, with two linked "pavilion" buildings of four storeys.

Public open space is proposed above the Braithwaite Viaduct with access from Braithwaite Street Brick Lane and London Road. Retail, leisure and food and drink uses are proposed for the listed and un-listed Braithwaite viaduct arches with access from London Road and a parallel route to the north.

The planning application is part outline and part detailed. The outline element would include maximum and minimum development 'parameters (volumes and land uses) as well as a Design Guide. Approval of full details is sought for Plot 2 (the tallest element within Hackney) and most of Plot 7 (comprising the listed part of the Braithwaite Viaduct.

Two rounds of public consultation have been undertaken, one in October 2019 and one in July 2020 following the submission of revised details. A total of 360 letters of objection from members of the public in addition to local amenity groups have been received. These have raised concerns including the harmful impact of the scale of development, the impact on conservation areas and other heritage assets, the lack of affordable housing, the saturation of hotel and other short stay accommodation in the area and the utility of an office led development following the Covid 19 pandemic. 14 letters of support for the development have been received.

In policy terms, Bishopsgate Goods Yard is a site allocation in the Tower Hamlets Local plan which sets identifies the following land uses - Housing, employment in a range of floorspace sizes, including small-to-medium enterprises, strategic open space (minimum of 1 hectare), community/local presence facility and a leisure facility. Further design, delivery and placemaking principles are included. The site is also allocated in the LB Hackney draft Shoreditch Area Action Plan as a significant opportunity for optimising density with a mixed-use development that provides a balance between maximising employment floorspace and optimising housing.

The proposed development would broadly address the requirements of the site allocation by providing a mixed use employment led scheme with an open space of 1.26ha, a community facility and space for cultural uses. Within the three B1 office buildings proposed for the western end of the site, substantial areas of affordable workspace would be provided, discounted to up to 60% below local market rates. Heritage assets on the site, including the Grade II listed Braithwaite Viaduct and Oriel Gateway on Historic England's Building's at Risk Register, would be restored and brought back into use.

New retail space would be created across the site, but particularly in the restored historic arches. At least 10% of the retail floorspace would be secured for independent retailers, including 2% for micro-entities and start up retailers. As well as the new open space, which would be provided at 'platform' level on top of the Braithwaite Viaduct, 1.3ha of new public realm would be created at ground floor level, including a new east/west pedestrian route (Middle Road) linking Brick Lane with Commercial Street.

Affordable housing would be provided at 50% of habitable rooms, meaning that a viability assessment is not required. The affordable tenure split would be 51/49 intermediate to affordable rent, a departure from the usual 30/70 split, as policy allows flexibility of tenure for additional affordable units provided above 35%. Affordable rent units would be split 50/50 between London Affordable Rent and Tower Hamlets Living Rent. At least 50% of the Intermediate units would be London Living Rent, including all of the three-bedroom units in this tenure, with the remainder as Discount Market Rent (DMR) and Shared Ownership. Income criteria secured through the S.106 for the DMR units would ensure that they were genuinely affordable. The mix of unit sizes for both intermediate and affordable rent housing would be in line with policy, with an emphasis on family sized housing. The market housing is heavily skewed towards one bed units, though the applicant has indicated that they would be willing to review this at reserved matters stage.

The scheme includes a 150 bed hotel. Whilst new visitor accommodation is generally supported in the Central Activities Zone, officers have raised concerns that the hotel would occupy space that could otherwise be used for housing and thus fail one of the policy tests. The applicant has sought to demonstrate through the submission that the part of the site that would be occupied by the hotel would be unsuitable for housing due to structural limitations, and the difficulties of

accessing and servicing the buildings if they were not part of a hotel. There is some merit in these arguments. Given that the hotel would be complimentary to the employment/leisure functions of the site and a change to residential would in any case yield only a small number of additional homes, it would be difficult to fully sustain an objection to the provision of the hotel.

With regard to the design, concerns remain regarding the bulk and scale of the three office blocks on Plots 1, 2 and 3. Plot 2 would be particularly bulky and imposing and have an impact, amounting to *less than substantial harm* to the settings of surrounding conservation areas and associated listed buildings in the vicinity of the Goods Yard site. Plots 1 and 3 would have more localised impacts on the street scape. It is acknowledged that there would necessarily be some degree of adverse impact on heritage if a development of any substantive scale were to come forward on the site. For the remainder of the site, the parameter plans and Design Guide are an acceptable basis for reserved matters applications. It would have been preferable if more information regarding the impact on heritage assets within the site could have been provided as part of the application.

In daylight/sunlight terms, there would be major impacts on a number of neighbouring properties under the maximum parameter scheme. These impacts would be significantly reduced compared to the development as originally submitted. The greatest impact would be to flats within the Avant Garde development to the north of the site, to a cluster of buildings at the eastern end of Sclater Street and to flats above 154 Commercial Street facing Plot 3 in the southwest corner of the site. The impacts on a small number of flats within the latter would be particularly severe. A scheme built below maximum parameters would reduce harm to the amenities of Avant Garde building residents, though even the minimum parameter would only result in a limited improvement for homes within 154 Commercial Street compared to the maximum.

The application is generally acceptable from a transport perspective, providing a high density scheme in a highly accessible locating, providing additional pedestrian permeability and a contribution totalling £6,470,000 towards highways, pedestrian and cycling improvements in the vicinity of the site.

The servicing of the proposed development is constrained given that vehicular access would be constrained by retained historic structures. There would be very significant additional vehicular movements on Braithwaite Street which would provide access to the largest servicing yard. At present Braithwaite Street is virtually traffic free and is a well-used north/south connection for pedestrians and cyclists. The applicant has committed to cap and target the reduction of servicing trips and this would be secured through the S.106 agreement, along with robust measures for its monitoring and enforcement. On balance the proposed servicing arrangements would be acceptable.

The development would have significant town-scape impacts on the surrounding area on account of the height and scale of the proposed buildings. These include harm to the setting of heritage assets, to which the NPPF ascribes great weight and to the amenities of neighbours through loss of daylight and sunlight. The servicing needs of the development would detract from a key existing pedestrian and cycling route.

Against these harms and deficiencies must be weighed the public benefits of the scheme. These include bringing the site into beneficial use in a manner consistent with the local plan site allocation, delivery of 50% affordable housing; the employment and business opportunities generated by the B1 offices, which include substantial areas of affordable workspace; the restoration of historic buildings at risk; the new pedestrian routes across the site; the retail floorspace, with a proportion for independent and start-up businesses; a fully fitted out community facility available at peppercorn rent; two locations for cultural uses; the financing of wider transport improvements; a new public park and public toilets.

On balance, these public benefits are considered to outweigh the concerns set out above, including the *less than substantial* harms to heritage assets identified to which great weight must be given in the assessment. It is therefore recommended that Tower Hamlets should advise the Mayor of London that the borough in its capacity as a planning authority does not object to the applications subject to the planning conditions and satisfactory completion of a Section 106 legal agreement to secure the planning obligations set out at the end of this report.



Figure 1 – Site Plan

1. APPLICATION SITE AND SURROUNDINGS

- 1.1 The site is 4.4 hectares in size and straddles the boundary between Tower Hamlets and Hackney, with approximately 28% of the western end of the site in the neighbouring borough. The site is bounded by Bethnal Green Road/Sclater Street to the north, Brick Lane to the east, Commercial Road to the west and an open cut mainline railway lines serving Liverpool Street to the south. Braithwaite Street/Wheler Street passes north through the application site itself.
- 1.2 Historically the site was a goods station and a suburban line passenger station prior to services moving to Liverpool Street station but has been largely vacant following a fire in 1964. Approximately half the surviving structures on site were demolished in 2002/2003 to make way for the London Overground railway with its elevated viaduct which runs east/west through the site close to the northern edge of the site and includes Shoreditch High Street Station. The most significant heritage structures remaining from the historical use are the (inactive) Braithwaite Viaduct that formerly led into the goods terminus, an oriel window and associated gateway and forecourt wall (that face onto Shoreditch High Street), all of which are Grade II listed and are on Historic England’s Heritage at Risk Register as they are in poor repair.

- 1.3 Also preserved on site are the goods yard's boundary wall to Sclater Street and Bethnal Green Road and, to the north of this, a group of unlisted historic buildings; The Weavers' Cottages (c. 1719), The Mission Hall (c. 1876) and the Victorian Building (c.1877).
- 1.4 Parts of the site currently host two temporary uses. The northwest corner between the Overground Viaduct and Bethnal Green Road is occupied by 'Boxpark'; shops, café and restaurants in repurposed shipping containers, whilst the centre of the site between the Overground and Braithwaite Viaduct is used for five a side 'Powerleague' football pitches. The Braithwaite Viaduct itself, which occupies a large portion of the southern part of the site, is derelict and inaccessible to the public.
- 1.5 Aside from the Overground line and the mainline railway lines, the London Underground Central Line runs diagonally underneath the site whilst a BT tunnel runs north/south below the line of Braithwaite Street.
- 1.6 In terms of planning policy designations, the whole of the site is within the Central Activities Zone (CAZ) an Archaeological Priority Area and an Area of Poor Air Quality. A small area on the northern edge of the site, including the historic buildings fronting onto Sclater Street, are within the Fournier Street Conservation Area. The site has its own Site Allocation designation in the Local Plan.
- 1.7 The north western corner of the Goods Yard lies within the London View Management Framework's Background Wider Setting Consultation Area of the Westminster Pier to St Paul's Cathedral Protected Vista (View 8A1). The central and south eastern part of the Goods Yard lies in the Background Wider Setting Consultation Area of the King Henry VIII's Mound Richmond to St Paul's Cathedral Protected Vista (View 9A.1).
- 1.8 Beyond the site, to the north Bethnal Green Road is commercial in nature, characterised by former warehouses converted to other uses. The 'Tea Building' at the far western end of that street is a particularly notable warehouse typology example. The scale of development is generally mid-rise, though the 25 storey residential Avant-Garde tower, constructed within the last ten years, is an exception. The two-storey Huntingdon Industrial Estate site is itself subject to a current strategic planning application and previously received consent (on appeal) for a 14 storey (69.2m AOD) development. Further north is the historic street pattern and buildings of the Redchurch Street Conservation Area and the Boundary Estate where the established building height is 3 to 4 storeys .
- 1.9 To the north-west of the site in the Borough of Hackney, Shoreditch High Street and the surrounding South Shoreditch Conservation Area is generally characterised by commercial uses and is generally between 4 and 5 storeys in height. Immediately to the west, recent planning permissions within Hackney have resulted in a much greater scale of development being constructed, for instance The Stage at 40 storeys, (141.5m AOD), 2 Principal Place at 50 storeys (175m AOD) and 201-207 Shoreditch High Street (30 storeys).
- 1.10 To the southwest is the Elder Street Conservation Area, within Tower Hamlets, 3-4 storeys high with Grade II listed Georgian townhouses a notable feature, with the edge of the City of London and Liverpool Street Station set further beyond.
- 1.11 To the south is the Brick Lane/Fournier Street Conservation Area, extending south towards Spitalfields and featuring a mix of residential, commercial and retail uses in a network of small streets. To the east is Brick Lane running north/south along the edge of the site and characterised by shops, bars and restaurants where the predominant height is 3 and 4 storeys with the buildings of the former Truman's Brewery site rising to a greater height.

1.12 The majority of the site has the highest possible Transport for London (TfL) Public Transport Accessibility Level (PTAL) 6b 'Excellent' with the remainder to the east have a PTAL of 6a due to the quantity and range of bus services close by, as well as the presence on site of Shoreditch Highstreet Station.



Figure 2 – Aerial view of site

2. PROPOSAL

2.1 The part outline/part detailed all reserved matters discharged (i.e. hybrid) planning application has been submitted and best summarised as an office led, mixed use development of the site with substantial residential, retail, hotel, food and drink and assembly/leisure components to the scheme.

Land Use	Tower Hamlets (maximum)	Development total (maximum)
Residential (Use Class C3)	44,067sqm	44,067sqm
Office (Use Class B1a)	22,822sqm	130940sqm
Hotel (Use Class C1)	11,595sqm	11,595sqm
Non-residential institutions/assembly and leisure (Use class D1/D2)	4,109sqm	6363sqm
Public conveniences (sui generis)	301sqm	301sqm

Table 1: Proposed land uses

- 2.2 The office development would be almost exclusively located in the western part of the site, with residential buildings in the middle and eastern parts of the site and a hotel towards the centre of the site.
- 2.3 Retail provision would be primarily at ground floor level of the new buildings and located within the retained Braithwaite viaduct arches. Open space would be provided at both grade (ground level) and 'platform' (or what might be described as 'podium' level) set above the ground level. New public routes would be created across the site, in particular the proposed east/west "Middle Road" and enclosed "London Road"
- 2.4 The site is divided into 10 development plots for the purposes of the application. Full planning permission (i.e. no Reserved Matters) is sought for Plot 2, where a 26 storey office building is proposed, and the majority of Plot 7 where the Grade II listed Braithwaite Viaduct, Oriel Gateway and associated structures would be restored and brought back into use.
- 2.5 Outline permission is sought for the 8 other plots, which if granted would require details of the Reserved Matters, namely means of access, appearance, layout, scale and landscaping to be submitted and approved at a later date. The exception is that approval of reserved matters will be determined by the boroughs.
- 2.6 The outline component of the development would be controlled by a Design Guide, a Development Specification and associated parameter plans. that defining the maximum and minimum heights for each development plot, the footprints of the proposed buildings, and prospective land uses. The Design Guide also includes site wide design principles, a Residential Strategy, and descriptions of how the design on individual plots would be expected to be realised. As well as these documents, various illustrative drawings and details have been provided within the Design and Access Statement showing how development could come forward at reserved matters in accordance with the control documents. A planning condition would require discharge of future reserved matters applications and for these to comply with the parameter plans and Design Guide.
- 2.7 Listed building consent is sought for the works to the listed part of the Braithwaite Viaduct and the Oriel Gateway in parallel with the planning application.
- 2.8 Development for each specific plot is set out as follows:

Plot 1 (Outline)

2.9 Located in the north-western part of the site and including the current location of the Boxpark temporary retail units, part of the 'boxed' (enclosed) section of the Overground Viaduct and land to the south, the majority of this plot is within Hackney. A single building is proposed that would be constructed north, south and above the Overground Viaduct, including the section containing Shoreditch High Street Station.

2.10 The proposed building on this plot would be broken down into two segments of up to 12 and 16 storeys (max, height 89.2m AOD). The ground floor would include retail units facing onto Bethnal Green Road, Shoreditch High Street and the new Middle Road across the site. The upper storeys would be office floorspace. One of the three proposed servicing areas would be on the ground floor of this plot, accessed via a new crossover onto Bethnal Green Road. It is also anticipated that additional access to Shoreditch High Street Station could be incorporated into this block.

Plot 2 (Full details)

- 2.11 Plot 2 lies entirely within Hackney and would be occupied by a part 26 storey (max. height 142.40m AOD) part 16 storey tower. This would be the tallest element of the proposed scheme. The tower would be entirely office floorspace apart from the lower floors, which would be retail. A total of 66,930sqm of office space would be provided.
- 2.12 Full planning permission is sought for this building rather than outline permission, and as such detailed designs of the proposed building have been submitted. The design is characterised by a cantilevered western section, described as a 'prow' in the Design and Access Statement, raised 10m above public open space at platform level, a red metal superstructure and projecting glazed horizontal 'fins' at regular intervals on the façade to serve as wind mitigation. The primary finishing material would be glazing.
- 2.13 Some un-listed railway arches at the western end of the site would be demolished to make way for this building.

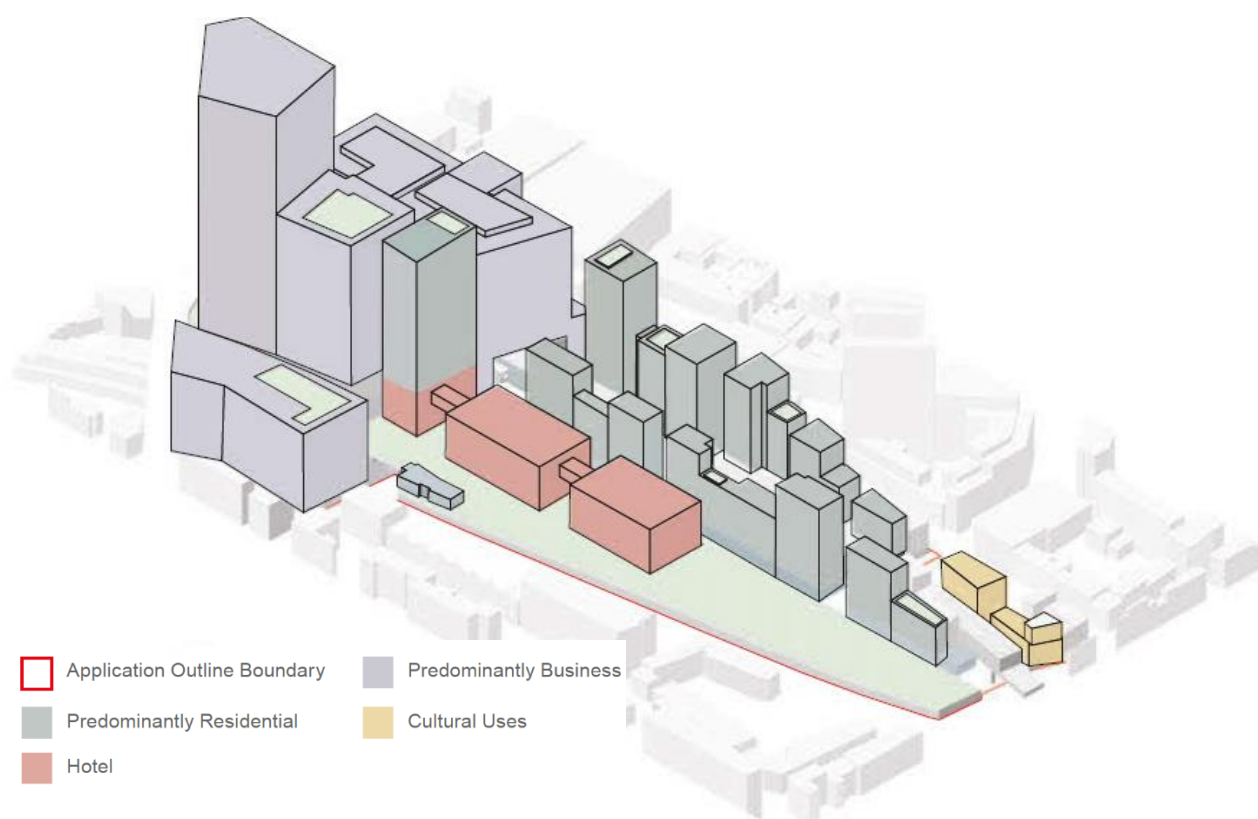


Image 2 -Massing diagram (maximum parameter)

Plot 3 (Outline)

- 2.14 Occupying the south western corner of the site and fronting onto Commercial Road and Quaker Street, this plot is split approximately 50/50 between Hackney and Tower Hamlets. A single building of up to 7 commercial storeys (max. height 53.5m AOD) is proposed, the majority of which would be constructed over the mainline railway. Retail is proposed for the ground and second floors, with access from the Braithwaite Viaduct open space as well as street. The upper floors would be office space. The scale of the block is described as 'transitional' between the scale of Plot 2 immediately to the north and existing development beyond the site to the south.

- 2.15 This plot as includes western section of the enclosed former London Road, which is proposed as D1 floorspace, possible for exhibitions. This space would be accessible from Braithwaite Street to the east and Commercial Road to the west via a lift and stairs.
- 2.16 The (unlisted) disused ramp that previously provided access to the top of the viaduct would be demolished to allow this block to span the width of the railway.

Plot 4

- 2.17 Plot 4 fronts on to the junction of Bethnal Green Road and Sclater Street and is opposite the entrance to Shoreditch Hight Street Station. A single residential building backing onto the Overground viaduct is proposed in three sections; a taller element of up to 19 storeys (max. height 81.5m AOD) at the western end, up to 13 (62.3m AOD) storeys at the eastern end and a lower 11 storey section in the middle. A minimum of 119 and maximum of 144 residential units are proposed for this block, as well as a small retail space on the ground floor.
- 2.18 The existing boundary wall to the Good Yard would be incorporated into the block at ground floor level, with new openings created for windows and doors. The upper storeys would be completed in brick with a mix of projecting and inset balconies. An amenity/playspace is proposed for the roof of the central element, with biodiverse roofs to those of the higher elements.

Plot 5

- 2.19 Plot 5 is to the east of Plot 4 and is also located between Sclater Street and the Overground viaduct. It includes the Weaver's Cottages, Victorian Building and Mission Hall, located to the north of the Goods Yard boundary wall that runs diagonally across the plot.
- 2.20 The plot would be primarily residential, with a minimum of 58 and maximum of 84 flats in three blocks of up to 13 (61.9m AOD), 10 (52.7m AOD) and 6 storeys (39.1m AOD), declining in height from west to east. As with Plot 4, all of the blocks would be set behind the boundary wall, which would again be incorporated into the buildings' bases. Indicative plans show the three blocks differentiated by their materials and metal lettering to their roofs. As well as residential accommodation, these buildings would also provide for some retail space at ground floor level and a unit set aside for a doctor's surgery.
- 2.21 The historic buildings to the north of the boundary wall would also be refurbished and brought back into use as part of the scheme. The Mission Hall would be converted to a café and connected to a larger retail unit via a new opening in the boundary wall. There would be space for café seating in the public realm on both sides of this building. The Victorian Building would be converted to two flats above two retail units, with modern extensions to the rear removed and with Victorian shopfronts restored. The Weavers' Cottages would be converted into 'coworking' office space (B1) in the outline proposals, with extensions to the rear. An additional 'gateway' building would be added to the east of the Weavers' Cottages, allowing pedestrian access under the viaduct to Plot 7.
- 2.22 Plot 5 would provide access from Sclater Street to one of the three servicing yards, which would mainly be located under the Overground viaduct.

Plot 6

- 2.23 This small plot fronts onto Brick Lane at the eastern boundary of the site to the north of the Overground viaduct. A single four storey building (max. height 32.6m) exclusively for class D1 or D2 uses is proposed.

2.24 As well as its frontage onto Brick Lane, the building would be oriented towards a street level public square adjoining Brick Lane.

Plot 7 (Full details for plots 7a, 7b, 7c 7d and listed building consent, outline for plot 7e)

2.25 Plot 7 comprises the existing historic built structures at ground floor level on the southern part of the site including the Oriel Gateway (Plot 7a), The Braithwaite Viaduct (Plots 7b, 7c and 7d) and the eastern section of London Road (Plot 7e).

2.26 Plot 7a is the Grade II listed Oriel Gateway with associated forecourt wall and arches at the far western end of the site. It is entirely within Hackney. The gateway would be restored and repaired to provide one of the main pedestrian accesses to the scheme. Part of the listed wall would be removed to provide improved public realm and pedestrian access. The arches within this sub-plot would provide commercial space.

2.27 The Grade II listed Braithwaite Viaduct arches comprise plots 7b, 7c and 7d, and are entirely within Tower Hamlets. The viaduct would be repaired and restored, with the space within the arches converted into retail and food/drink units. The entrances to the arches would be enclosed with new shopfronts, which would front onto the proposed new east/west route to the north (described as Middle Road) and the reopened internal London Road to the south. There would be two north/south routes created through the arches. Also within this plot, a section of (un-listed) barrel vault would be removed above Braithwaite Street to allow servicing access to the largest of the servicing area within the scheme on the ground floor of plot 2.



Image 3 – CGI (indicative) of restored London Road, with listed Braithwaite Arches on the left hand side.

2.28 Plot 7e comprises the unlisted London Road, a historic east-west route within the main viaduct structure running alongside the northern edge of the mainline railway. This would be reopened for pedestrian access towards its eastern edge, connecting Braithwaite Street with Brick Lane, and to provide access to units within the arches. Historic features would be retained within the

design, including tram tracks, turntables and cobblestones. Also included is the Boiler Room containing the hydraulic accumulator; a historic engineering feature. This would be converted into a visitor centre. A stairway accessing the open space on top of the viaduct would also be provided next to the boiler room.

Plot 8

2.29 Plot 8 would be situated in the centre of the site, mainly above the Braithwaite Viaduct. Its principal element would be a building rising up to 25 storeys (max height 105.8m AOD) immediately to the east of Block 2 and accessed from Braithwaite Street beneath the viaduct, with the new building passing through the structure. This building would be linked by bridges to two four storey 'pavilion' buildings constructed on top of and supported by the Braithwaite viaduct itself. All three buildings would have access to the platform level public space.

2.30 This plot would contain a hotel of up to 11,595sqm (equivalent to 150 bedrooms) and associated facilities, which would be located in the lower floors of the tall building and the upper floors of the pavilion buildings, connected internally by the bridges. The upper storeys of the tower would contain between 91 and 138 residential units whilst the ground floor of the pavilion buildings would host restaurants (use class A3), opening out into the platform level public space.

Plot 10: (Outline) (note that Plot 9 has been deleted from the scheme)

2.31 Plot 10 is a narrow strip of space between the Overground viaduct to the north and the new east/west pedestrian route through the site to the south. Three buildings are proposed for this plot of varying heights of up to 12 storeys (max. height 57.3m AOD). All would have double height retail space facing onto the pedestrian route, with residential units above. Between 78 and 134 residential units would be provided.

2.32 In the block at the eastern end of the plot, stairs, a public lift and a bridge would be constructed to provide access to the main public open space located on top of (platform level) of the Braithwaite Viaduct. Amenity and play space would also be provided on the roofs of the lower sections of the blocks.

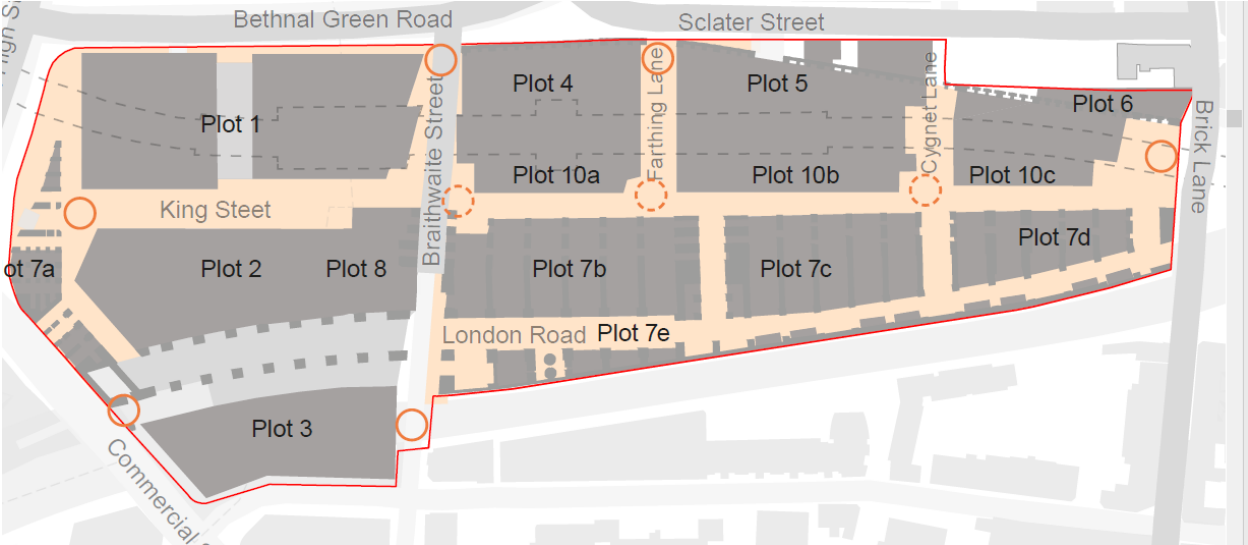


Image 4: Location of plots within scheme (ground floor level)

Public Open Space and Plot 11 (Outline)

- 2.33 12,854sqm of public open space would be created at 'platform' level above the Braithwaite Viaduct and, wrapping around the buildings on plots 2 and 8, would cover the full length of the site. The open space would be divided into 'character areas'. These would include a large consolidated open space at the eastern end including an open lawned type space and a wooded play area, smaller gardens set between the buildings on the platform level, 'balconies' at each end of the site and a linear soft landscaped route linking all the platform level open spaces.
- 2.34 The indicative plans show that there would be an inaccessible 3m buffer zone along the southern edge of the viaduct where it borders the mainline railway, which would be landscaped with biodiverse planting. Play space, seating and paved areas would be included, as well as a proposed reserved matter water tower feature at its eastern end which would be visible from Brick Lane itself. The open space would be accessed by stairways and lifts. Residential buildings in Plot 10 would be connected to the open space by bridges over Middle Road, which would include an access from Brick Lane. The open space would be accessible directly from plots 2, 3 and 8, with restaurants and shops at platform level in these blocks opening out onto the park.
- 2.35 A single storey podium building, described as plot 11 on the plans, would be constructed on the southern edge of the park to provide 170sqm of retail space.
- 2.36 There would be a series of public spaces at grade (street) level that would match the open space at platform level in area. This would include the new east/west identified as Middle Road, which would be terminated by public squares at both the eastern Brick Lane and western Oriel Gateway ends. As well as the retained north/south Braithwaite Street/Wheler Street, two new north-south routes would be created across the site linking Sclater Street to London Road.
- 2.37 The delivery of the blocks would be phased in accordance with the table below. Plot 2, which is by far the largest, would commence first and be constructed concurrently with work to restore the Braithwaite Aches and other heritage assets. Housing and the community/cultural use in Plot 6 would follow in the next phase.

Phase	Plots/Buildings	Indicative Stat/End Date
Phase One	Plot 2 (public realm and podium including Plot 11 up to Braithwaite Street)	January 2021 – June 2024.
Phase Two	Plot 7 – Retail units in the arches	November 2021 – November 2022
Phase Three	Plots 5 and 10b and building 6 (residential and cultural/community uses)	November 2022 – March 2025
Phase Four	Plots 8A, 8B, 8C and 11 (hotel and residential)	August 2025 – September 2028
Phase Five	Building 10C (residential)	July 2028 – August 2031
Phase Six	Plot 1 (office)	October 2028 – Sept 2031
Phase Seven	Plots 4 and 10A (residential)	June 2030 – January 2033
Phase Eight	Plot 3 (office)	September 2031 – January 2034.

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Table 2: Indicative phasing plan

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 The current planning application (PA/14/02011) and its associated application for Listed Building Consent were originally submitted on 09/09/2014 simultaneously with applications to Hackney Council for the parts of the site within the neighbouring borough. The planning application had the following description of development:

“An OUTLINE application for the comprehensive mixed use redevelopment of the site comprising:

- Residential (Class C3) comprising up to 1,464 residential units;
- Business Use (Class B1) – up to 52,991 sqm (GIA);
- Retail, financial and professional services, restaurants and cafes and hot food takeaways (Class A1, A2, A3 and A5) – up to 18,229 sqm (GIA);
- Non-residential Institutions (Class D1) – up to 108 sqm (GIA);
- Assembly and Leisure (Class D2) – up to 661 sqm (GIA);
- Public conveniences (sui generis) – up to 36 sqm (GIA);
- Ancillary and plant space – up to 11,295 sqm (GIA);
- Basement – up to 8,404 sqm (GIA);
- Formation of new pedestrian and vehicular access and means of access and circulation within the site;
- Provision of 22,088 sqm of new public open space and landscaping.

The application proposes 12 buildings that range in height, with the highest being between 180.4m AOD and the lowest being 23.6m AOD. With all matters reserved save that FULL DETAILS are submitted for alterations to and the partial removal of existing structures on the site and the erection of three buildings for residential (Class C3), namely Plot C (30-35 storeys, plus plant); Plot F (47 storeys, plus plant); Plot G (43 storeys, plus plant) comprising up to 1,038 of the total residential units; and retail and food and drink uses (A1, A2, A3, A5); and use of the ground and basement levels of the Braithwaite Viaduct for retail and food and drink uses (A1, A2, A3, A5). Works to and use of the Oriel and adjoining structures for retail and food and drink uses (A1, A2, A3, A5).

For that part of the site within LB Tower Hamlets, the proposed development comprises the following mix of uses:

- Up to 95,619 m² (GIA) of residential use (Class C3);
- Up to 20,118 m² (GIA) of Business Use (Class B1);
- Up to 2,998 m² (GIA) of Retail Use (Class A1, A2, A3);
- Up to 9,398 m² (GIA) of Retail Use (Class A1, A2, A3, A5);
- Up to 108 m² (GIA) of Non-residential Institution Use (Class D1);
- Up to 661 m² (GIA) of Assembly and Leisure Use (Class D2);
- Up to 36 m² (GIA) of sui generis use;
- Up to 8,026 m² (GIA) of ancillary and plant space;
- Up to 5,068 m² (GIA) of basement.

3.2 The listed building application had the following description:

“Application 2 - Restoration and repair of existing Grade II listed Braithwaite Viaduct and adjoining structures to provide for proposed class A1/A2/A3/A5 retail use at ground and basement levels. Structural interventions proposed to stabilise London Road structure, removal of sections of London Road roof to create openings over proposed new public squares; formation of new shopfront openings, installation of new means of public access up to park level. Part removal of adjoining unlisted wall on Brick Lane to provide improved public realm and pedestrian access into the site.”

- 3.3 In 2015, further amendments were made, reducing the number of new homes to 1,356 new homes and changing the non-residential floor space to 65,000 m² office space including Small to Medium Enterprise (SMEs) and 17,000 m² of retail space.
- 3.4 In September 2015, the applications were taken over by the Mayor of London and this process confirmed that the Mayor would act as the local planning authority for the purposes of determining the planning applications.
- 3.5 Both Tower Hamlets and Hackney Council’s reported the applications to their respective planning committees to secure a resolution on what decision the Councils would have made if they were able to determine the application and hence set their respective position at the Mayor of London’s planning hearing.
- 3.6 Tower Hamlets Strategic Development Committee (10 December 2015) resolved that permission should be refused for reasons relating to heritage, townscape impacts, site design principles, affordable housing, housing mix and choice and amenity impacts (daylight and sunlight). Hackney’s Planning Sub-Committee (also 10 December) resolved that permission should be refused for reasons relating to land use (employment), affordable housing, heritage (on site and wider area), design, daylight/sunlight and air quality.
- 3.7 In April 2016 the GLA’s officer report recommended the planning permission should be refused for reasons relating to heritage, design, amenity (daylight and sunlight). The London Mayor agreed to defer the determination hearing to allow the applicant further time to evolve the design and work with the GLA and the boroughs to respond to comments.
- 3.8 The current proposals follow from extensive discussions with the GLA and boroughs. Although considered under the same planning application, for which the GLA remains the Local Planning Authority, the current scheme is very different to the original proposal submitted in September 2014.
- 3.9 A ‘Holding Direction’ on the applications, requiring that the GLA refer them to the Secretary of State has been imposed before a final decision is made.

Temporary uses within the site

- 3.10 PA/17/01329: Retention of temporary 'Boxpark' shopping facility for up to five years through the siting of 6 shipping containers for A1 use and 1 half-size container for ancillary storage use at ground floor level and part of 4 shipping containers for A3 use at first floor level, with associated outdoor seating area (in connection with approved temporary shopping facility on adjacent site in Hackney). **Approved 24/05/2018.**
- 3.11 Recently planning application PA/20/01491 has been submitted to continue the Boxpark use to the 31st May 2023.

- 3.12 PA/17/3240: Renewal of temporary (5-year) use of vacant land at Bishopsgate Goods Yard as a football centre (Use Class D2) comprising 9 five-a-side and 3 seven-a-side floodlit all-weather football pitches and supporting ancillary facilities. **Granted 14/082018.**

Relevant neighbouring sites

Huntingdon Industrial Estate, Shoreditch High Street

- 3.13 PA/20/00557: Demolition of the existing buildings, excluding the façade of 30-32 Redchurch Street, and redevelopment to provide a mixed-use development within a single building rising to three, seven and nine storeys maximum AOD height circa 56m comprising office (up to 14393 sqm of B1(a)) floorspace, up to 1444 sqm flexible commercial floorspace (B1(a)/B1(c)), and up to 1171 sqm flexible retail floorspace (Use Class A1 and A3) along with servicing facilities, cycle parking, vehicle parking and associated works. **Not yet determined.**
- 3.14 PA/13/01638: Demolition and redevelopment to provide a mixed use development comprising two basement floors and between 2 - 14 storeys. The proposal provides 78 residential units (Use Class C3), 456 sqm Class A1, 359 sqm Class A1/B1/D2 and 1,131 sqm A1/A3/A4/D2 at basement and ground floor; parking, plant and ancillary accommodation; a central courtyard and accessible amenity roof terraces. **Appeal allowed 05/08/2015.**

The Fusion

- 3.15 PA/13/02529: Erection of a building up to six storeys to provide basement gym, ground floor commercial (Use Classes A1, A2, A3 and B1) and 39 dwellings above.

The Stage (Hackney)

- 3.16 2012/3871: Demolition of existing building and erection of 4 buildings around an area of new landscaped open space to comprise: a 40-storey tower to provide 385 residential units (Class C3), shared space and flexible retail/restaurant/bar floorspace at ground floor; a 9 storey building with office floorspace (Class B1) and flexible office/retail/professional services/restaurant/bar (B1/A1/A2/A3/A4) floorspace; a 13 storey building with office floorspace (Class B1) and flexible office/retail/professional services/restaurant/bar (B1/A1/A2/A3/A4) floorspace and loading bay; & 2 storey education & events building (Mixed Use Class D1 and D2).

2 Principal Place (Hackney)

- 3.17 2011/0698: Demolition of the rear of 233 Shoreditch High Street, perimeter walls, viaduct structure across Plough Yard and all other structures on the site; erection of a decking structure and development comprising the erection of one part 10, part 16 storey building; one 50-storey block comprising 243 private residential units (111x one bed, 121 x two beds and 8 x three beds); Affordable housing component of one 14 storey block providing 39 units and one 6 storey block providing 17 units (3 x one bed, 6 x two beds, 6 x three beds and 2 x four beds)

201-207 Shoreditch High Street (Hackney)

- 3.18 2015/2403: Demolition of existing buildings and structures and erection of a part 7, part 10 and part 30 storey building (plus 2 levels of basement) comprising office (Class B1) and hotel (Class C1) accommodation with ancillary retail, restaurant, event space, lounge and amenity areas; roof terraces; refuse and recycling facilities; cycle parking; servicing and plant; and landscaping.

4. PUBLICITY AND ENGAGEMENT

4.1 Neighbouring properties were notified in Tower Hamlets regarding the application as originally submitted. Site notices were also erected and the application was also advertised in the local press.

4.2 In total 511 letters of objections were received to the original submission raising the following concerns:

- The scheme would be overdevelopment, too dense, overbearing and out of scale with local context.
- Excessive height, particularly the two tallest towers in an area generally comprising low to mid rise buildings.
- Location not identified in planning policy as being where tall buildings are acceptable.
- Location not suitable for towers as is not the City.
- Other local buildings do not justify proposed scale.
- Design of towers generic and inappropriate for location.
- Harm to the surrounding conservation areas and listed buildings.
- Historical hierarchy of street would be destroyed.
- Loss of historic fabric within the site.
- Significant overshadowing to the north.
- Overshadowing of proposed park.
- Height of buildings would cause unacceptable wind speeds, in combination with those already caused by the Avantgarde Building.
- Loss of privacy to Avantgarde Tower due to overlooking: impact on human rights.
- Insufficient affordable housing, failing to address local housing need.
- Would not constitute sustainable development.
- Office blocks should not be built outside the City in an area like Shoreditch as they will fundamentally change the character of the area.
- Development would not meet need for affordable workspace.
- Scale and mass threatens the future of the local business community.
- A medium to low rise scheme could deliver the same density whilst remaining of a human scale.
- Undermine the status of Spitalfields as an international attraction and hub for creative businesses.
- Scale of development should step down from city blocks to existing scale of Shoreditch.
- Lack of real commitment to local training and employment.
- Failure to provide the required community facilities.

4.3 Five letters of support were received raising the following points:

- Scheme is consistent with area's regeneration and improvement.
- The City Fringe is the right place for the proposed height and density.

4.4 Following the amendments to the scheme, reconsultation was undertaken by the GLA in their role as planning authority. A first reconsultation took place in November 2019 and a second in July 2020 following amendments to the plans. 3473 letters were sent to neighbouring addresses in Tower Hamlets and 2142 to those in Hackney. The Council has been advised that a total of 360 letters of objection were received by the GLA. The following issues were raised in objection.

Consultation

- Consultation has been inadequate, minimal and tokenistic.
- Consultation undertaken close to Christmas and during an election considered cynical

- Consultation period should have been extended
- Applicant did not undertake sufficient pre-application consultation with the local community
- Quantity of information presented online difficult to navigate and comprehend

Principle of development

- The development would be exclusionary.
- Development is fundamentally unsuitable for the site.
- Development does not acknowledge unique cultural legacy of the area.
- Site should be a park with a few low rise buildings
- Scheme is a corporate monstrosity that feels out of date
- Other parts of London that need investment should be developed instead
- Public Land being used for private gain.
- Locality does not need more hotel, air bnbs and high end housing
- Area being converted to a commercial one with retail, hospitality and office uses.
- Public should retain the green space on the site.
- Too much retail on the site
- London has a housing crisis not an office crisis.
- Development based on offices and retail is unrealistic in light of pandemic
- The application should be decided at a local level by Hackney and Tower Hamlets Councils
- Insufficient community provision
- Loss of market, sporting facilities and car park on the site.

Housing

-
- Market units would be purchased by investors and landlords, not local people.
- There is a surplus of housing of the type proposed in the area.
- There should be 60% social housing.
- Insufficient affordable housing, particularly affordable rent
- Thousands of people in Tower Hamlets & Hackney on housing waiting lists.
- The homes on offer will be unaffordable to locals

Urban Design

-
- Wall of development along Shoreditch High Street
- Would add to claustrophobic, dark and windy nature of western side of Shoreditch.
- Height would be oppressive and overbearing.
- Massing would create a hostile and harsh terrain.
- Overdevelopment/excessive density
- Height and mass of buildings out of scale with the site and its surroundings
- Height of Building 2 although reduced is still too excessive
- Height and scale of Building 1 is too high and out of keeping with the Tea Building opposite.
- Plot 3 is too tall and bigger than surrounding buildings
- Scheme will be a blight on the area
- Insufficient infrastructure to cope with additional pressures of occupants and users of the development
- Design out of keeping with historical and architectural character of the area
- Ugly, poor and soulless design proposed
- Generic blocks would exacerbate loss of character of area.
- Density of housing proposed exceeds London Plan standards
- Insufficient gains to justify loss of public land.

- Sensitive mid-rise development would be supported.

Heritage

- Height would overshadow and dominate historic Boundary estate.
- Harm to neighbouring listed buildings and conservation areas.
- Architecture at odds with conservation areas around it.
- The scale of plot 2 will dwarf the listed Oriel Gate
- No buildings should be placed above viaduct
- Space above viaduct should be utilised as a Public Park only

Transport

- Increased road rage due to lack of space. Streets are already hard to navigate by car.
- More congestion from new occupiers and visitors
- Disruption from construction traffic
- Additional pressure on bus routes
- No cycle lane or cycle access within site.

Environmental and climate change

- High level park is an improvement on previous designs.
- Increased noise, dust and air pollution from construction.
- Impact on wind and microclimate.
- Sclater Street will not be able to safely accommodate proposed construction traffic
- Scheme should be zero carbon

Neighbouring amenity

- Overshadowing to neighbouring gardens and open spaces
- Construction would cause disruption for many years.
- Loss of daylight/sunlight to surrounding buildings and streets
- Overlooking to neighbouring homes
- Users of the site will have no interest in the area
- Loss of privacy to neighbours
- Impact on residents of Avant Garde development opposite plots 4 and 5 in terms of loss of privacy, daylight/sunlight and overlooking is unacceptable.
- Negative impact on views for local residents
- Increased disturbance and antisocial behaviour from late night economy and its users
- Loss of daylight for local families, negative impacts on children growing up in dark buildings
- Loss of daylight increasing energy bills for neighbours

Open Space

- The Green space on offer is deficient for the needs of the local population.
- Poor quality and inaccessible park space
- It's not fully public.
- There should be more trees

4.5 The Reclaim the Goodsyard campaign, founded by Weavers Community Action Group and endorsed by the Boundary Tenants and Residents Association, Boundary Community Association, Brick Lane Mosque, Brick Lane Trust, Columbia Tenants and Residents Association, East End Preservation Society, East End Trades Guild, Federation of Tower Hamlets Tenants and Residents Associations, Friends of Arnold Circus, Gascoigne Neighbourhood Association, Jesus Hospital Estate Residents Association, Rochelle Studios, Saint Hilda's East Community Centre, Solidarity Britannia and the Spitalfields Trust.

- Area is not the City and must be treated as a distinct place with its own character and needs. The scheme would extend the visual presence of the City northwards.
- In the context of Covid19 and the climate emergency the justification for the scheme must be reviewed. Less office/retail/leisure space and more affordable housing is needed.
- The Developers have not advanced credible plans for the site in 18 years since they acquired the option on it.
- Over-development of the area, with an excessive commercial and retail space and an under-provision of affordable housing.
- The scale and massing on the western half of the site remains highly objectionable and will have a widespread adverse impact.
- Loss of historic fabric, harm to surviving railway arches and large amounts of demolition. The objections of the Victorian Society are supported.
- Problems of waste disposal from such a huge amount of demolition. The loss of embodied energy will be very significant.
- Harm to several conservation areas, many statutorily listed buildings and non-designated heritage assets, including the South Shoreditch Conservation Area, the Boundary Estate, and St. Leonards Church, amounting to substantial harm.
- The applicant's analysis cannot be relied upon as an independent or unbiased assessment. The GLA should take proper independent advice in order to assess the scheme.
- The retention of Nos 71-75 Sclater Street is welcome, although the setting of these will be severely compromised.
- Development is contrary to the Local Plan requirement to contribute positively to existing identified social, economic and environmental needs.
- There was considerable objection from the local community during the consultation stages, which the current proposals now justify.
- There is no meaningful gathering space at ground level. The 'public realm' is more a collection of passageways between tall buildings.
- Good design would not mitigate the harmful impact of the buildings. The physical presence and visibility of the buildings remains a critical issue.
- There is little evidence of fitting with the local context. These are designs for buildings that could be located anywhere.
- An alternative scheme might provide greater public benefits which would also cause less harm to heritage assets.
- The proposals seem over-ambitious and present a high risk that the site would be left empty for many more years to come.
- The needs and opportunities for retail expansion already exist locally. Existing retail uses are already struggling in these areas.
- A lower scale, less ambitious alternative, predicated on local community needs in terms of living, working and leisure-related uses and causing less harm to heritage should be explored.
- Insufficient social/affordable housing.
- The housing mix is skewed towards one-bedroom flats, contrary to policy. Possibility is opened for homes being used for short term lets.

- Delivery of homes unspecified in submission and impossible to guarantee over 10 years. Housing parameters mean it is impossible to make an informed judgement of the scheme's merits.
- There has been no study of local business and employment for the purpose of providing workspace and retail space of a kind that is needed locally. Construction jobs are only temporary.
- Increased land values would raise rents and displace small businesses.
- The economic needs of major developers and the City have been prioritised over the local community in policy.
- Regeneration is only understood in terms of tall buildings and their accompanying rental values.
- Retail Study gives some credit to independent and small businesses but there seems to be little understanding of the sector. There is no mention of affordable retail space.
- The 10% affordable workspace has been provided in the office buildings and cannot be taken by businesses needing different kinds of space.
- The Goodsyard presents an ideal opportunity to repurpose some of the arches as light industrial workspaces.
- Area would be redefined as a hotel district, harmful to its character.
- Need for a hotel not demonstrated. The boroughs have sufficient capacity to meet London Plan targets, with new hotel development concentrated at this junction of the two boroughs.
- Hotel Needs Assessment does not account for large increase in short term letting i.e. Air BnB, particularly in Weavers Ward.
- Development does not show a pathway to zero carbon by 2050.
- The environmental measures are standard with little sense of urgency about climate issues. The proposed reductions in on site emissions do not meet Local Plan requirements.
- The proposed scheme is backwards-looking, wasteful of resources.
- Impacts from construction traffic and air quality from transport of materials. The Brick Lane market and Close-Up Cinema would be irrevocably damaged.
- Overshadowing and loss of light. Many residential addresses that will be affected have been omitted from the daylight/sunlight analysis. The GLA's review of daylight/sunlight has not been provided.
- The site's adjoining neighbourhoods should be subject to a wide-ranging Social Infrastructure Needs Assessment in the light of COVID-19.
- The public benefits do not come close to outweighing the heritage harm and does not conform to the new London Plan.

4.6 The Spitalfields Trust strongly object on the following grounds.

- The views of the East End Preservation Society, Reclaim the Goodsyard, LAMAS and the Victorian Society among others are supported.
- Although the entire application site is bounded by conservation areas the massing and character of the scheme is dictated by the City. Only the north-eastern section is defined by the immediate townscape. This approach has resulted in an extremely insensitive scheme on a site in desperate need of a sensitive design to knit together the different urban areas.
- The height, scale and massing of the buildings at the western end of the site are still completely inappropriate to this area.
- Substantial harm to the surrounding Conservation Areas and to the many listed buildings both on and close to the site. The setting and context of the Oriol Gateway will be utterly ruined by the vast red tower directly behind it.
- Nos. 70-74 Sclater Street are eighteenth-century houses which will be dwarfed by the new development to the south.

- Proposed demolitions seem inadequately justified. Historic fabric that is kept will add value, visual and historical interest and relevance to the area.
- The initial masterplan proposed a much reduced scale and density that related far better with its surroundings. On consultation with the Mayor's Design Advocates and the GLA, the design team were encouraged to increase density and make the new buildings 'less subservient' to the historic structures, raising questions about the quality of this advice.
- The application talks about harnessing the goodwill of the community, but structures on site are in a poor state of repair and have become a blight on the area. The owners need to be encouraged to carry out thorough repair and maintenance.
- The need for large corporate style office blocks needs to be reassessed in view of the change to working practices that the world has seen this year.
- The creation of a square onto Brick Lane will have a harmful impact and result in a loss of the tension created by the tight and consistent building line of Brick Lane. Its urban form has always followed this simple pattern of buildings on the back of its pavement and this is key to its character and charm. Creating open space shows a fundamental misunderstanding of the urban qualities of this historic street.
- Scheme is part of a wider pattern for this area. Large sites proposing buildings that are out of scale with their surroundings, relating in appearance and use to the commercial buildings of the City are now threatening the character of Spitalfields, Aldgate and Shoreditch. The cumulative impact of these developments should be considered.
- The scheme involves a reasonable repair of the Weavers' Cottages. The demolition of the rear wings and the destruction of the rear yards is opposed. These yards and their survival are an extremely important part of the history and architecture of the buildings. The buildings are important to the character and appearance of the conservation area. Their reconstruction in a modern idiom would not enhance the buildings or the conservation area. To repair the buildings in their entirety is important in the greater Goods Yard scheme.

4.7 The East End Traders' Guild raise the following concerns:

- The site offers the potential for an exemplary development with local enterprise at its core. The amended proposals do not fulfil this or address the changed situation brought on by the COVID-19 pandemic.
- In light of the crisis, the proposal could do much worse damage to one of London's most distinctive neighbourhoods than we previously anticipated. The viability of an office led scheme is questioned.
- Provision of affordable workspace should be a priority on public land. A local employment and training hub should be provided if this development is to genuinely benefit the local area. This scheme is aimed at investors who will be seeking high rents and sales values.
- B1(c), B2 and B8 provision is missing from the amended scheme. Maker space could be included within retail spaces, which is possible in some cases but it is problematic when not planned from the start.
- The arches are ideal for particular trades. Some industrial use would represent a continuation of the industrial history of the area.
- The affordable workspace is sited in the office buildings and could not be used for those traders who do heavier work, need service areas etc.
- Affordable workspace discount does not accord with Hackney's policy.
- Buildings 1 and 3 would not be delivered in time to make an impact on the current situation.
- The provision of more smaller retail units than usual is welcomed but should be designated as affordable rent. We are working to establish London Working Rent, which we would expect to form part of any rent agreements on the Goodsyard.
- Application shows little recognition of the small business community

- Throughout the process we have not been sufficiently listened to even though we have repeated these points over many years.
- Whether or not the scheme delivers the right workspace at the right rent the scale, bulk, style and concept will harm the area as a whole and lead to further displacement of businesses and residents: first through the challenge of up to thirteen years of major building works and then with the resulting corporate, office-led environment. The harm caused is not offset by sufficient public benefits.

4.8 The Columbia Tenants and Residents Association and the Jesus Hospital Estate Residents' Association have written separately but object on the same grounds as follows:

- The site is public land but the proposal is for a massive bulk and scale of development which shows little respect for the area and which would do very serious harm to its character, historic buildings and conservation areas such as the Boundary Estate.
- A development based around City offices and retail space is unrealistic: the whole basis of the development should be questioned.
- In their summary of the scheme the applicants can demonstrate only 'minimal to moderate' benefits to the community to live in. With the number of much-needed 'low cost' houses at a maximum of 90, the loss of this public land for such minimal gain is not justified.
- These generic tower blocks makes no attempt to respond to the local character of the surrounding areas and will cause a wall of development along Bethnal Green Road, overshadowing parts of the Boundary Estate.
- Disruption from 10 years of development for no real benefit.
- Community is already struggling to cope with the transience of visitors to the 27 new hotels built here in the last ten years and the night-trippers to Shoreditch. This development we only add to this pressure.
- We would support well-designed mid-rise buildings integrated with the surrounding neighbourhoods, liveable housing, appropriately sized, affordable workspaces and a place that promotes community. We will not support the City appropriating the residential area of Bethnal Green.
- The "Reclaim the Goodsyrd" campaign and their detailed letter of objection is supported.

4.9 The Shoreditch Conservation Area Advisory Committee (SCAAC) strongly objects for the following reasons:

- Whilst recognising that something needs to be done with this site, the present proposal is overdevelopment in a site bordered on every side by Conservation Areas.
- Destruction of buildings of interest within the boundary of the site and harm to conservation areas surrounding the site. Significant impact on local heritage.
- SCAAC objected to the original proposal. This amendment converts the massing into lower rise but bulkier structures with similar GIAs.
- The benchmark height for the whole site should be based on the existing Tea Building in Shoreditch High Street.
- Permission should be refused. Any further progress should be covered by new planning applications to both relevant Councils.

4.10 The Friends of Arnold Circus strongly object on the following grounds:

- Development is a commercial scheme that bears little or no relation to the unique cultural, historic, housing and ecological needs of the working and residential communities integrated here.
- While there has been some improvement in lessening the original wall of twelve high-rise towers, there would still be blocks of bland, bulky towers at the site's western end.

- Disproportionate loss of light
- Creation of a wind tunnel.
- Application is very far from being in keeping with the character and human scale of the adjoining conservation areas: it is an unwarranted incursion, a City of London overreach.
- Historic England note that from the Boundary Estate “the proposed development would be seen to terminate views looking south and would introduce a whole new scale of development into the backdrop setting of the conservation area.” It will be visible from almost every block and street.
- Scheme will create a dark overcast wall to the west side of Bethnal Green Road as well as being harmful to the heritage setting of the area.
- The garden at Arnold Circus has been used more in recent months. The historic setting of the garden is in danger of being blighted by overshadowing developments. Statements in the reports from the developers determine there will be a significant impact on the garden.
- Despite being public land and the large local housing list, only 60-90 low cost homes and insufficient low cost small business workspace would be provided: a missed opportunity.
- FoAC is aligned with the Reclaim the Goodsyrd campaign.

4.11 19 letters of support have been received making the following points:

- The development really champions the heritage of the site, opening up the brick viaducts, connecting to brick lane and restoring the corner and arches on Shoreditch high street.
- Although the new buildings are taller, the reference this industrial site. It doesn't make sense to reduce the scale of the new buildings further.
- Suggestions that the development would overshadow local streets are grossly exaggerated.
- The opposition groups are not representative of wider local opinion.
- Scheme would be like the sensitive work to the Coal Drops Yard site in Kings Cross., showing a 21st century attitude to restoring heritage assets,
- The site will be truly mixed use and will add a really exciting corner to this part of London.
- London needs more homes.
- The voice of private renters is often overlooked. Further constricting supply will only serve to benefit existing owners and landlords at the expense of this group, who have seen rents skyrocket, while being forced into ever smaller flat shares.
- Objectors concerns are primarily aesthetic.
- The Goodsyrd site has been disused for decades and will be for decades more if NIMBYs get their way.
- Development would provide affordable housing and job opportunities.
- Significant improvement on previous proposals.
- Community facilities and park are welcomed.
- In light of the COVID-pandemic, destinations like the Goodsyrd are going to be vital in bringing people back to the city centres

4.12 More Light More Power (MLMP) have the following comments and give conditional support:

- Significant improvements on the 2018 proposals are recognised, including more open space, 50% affordable housing, a greater variety of workspace and better treatment of heritage assets. The applicants have engaged with the local community to develop a significant cultural offer.
- The proposals are difficult to respond to, with many technical documents.
- Given the extent of reserve matters, there should be transparency about future negotiations.
- The proposed maximum quantum of housing would be nearly 20% higher than the maximum residential density recommended by the London Plan.

- Provision of new housing should not compromise amenity and quality of life for existing provision.
- The figures suggest the higher housing target is unrealistic without a reduction in commercial or retail space.
- How will the commitment to affordable workspace and independent retail be secured? S.106 is not a reliable mechanism is not monitored.
- The more balanced retail mix is welcome, but the scheme is over shopped.
- The open space should be gold standard. Consideration should be given to an indoor swimming pool within the scheme.
- There should be a city garden.
- Car free approach is welcomed, with the exception of disabled parking.
- Policy permits the development of high rise building at the west of the site, though this should not be a licence to trash surrounding neighbourhoods with completely alien proposals.
- The appointment of Eric Parry as architect is welcomed.
- Welcome attention to detail of plot 1 and fully considering wind conditions. Work is needed to reduce the impact on the Tea building.
- Plot 2 is most contentious owing to its overwhelming bulk. Its form is a matter of taste. In its favour, the design clearly signals a switch from City glazed towers to a Shoreditch vernacular, more suited to the site's industrial history, and the elevated deck design reduces its impact at ground level. More time is needed to finess the building in response to public concerns.
- Clustering of flats in plots 4 and 5 alongside exiting housing is welcomed, but daylight impacts from their height would be too great.
- Cumulative impact with Huntingdon Estate should be considered.
- The Plot 6 cultural amenity building is welcome. The cultural offer should be supplementary to and not in competition with Rich Mix.
- For Plots 7A to 7D, the revised proposals make aspects of the site's history fit for modern purpose. But the aspiration to create a 'locals' place and independent retail hub can't be secured via planning application. The authorities have to give thought to how to monitor a retail strategy.
- There are many emerging hotel sites plus growth of Air BnB and the need for a new hotel is questioned.
- For Plot 10 the increased height should be limited to BRE daylight parameters. More residential in this area of the site seems appropriate with the lower floors given over to indoor leisure, pre-school nursery, etc.
- The site should deliver for the existing community as well as for developers.
- Phasing should deliver benefits in in parallel with commercial elements.
- There should be additional consultation on the scheme. People make better places than bureaucrats and developers.
- The development now has the potential to enhance the local area socially, economically and culturally, as envisaged by the MLMP manifesto
- The campaign gives conditional support on the basis of developing a Social Regeneration Charter with local people to ensure the physical changes the masterplan will bring go hand in hand with social, health and economic benefits for the local community.
- Conditions should include: 1) transparent analysis of the cumulative light loss on existing buildings, as different plots come forward; 2) housing allocation to key workers, needed to attend any catastrophic event in central London such as terrorism or a major fire; 3) a more creative and diverse cultural offer such as live music, entertainment and theatre venues; 4) support for a small independent business cohort; 5) a retail mix that serves all local needs, not just international brands.
- Covid has changed everything. The opportunity should be taken to respond to the 'new normal', to create long-term value for all Londoners and deliver on MLMP's campaign slogan to Let's Make the Goodsyard Great – a world class example of sustainable placemaking in the post-Covid world.

5. CONSULTATION RESPONSES

London Underground (Infrastructure Protection)

- 5.1 No objection in principle. There are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore conditions are requested to secure for approval detailed construction design and method statements for demolition, foundation design, basement and ground floor structures, including piling.

Crossrail

- 5.2 No comments to make on application.

Natural England

- 5.3 No objections.

Health and Safety Executive.

- 5.4 No comments

Sport England

- 5.5 Since the scheme has considerably reduced the number of residential units proposed there would be a reduced impact on local sport provision compared to the previous scheme. The additional 500 residential units proposed would result in an increase of local population of circa 1,200. If the applicant has/will pay CIL then the impact on sports facilities could be mitigated.

Environment Agency

- 5.6 No objections to the planning application and amendments as submitted. Please note the following advice.
- 5.7 Land contamination: This development site has been the subject of past industrial activity which poses a high risk of pollution to controlled waters. However, we are unable to provide site-specific advice relating to land contamination. Where planning controls are considered necessary, we recommend that the environmental protection of controlled waters is considered alongside any human health protection requirements.
- 5.8 Flood risk: The site lies in Flood Zone 1 (low probability of flooding from rivers and sea). The Lead Local Flood Authority will be able to provide advice on the acceptability of the surface water flood risk assessment and any mitigation measures proposed.
- 5.9 Water resources: This is an area of serious water stress. The development should meet the BREEAM 'excellent' standards for water consumption.

Historic Royal Palaces

- 5.10 The amendments mean that the development would no longer be visible behind the White Tower. As such there are no further comments.

Victorian Society

- 5.11 Strongly object: on the following grounds:

- Whatever is built will have an impact on the setting of the surrounding conservation areas.
- Lowering the building heights is not a sufficient concession, and the scale is still entirely inappropriate to the area and would cause severe harm to the surrounding conservation areas.
- Scheme attempts to force the scale of the City onto the East End and risks creating a precedent for large buildings. This would destroy the character of a historically distinctive area of London.
- Whilst a greater amount of heritage assets within the site would be retained, this does little to mitigate the harm which would be caused by the construction of these large buildings.
- There is a missed opportunity to respond to the surviving structures on the site, as well as the surrounding conservation area, and create a vibrant and sympathetic development benefitting the community and highlighting local heritage.
- Development would cause less than substantial harm to the surrounding conservation areas, which would not be balanced by public benefits.
- No comment on specific points of detail with the scheme as the objection is fundamental.

The London and Middlesex Archaeological Society

- 5.12 Planning permission should be refused. The design, scale and density of the proposed towers are the main concern, in particular the relationship between Plot 2 and the adjacent Oriel Gateway. Plot 2 would not engage with the listed structure at ground level while completely dominating it. This is a missed opportunity to enhance the setting of the designated heritage asset.
- 5.13 Insufficient justification for the demolition of 10m of the Grade II listed wall along Commercial Street. It would not take much to adjust the plans to retain the full length of the listed wall.
- 5.14 Harmful visual intrusion caused by tall new buildings erected alongside conservation areas, and to the settings of nationally and locally listed buildings.
- 5.15 A development dominated by tall buildings would be at odds with and to the detriment of the scale and characters of the adjacent conservation areas. References in the Heritage Statement to the very tall buildings of the City and its immediate fringes sidestep the primary issue: introducing tall buildings onto a site surrounded by conservation areas specifically designated as being free of such inappropriate intrusions.
- 5.16 Many of the proposed buildings would be of poor design quality. The ones planned for Plot 1 are especially lumpen and incongruous. It is obvious they are the outcomes of a design process driven primarily by financial profit.
- 5.17 The former Goods Yard building had a relatively balanced relationship with the extant listed structures and reflected the low/medium-rise surroundings as existed in the 19th and 20th centuries that remains largely intact. This should be the yardstick by which new buildings are designed, rather than justifying taller structures by looking to the skyscrapers to the south.
- 5.18 The applicant has made considerable efforts to assess the heritage assets. However this has not been translated into the designs apart from the retained part of the Braithwaite Viaduct. This should be a model for how the whole of the Goods Yard's on-site and neighbouring heritage assets are to be treated.
- 5.19 The site deserve a substantially better set of redevelopment proposals than these set out at present.

Historic England

- 5.20 Support the principle of redevelopment of this site, which contains two listed structures that have been entrants on our Heritage at Risk Register for many years. The heritage benefits

arising from the repair and reuse of these structures and other undesignated heritage assets is acknowledged.

- 5.21 The amended proposals represent a new and less-intensive approach to development of the site. We welcome this approach and recognise that the reduction in height of the proposed buildings addresses previous concerns regarding the setting of the Tower of London. However, the proposals will still introduce a whole new scale of development that would have a harmful impact on the setting of numerous heritage assets in the local area.
- 5.22 In relation to the Elder Street Conservation Area, Buildings 1 and 3 are seen to terminate views looking north along Elder Street, which is predominantly fronted by three-storey Georgian terrace houses, some of which are grade II listed. There would be a harmful impact on the setting of the heritage assets within these views, as the proposed buildings would appear as dominant elements rising behind the Georgian terraces and occupying a significant area of sky space that currently allows for the clear definition of the rooftops of the terraces.
- 5.23 In relation to the South Shoreditch Conservation Area and listed buildings within that area, Plots 1 and 3 appear in many significant views looking east and south through the conservation area and are considered to have a harmful impact due to their contrasting scale and dominant appearance against the predominantly modestly-scaled buildings within the conservation area. The visual dominance of Plot 1 in these views is further emphasised through the incorporation of a cantilever and large fins.
- 5.24 In relation to the Boundary Estate Conservation Area and the Grade II listed estate buildings within, the development would terminate views south and would introduce a whole new scale of development into the backdrop of the conservation area, harming the setting of the affected heritage assets.
- 5.25 We welcome the retention, repair and reuse of the Sclater Street buildings, which would be a heritage benefit. However, further assessment is required of the significance of the Weavers Houses, particularly in relation to the existing rear extensions that would be demolished.
- 5.26 We welcome the repurposing of many of the structures formerly associated with the Goods Yard and consider these proposals to comprise heritage benefits.
- 5.27 No objection to the principle of providing new structures over the Braithwaite Viaduct, though the associated listed building application is lacking in detail. The submission is based on informed assumptions, rather than on-site trial pits and works of opening up to reveal the composition of the original viaduct structure and the fill material over that structure. It is not normal practice to grant listed building consent for works unless there is sufficient detail on which to make an informed judgement. This should be subject to a series of conditions that allow for full prior investigation and assessment of the original structure.
- 5.28 No objection to the principle of repairing the Oriel Gateway. However, the proposals are not fully detailed and are subject to further investigations to assess the condition of this structure. Conditions should secure full investigation and assessment of the condition of the original structure. Conditions to enable further discussion on the design and details of the proposed finishes to the structure are recommended.
- 5.29 The proposed phasing of the development is welcomed. The heritage benefits from these works should be secured through conditions and within a S106 agreement. This should include a detailed timeline for delivery.
- 5.30 The harm to heritage assets should be weighed against any public benefits arising from the scheme, in accordance with policy 196 of the National Planning Policy Framework.

5.31 Conditions are recommended to secure the phasing of the development, matching brickwork and finishes in making good repaired fabric, details of a masonry cleaning programme and methodology, the retention of historic features uncovered during works, the sensitive removal of redundant plumbing, mechanical and electrical services, an archaeological watching brief, a schedule of historic items including a Salvage Strategy, a detailed assessment of the existing composition, condition and structural strength of the Braithwaite Viaduct, the prior approval of investigative works to the Viaduct, and approval of works to the viaduct. Conditions are also sought for the listed building application pertaining to the Oriel Gateway within Hackney.

Historic England – Archaeology

5.32 The primary archaeological impact from the revised proposals comes from Plot 3. This is likely to require dense piling along its northern and southern edges. There is a potential impact on remains connected with the southern edge of the 1874 unlisted viaduct, the lower level station and associated remains.

5.33 *Buried archaeology:* The applicants' commissioning of a desk-based assessment is welcomed. Although some prehistoric potential exists at the site, the location is on the edge of the Roman and mediaeval city and significant remains from these periods and early modern London can be expected. The railway heritage of the site is also important as part of the first rail line into the City and elements of it survive below ground outside the footprint of the Braithwaite viaduct.

5.34 Impacts from a consented scheme would not allow scope for preservation in situ of important remains in the north of the site or south west. The ES proposes that preservation by record is appropriate mitigation. This approach would result in the physical loss of buried remains connected with the original Shoreditch station, which was contemporary with Braithwaite Viaduct, as well as evidence of earlier activity.

5.35 It is not clear how GLAAS's original scoping advice that consideration of other methods of mitigation and management be undertaken has been carried out. However, based on the results of the previous targeted excavation, there is good evidence to characterise the pre-modern significance of the site without a need for further investigation in advance of determination.

5.36 *Archaeology of buildings:* The proposals involve the loss of structures connected with Bishopsgate Goods Yard and changes to other railway heritage structures. The applicants' submission also suggests the possibility that hitherto unidentified remains of the original station and its ancillary structures may be preserved within or beneath the fabric of the Goods Yard buildings. Features of both industrial archaeological significance and built heritage significance, e.g. the hydraulic accumulator, are likely to require interdisciplinary methods of management.

5.37 Any historic fabric lost should be subject to archaeological recording. The mitigation work will need to reflect and build on that already undertaken in connection with the Overground extension works. The potential for the discovery of significant remains should be borne in mind and preservation in situ and presentation of any such structures would be desirable.

5.38 Conditions are recommended to secure a phased Written Scheme of Investigation for archaeology and its implementation, a programme for historic building recording and analysis and detailed proposals to provide outreach and permanent onsite public heritage interpretation.

5.39 Further comments (2019): More refined evidence for the location of the undesignated heritage asset of the Brick Lane Civil War Fort has been produced. Other archaeological work since 2015 has found important early Neolithic remains and later prehistoric and Roman activity, which raise the potential at the Goods Yard. However no further conditions are sought.

Port of London Authority

5.40 No comments to make.

London City Airport

- 5.41 Conditions are sought requiring the approval of a construction methodology for cranes, a detailed scheme for green and brown roofs, a bird Hazard Management Plan and a Bird Strike Risk Statement.

Metropolitan Police – Crime Prevention

- 5.42 No negative comments or objections regarding the general placement, heights or layout of the residential, commercial or shared public or private amenity spaces. Residential cores with shared communal spaces designed to facilitate a high footfall with nearby large open public spaces are often linked to generating anti-social behaviour (ASB) and promoting criminal activity. Physical security elements and active management within residential and commercial developments are proven to reduce unwanted criminal activities and reduce the fear of crime promoting sustainable diverse and integrated communities. A condition is requested to require details of Secure by Design measures to be approved.

National Air Traffic Services (Safeguarding)

- 5.43 No safeguarding objection to the proposed development.

Thames Water

- 5.44 Further details are required of waste water capacity to serve the development. The water network currently does not have capacity. Conditions are sought to require upgrades to be secured and implemented before the development can be occupied. Development would be in proximity to strategic water mains. A piling method statement would also need to be secured by condition.

Transport for London

- 5.45 Pedestrians and Cyclists TfL updated its guidance in April 2019 to support Mayoral policy to promote the Healthy Streets approach and active travel. The updated TA provides useful assessment of the active travel zone around the site. The TA acknowledges the TfL scheme for Shoreditch High Street with the aim to improve pedestrian and cycle links in the area. There is also a proposal to provide a new crossing on Bethnal Green Road and other proposals by the Councils to improve links to the site. These need to be funded to help ensure the development accords with the Healthy Streets approach.
- 5.46 Shoreditch High Street: The applicant has agreed to pay £4.5 million towards the works at Shoreditch High Street/ Commercial Street/ Great Eastern Street and Shoreditch High Street junctions – Section 1 works, and £1 million towards to Healthy Streets and cycle measures between Bethnal Green Road and Hackney Road on Shoreditch High Street – Section 2 works.
- 5.47 Braithwaite Street: TfL recommends vehicle access is restricted during peak hours, particularly larger vehicles. The service yard interacts with the only north-south cycle route through the site and is a major pedestrian route. The proposal to widen the access to allow two-way operation and limit vehicles waiting on Braithwaite Street is welcome. Braithwaite Street has good potential to be high quality space in line with the Healthy Streets approach, vehicular servicing and deliveries will need to be managed and designed to fit in with this approach.
- 5.48 Buses: Based on the extensive bus network in the surrounding area, it is expected that additional bus trips generated by the development can be accommodated as long as TfL are able to maintain and improve local bus priority and operational infrastructure. Prior to relocation of any bus stop that is necessary to facilitate the development; the design and costs will need to

be agreed with TfL and delivered through a section 278 agreement with the relevant highway authority.

- 5.49 Rail: The TA indicates there will be 3,665 additional rail trips during the AM peak and 2,891 during the PM peak. At Shoreditch High Street station, the biggest congestion issue is the exit off the northbound platform. Passive provision of a second exit from the station has been agreed and would be secured through the S.106.
- 5.50 Overground Roundel: As the development building will enclose the existing station building, the developer needs to provide a roundel to make sure Shoreditch High Street station remain visible from Shoreditch High Street. The provision of this has been agreed.
- 5.51 Drinking Fountain: TfL expects to put a GLA sponsored Drinking Fountain as close to Shoreditch High street station as possible. TfL has asked the developer to help facilitate as part of their development.
- 5.52 Cycle hire: The developer has agreed to fund an expansion of cycle docking hire provision to cater for increased demand from the development. Two new docking stations, each providing a minimum of 25 docking points are needed requiring contributions of £220,000 per docking station. The addendum to the Transport Assessment proposes locations on Commercial Street and Quaker Street. TfL requests that the S.106 allows the docking station funding to provide capacity within the vicinity of the site.
- 5.53 Accessible Car Parking: The development is car free apart from accessible car parking for disabled people. For residential development, the minimum requirement is 3% Blue Badge parking (15 spaces). The addendum to the Transport Assessment show how this can be provided. Access control will be needed for security and safety reasons, and special arrangements would be needed on Sundays between 10am and 5pm due to the market. Twenty per cent of the bays should include Electric Vehicle Charging Points. The balance should include passive provision.
- 5.54 Cycle Parking: Cycle parking would be provided in accordance with the *Intend to Publish* London Plan. TfL accepts that short stay cycling parking will provided at 70% of the standard to help ensure the new routes through the site are not cluttered whilst providing sufficient short-stay cycling parking. The detailed design should accord with the London Cycle Design Standards.
- 5.55 Deliveries and servicing: The methodology used to forecast delivery and servicing trips is reasonable. The general locations of each service yard and approach to access is agreed. If not managed through a booking system these vehicle trips will impact on the operation of the local road network, bus reliability, and the safety of cyclists and pedestrians. There is an opportunity for on-site consolidation and cooperation as each service yard is put into operation. The design of each access should aim to prioritise and protect pedestrian and cyclists from conflict with vehicles. The developer should promote the use of cargo bikes through active management and provision of facilities. For all services yards access should be restricted during peak hours, particularly for larger vehicles. Detailed comments are included for each service yard.
- 5.56 Due the concerns about impact of forecast deliveries on the adjacent highway, the applicant has an agreed a 20% reduction target compared to the forecasts in addendum to TA over 10 years. These targets will be set relative to service yard and plot forecasts. To enforce these targets, the applicant will prepare a site-wide Delivery and Servicing Strategy (DSS). Enforcement on site will be via Closed Circuit cameras, through lease provisions and delivery management system, if there are prolonged non-compliance periods as defined in s106 without remedy, both Councils will benefit from financial mitigation.
- 5.57 Middle Road and London Road: These areas will have higher footfall from late morning and later in the day, due to associated use. Pedestrian and cyclists may still want to access these

areas when servicing and vehicle activity is at its peak. Therefore, establishing good practice on site will be necessary to keep vulnerable road users safe.

- 5.58 London Underground Infrastructure: The development must not increase or decrease the loadings on the tunnels nor compromise the integrity of London Underground's operations. This will be ensured through planning conditions associated with each development plot.
- 5.59 London Overground Infrastructure: TfL must be able to undertake inspections and maintenance of the Overground viaduct and other infrastructure without incurring any increased costs. It is vital that the station and any services remain compliant in terms of passenger safety, access, egress, fire and smoke regulations etc. To achieve this TfL is already aware of the need to install further equipment to cope with the impact of the proposed development on the current station venting. Conditions should be imposed to ensure that any design is in consultation with TfL.
- 5.60 Eight line tracking safeguarding: The development must ensure passive provision for two additional railway tracks entering Liverpool Street station from the east. The space for the additional tracks has been identified by Network Rail and they have secured a commitment from the applicant to ensure that the development will not prejudice its potential delivery.
- 5.61 Construction: TfL guidance on Construction Logistic Plans should be followed. TfL would expect to be consulted on lorry routing, access arrangements and traffic marshalling. Approval would be required for any works on TfL highways. TfL is also concerned about potential impact of construction works on vulnerable road users, particularly as the site is occupied whilst construction continues.

London Borough of Lewisham

- 5.62 No comments.

Joint Design Review Panel

- 5.63 A joint design review panel comprising members of Hackney's Design Review Panel and Tower Hamlets' Conservation and Design Advisory Panel reviewed the proposals. The following comments were made:
- The complexity of the site is recognised, and the scheme has improved considerably, particularly in terms of site permeability and scale.
 - The introduction of an east-west route would be a major step forward and the threshold spaces at each end would work well.
 - A new through route to the west of Braithwaite Street connected it to Commercial Street could be opened up, though there would be difficulties animating this space.
 - Concerns remain regarding the massing of Plot 2. The height could be acceptable, in some views it would appear excessively bulky. It would have a narrow profile in some views but in others it could appear broad and overbearing.
 - Concern regarding the relationship with the Tea Building, with the lower 'shoulder' height potentially appearing odd.
 - Serious concerns about the quality of some of the accommodation on either side of the Overground railway box in terms of daylight/sunlight and outlook.
 - Could use be made of the space on top of the Overground viaduct such as a green roof to improve the visual amenity for the adjacent accommodation.
 - The total amount of public space has increased by 25% compared to the original proposal but there are concerns about the amount of hard landscaping. The areas between the hotel blocks need particular attention due to expected use/light levels.
 - There should be some assurance that all the spaces be fully accessible and useable.
 - The proposals for the refurbishment of the historic buildings on Sclater Street are encouraging.

- Concerns are raised regarding the impact of Plot 2 on the Oriel Gateway due to its proximity.
- The introduction of a cultural building is welcomed. It should be designed with a specific end user in mind.

LBTH Environmental Health

Noise & Vibration

5.64 No adverse comments.

Air Quality

5.65 No objection. The development will be provided energy via ASHP and PVs. Should this energy strategy change then the Air Quality Report will need to be updated accordingly and any gas boilers/CHP would need to be conditioned. A condition requiring a ventilation strategy to demonstrate that the development's design mitigates polluted air appropriately for receptors should be secured, along with a Demolition/Construction Management Plan, emission limits on site machinery and kitchen extraction details for commercial uses.

Contaminated Land

5.66 No adverse comments to the draft information provided in the Environmental Statement subject to the standard condition for contaminated land remediation.

LBTH Transportation & Highways

5.67 Car Parking: Car free development is supported in this location. As such the proposal is for a car free development which accords with policy. The scheme proposes 3% of residential spaces on site (15 spaces) for blue badge parking which is welcomed but will still leave a shortfall if required for which space on the public highway would need to be found. The proposed 15 spaces are not ideally located but given the restrictions on the site it is considered that this element of the proposal could work. Blue badge parking for commercial uses would need to be addressed.

5.68 Cycle Parking: There are no major concerns with the cycle parking facilities. Additional hire bike facilities are proposed involving a reconfiguration of some on street parking bays, which is acceptable. In terms of improvements to the cycling infrastructure the proposed development does not provide the permeability expected in policy in terms of an east – west route. A financial contribution of £250,000 towards cycling improvements on Sclater Street and the Cycle Grid beyond would mitigate this. Furthermore a financial contribution of £250,000 to introduce a Toucan Crossing will improve the ability of pedestrians and cyclists to cross Bethnal Green Road.

5.69 Pedestrian permeability: The proposals would open up this previously closed off site to pedestrians. This is welcomed although the main north-south route (Braithwaite Street) will be compromised due to the proposed servicing arrangements. Improvements to all the surrounding public highway areas should be secured and implemented through a s278 agreement.

5.70 Servicing: The service yard management proposals and the method of enforcing service vehicle numbers based on the Feb 2020 Transport Statement Addendum and targets to reduce these over time have resulted in a proposal which can be broadly supported. Whilst the impacts of servicing on the public highway will still be heavy the proposal seeks to agree target numbers and reductions in the future and is an acceptable outcome.

LBTH Surface Water Run Off

- 5.71 The site is located within Flood Zone 1. There are surface water flooding risks within the wider catchment area around the site, therefore the application of London Plan Policy and Local policy will be important. The proposed SW Strategy comprises of blue roofs and Geo-cellular tank. The proposals in principle comply with London Plan. The applicant is advised to explore sustainable SuDS measures. A condition should secure details of a surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development.

LBTH Waste

- 5.72 The scheme proposes the use of traditional style euro bins for waste management/collection. Alternative measures such as underground storage or compactors should be considered. For non-residential waste, confirmation that commercial waste collection providers will service the compacted waste as proposed should be provided. This bin size is compatible with the vehicle lifting mechanism.

LBTH Biodiversity

- 5.73 The bat mitigation strategy seems to be comprehensive and sound. The surveys for invertebrates and block redstarts were undertaken in summer 2017 and so are already out of date. The ecology assessment adopts a new baseline which includes less open mosaic habitat and more scrub. It is questioned whether it is appropriate to change the baseline on the basis of changing conditions because of the lack of management of the site.
- 5.74 The public realm and landscape chapter of the Design & Access statement refers repeatedly to native tree planting. However, of 21 tree species in the indicative species list, only 3 are definitely native, and these are among the least valuable native trees for wildlife away from their natural ancient woodland habitat. The list of hedging plants also contains only two locally native species out of five. It is not clear whether these are intended to be the components of mixed native hedges, or whether "mixed native hedgerow species hedge" is an additional hedge type to single-species hedges of the five listed species. Mixed native hedges would be the default for planting in the "wilder" areas of landscaping.
- 5.75 The landscaping scheme includes some invasive non-native species which should be omitted. Otherwise, the lists of shrubs, herbaceous, climbers and bulbs include a good range of nectar-rich species which will provide forage for bees and other pollinators.
- 5.76 The biodiversity strategy bears little relation to the lists of plants in the landscape section. Scots pine should be omitted because it is not native to southern England and oak should probably be avoided due to the widespread presence in the borough of the invasive non-native oak processionary moth, the caterpillars of which are a health hazard. A wide range of locally native trees should be planted, including large species where there is space, and smaller ones such as hawthorn and rowan where appropriate. The list of native climbers is very good but should include hop and traveller's joy. The inclusion of features for reptiles is bizarre when the ES correctly rules out the possibility of reptiles being on site. If the development is to lead to a net gain in biodiversity there needs to be closer co-ordination between ecologists and the landscape architects responsible for the wider landscape scheme.

LBTH Energy and Sustainability

- 5.77 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions. The proposals fall short of the Local Plan target for anticipated on-site carbon emission reductions and additional measures should be integrated and incorporated at the reserved matters stage. The residual CO2 emissions should be offset through a carbon offsetting contribution of £4,859,250 to deliver a policy

compliant net zero carbon scheme. The full amount should be secured in the S106 as normal but with a clause to allow the figure to be amended when further on-site measures are incorporated into the design post-permission.

- 5.78 It is recommended that the proposals are secured through appropriate conditions and planning contributions to deliver a carbon off-setting contribution and the submission of BREEAM pre-assessments and final BREEAM Certificates to demonstrate an Excellent rated building has been delivered.
- 5.79 As part of the reserved matters submission documents the applicant should provide an updated energy strategy demonstrating a 45% reduction in CO2 emissions will be delivered onsite and include a Zero Carbon Futureproofing statement setting out proposals for how energy demand and carbon dioxide emissions post-construction will be monitored annually (for at least five years), how the site has been future-proofed to achieve zero-carbon on-site emissions by 2050, including anticipated retrofit costs and an analysis of future occupant energy costs.

6. PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.
- 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 In this case the Development Plan comprises:
- The London Plan 2016 (LP)
 - Tower Hamlets Local Plan 2031(adopted January 2020)
- 6.4 The key development plan policies relevant to the proposal are:

Land Use (Central Activities Zone, Investment and jobs, housing, New employment space, food drink and entertainment uses, short stay accommodation, community facilities)

Local Plan policies – S.EMP1, D.EMP2, S.SG1, S.SH1, D.H2, D.H3, S.TC1, D.TC5, D.TC6, D.CF3

London Plan policies – LP2., LP2.10, LP2.11, LP2.12, LP4.1, LP4.2, LP4.3, LP4.5, LP4.6, LP4.7, LP4.8, LP4.9, LP4.10, LP4.12, LP3.16

Housing (Optimising housing potential, housing need, affordable housing, standard of accommodation)

Local Plan Policies – S.H1, D.H2, D.H3,

London Plan Policies – LP3.4, LP3.5, LP3.7, LP3.8, LP3.9, LP3.10, LP3.11, LP3.12,

Open Space (Open space and green grids)

Local Plan Policies – S.OWS1, D.OWS3

London Plan Policies – LP3.6, LP3.19. 7.18

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, D.DH9

London Plan policies – LP7.1 - 7.12,

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

Local Plan policies - D.DH8, D.SG4, D.DH7

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, LP6.2, LP6.3, LP6.5- LP6.13

Environment - (Green infrastructure, energy efficiency, zero carbon air quality, odour, noise, waste, biodiversity, flooding and drainage, contaminated land, overheating)

Local Plan policies – S.SG2, D.SG3, S.ES1, D.ES7, D.ES2, D.ES3,

D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, D.MW3

London Plan policies – LP2.18, LP5.1 – LP5.15, 5.18, LP5.21, LP7.14, LP7.15, LP7.19, LP7.21,

Other – (Developer contributions, Health Impact Assessments)

Local Plan Policies – D.SG5, D.SG3

London Plan Policies – LP3.2, LP8.1, LP8.2, 3.1

Local Plan site allocation

- 6.5 As well as the generic policies listed above, the Bishopsgate Goods Yard site is identified as a site allocation in the Local Plan. This specifies that development on the site should provide housing and employment in a range of sizes (including for SMEs). The infrastructure requirements for the site are identified as strategic open space (a minimum of 1ha), a community/local presence facility and a leisure facility.
- 6.6 This site allocation also sets out a series of design principles that development would be expected to abide by as follows:
- a) respond positively to the existing scale, height, massing and fine urban grain of the surrounding built environment
 - b) protect or enhance heritage assets on site including the existing Grade II-listed Braithwaite viaduct, Oriol gate and the forecourt wall fronting Shoreditch High Street and sensitively consider its impacts on the conservation areas, strategic and local views. Development should also protect or enhance heritage assets in the surrounding areas (including within the London Borough of Hackney)
 - c) focus larger-scale buildings around Shoreditch High Street Overground station
 - d) integrate development with the surrounding area and improve the street frontage and public realm on key routes, particularly along Wheler Street and ensure it is well integrated into the public squares to the east and south of the station
 - e) maximise the provision of family homes
 - f) improve walking and cycling routes to, from and within the site to establish connections to Shoreditch High Street Overground station, Brick Lane District Centre, Shoreditch Triangle and the new open space. These should align with the existing urban grain to support permeability and legibility
 - g) provide open space with a minimum size of one hectare, consolidated and integrated with the green grid along Quaker Street and Brick Lane in the form of a multi-functional local park located above the Braithwaite Viaduct
 - h) improve biodiversity and ecology within the open space and green infrastructure, and
 - i) improve movement through the area and repair fragmented urban form (e.g. locate a community/local presence facility on key routes). Delivery considerations

6.7 The following delivery considerations also apply:

- a. Community infrastructure requirements should be delivered in the early stage of the development to ensure the provision of new homes and jobs are supported by infrastructure.
- b. The community/local presence facility should be delivered within or adjacent to the Brick Lane district centre.
- c. Development should accord with any flood mitigation and adaptation measures stated within the borough's Strategic Flood Risk Assessment and the sequential test.
- d. Development should coordinate consultation across planning authorities and address cross-boundary issues.

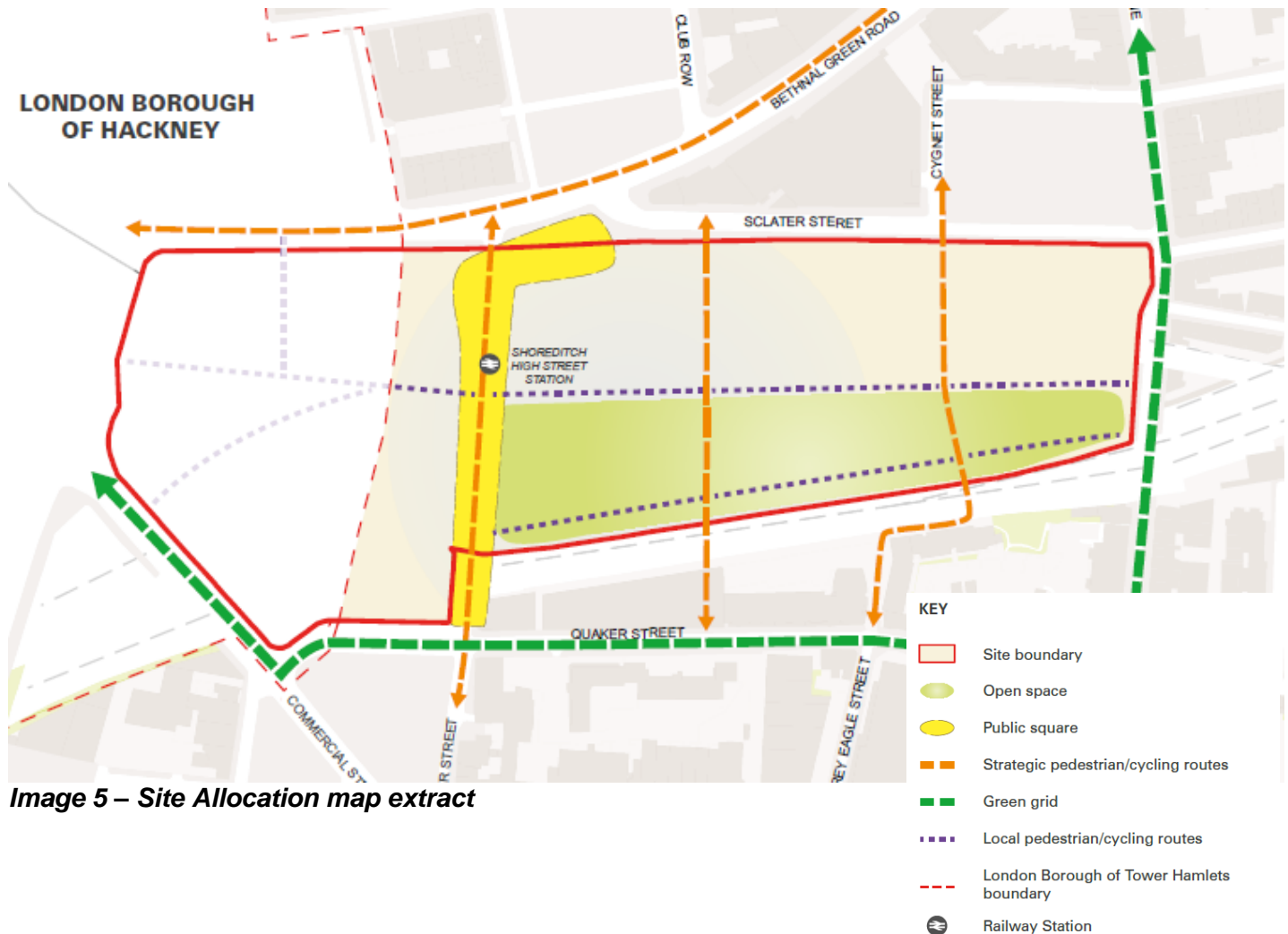


Image 5 – Site Allocation map extract

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

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (Updated 2019)
- National Design Guide (2019)
- LP Culture and the Night-Time Economy SPG (2017)
- LP Affordable Housing and Viability SPG (August 2017)
- LP Housing SPG (2016)

- LP Central Activities Zone SPG (2016)
- LP Social Infrastructure SPG (2015)
- LP Accessible London: Achieving an Inclusive Environment SPG (2014)
- LP Character and Context SPG (June 2014)
- LP Play and Informal Recreation SPG (September 2012)
- LP Character and Context SPG (2014)
- LP London View Management Framework SPG (2012)
- LP All London Green Grid SPG (2012)
- LP Sustainable Design and Construction SPG (2014)
- City Fringe Opportunity Area Planning Framework, GLA (2015)
- LBTH Planning Obligations SPD (2016)
- Brick Lane and Fournier Street Conservation Area Character Appraisal and Management Guidelines (2009)
- Redchurch Street Conservation Area Character Appraisal and Management Guidelines (2009)
- Elder Street Conservation Area Character Appraisal and Management Guidelines (2007)
- Tall Buildings – Historic England Advice Note 4 (2015)
- The Setting of Heritage Asset, Historic Environment Good Practice Advice in Planning Note 3 (2015)
- LBTH Tall Buildings Study (draft 2017)
- Air Quality Action Plan, LBTH (2017 - 2022)
- Clear Zone Plan 2010-2025, LBTH (2010)
- BRE's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (2nd edition, 2011)

6.8 Interim Planning Guidance for Bishopsgate was adopted by the GLA in 2010. However, this is considered to have been superseded by more recently adopted policies.

Emerging Policy

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

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

Land Use - (*CAZ, offices, hotel, affordable workspace, retail, making the best use of land*)
 New London Plan policies – SD4, SD5, SD6, E1, E2, E9, E10, GG2, HC5, HC6, S1

Design and Heritage - (*layout, townscape, massing, heights and appearance, material heritage, tall buildings, strategic and local views*)

New London Plan policies – D1, D2, D3, D8, HC1, HC3, HC4

Housing (*affordable housing, accessible housing, density, housing supply, tenure*)

New London Plan policies – GG4, D4, D5, D6, H1, H5, H6, H7, H8, H12

Open space (*public realm, play space, recreation facilities, urban greening*)

New London Plan policies D7, S4, GG3, S5, G1, G4, G5

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

New London Plan policies – D4,

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 D13, G5, G7, S11, S12, S13, S14, G6, G7,

Other (*fire safety, public toilets*)

New London Plan policies – D11, S6

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenity
- v. Transport, connectivity and accessibility
- vi. Public Open Space
- vii. Energy and Sustainability
- viii. Environmental Considerations
- ix. Infrastructure
- x. Local Finance Considerations
- xi. Equalities and Human Rights

7.2 The scheme constitutes an EIA development. The application was submitted in September 2014 accompanied by an Environmental Statement (ES) by RS Infrastructure and Environment UK Ltd (URS) on behalf of the Joint Venture. In October 2019 an Environmental Statement addendum was submitted by Temple and provided assessment of the following topics:

- Waste and recycling
- Socioeconomics;

- Ground conditions
- Traffic and transport
- Wind microclimate
- Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution;
- Air Quality;
- Noise and Vibration;
- Water Resources, Drainage and Flood Risk;
- Archaeology;
- Townscape and Visual Impact Assessment;
- Built Heritage;
- Ecology;
- Climate Change Mitigation and Adaptation.

7.3 The ES has been reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regulations) by LUC on behalf of the GLA. The application has been supported by the original ES, and the ES addendum (that largely supersedes it), an additional report on 17th Jan 2020, a Final Review Report on 17th February 2020, an Air Quality Sensitivity Test Technical Note (April 2020) and additional supporting information in July 2020. The GLA considered the Final Review Response and supporting documents to be 'additional information' and reconsulted under Regulation 22 of the EIA Regulations.

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

Land Use

Principle of development.

- 7.5 Local Plan policies support new employment uses with the aim of creating 125,000 new jobs over the plan period. As the site is in the Central Activities Zone, it is a designated employment location where much of the growth in employment space is expected. Indeed, policy S.EMP1 "Creating Investment and Jobs" stipulates that whilst residential uses are supported on such site, they should not comprise more than 50% of the floorspace.
- 7.6 Bishopsgate Goods Yard is also identified as a key site in the Mayor of London's City Fringe Opportunity Area Framework (OAPF) in December, where there is an expectation that it would contribute towards supporting financial and business services as well digital-creative

businesses forming part of 'Tech City'. The area covered by the OAPF is intended for significant growth, with both residential and non-residential densities to be optimised.

- 7.7 The site allocation in the Local Plan seeks employment and residential uses, with a community/local presence facility at the site's eastern end and public open space above the Braithwaite Viaduct. Whilst retail and food and drink uses are not expressly sought in the site allocation, they are supported in the Central Activities Zone more generally. Within the site they would fulfil a role of activating ground floor frontages and providing occupiers for restored historic arches.
- 7.8 In the broadest terms therefore, a B1 office led development, with a smaller but still substantial residential component, ground floor retail/food and drink uses a large area of open space and with community uses embedded within it is a suitable approach to developing the site.

Office floorspace (Use Class B1)

- 7.9 Up to 130,940 sqm of office floorspace would be provided by the development almost exclusively in three blocks at the western end of the site. Whilst the vast majority of the floorspace would be within the neighbouring borough of Hackney, given the site's location the benefits in terms of employment generation are likely to be shared more evenly between the boroughs.
- 7.10 It has been calculated that the development as a whole would generate up to 9,759 net Full Time Equivalent (FTE) jobs primarily in these three buildings.
- 7.11 The Site Allocation seeks space for SMEs within the employment floorspace. Whilst noting that blocks 1 and 3 are in outline, the size and position of the three blocks lend themselves to floorplates of a range of sizes, allowing scope for a variety of business needs. The Design and Access Statement sets out an illustrative scheme demonstrating how levels 0 to 5 of plot 1 could be provided as SME space of varying size, with flexibility to divide floorplates horizontally or vertically. It is further considered that plot 3 could be suited to maker/artist/creative workspace, with connections to the cultural space below.
- 7.12 The developer proposes to provide 10% of the office floorspace as 'affordable' within Tower Hamlets, with rent levels discounted at 10% of the indicative market rate. 7.5% of the office floorspace within Hackney, where the bulk of it would be located, would have a greater discount of 60% below the indicative market rent. All affordable workspace would be provided in perpetuity. The affordable workspace provision within Tower Hamlets would be in line with the policy requirements set out in policy D.EMP2 "New Employment Space" of the Local Plan.
- 7.13 The office floorspace would contribute significantly to employment generation in the borough and, through the affordable workspace component, specifically cater for new and emerging sectors and provide for small and medium enterprises and micro-businesses. As such it would represent a significant public benefit of the scheme.
- 7.14 Objectors has raised concerns that the development over emphasises office development at the expense of small scale manufacturing and light industry. The options for providing servicing to the site are heavily constrained by railways, highway access and heritage assets, as discussed in detail below. Any manufacturing or light industry, which would necessary require the transportation of raw materials to the site and the collection of finished product, would pose additional servicing difficulties and in light of this it is not considered that the site would be suitable for these kinds of uses. Some small scale production could be undertaken as ancillary to retail uses in the arches.

7.15 In addition to the employment generated by the completed development, the developer has committed to provide 150 apprenticeships during the construction phase of development and 8 'end user' apprenticeships. The developer would use best endeavours to 25% local labour in construction and end use occupiers. As well as the contributions towards end user and construction employment skills and training required by policy, comprising £945,521.32 for Tower Hamlets towards and £3,863,616 for Hackney, and additional £500,000 contribution would be provided to fund an employment training officer post linked to the site for 10 years (shared between boroughs). This would help ensure that the benefits of construction employment are shared locally during what would be a long construction period. The financial contributions and local labour/procurement would be secured through the S.106 agreement.

Retail, food and drink uses

7.16 A maximum of 18,390 sqm of retail, food and drink uses are proposed, spread across the site but with the majority in Tower Hamlets. A1 (retail), A2 (financial and professional services) A3 (restaurants and cafes) would be included, as well as a proportion of A5s (hot food takeaways). No A4 (drinking establishments) uses are proposed anywhere in the site. It should be noted that whilst there have been recent changes made in legislation to the Use Classes Order, this does not affect applications that have already been submitted and the scheme would be appropriately conditioned to control future changes that might otherwise be readily achievable under Class E.

7.17 The new retail uses would be focused on the new streets created at ground floor level, in particular the east-west route to be created across the centre of the site and the reopened 'London Road' running parallel to the south of this, which would utilise the historic Braithwaite Viaduct arches as retail space. Aside from this, each block, with the exception of block 6 which would be entirely community space, would have A1/A2/A3 uses at their bases to activate frontages within and around the edges of the site. At podium level within blocks 2, 3 and 8, these uses would open onto the public realm.

7.18 The plans include a Retail Strategy that envisions creating retail provision that would support and complement the existing retail offer immediately beyond the site in Shoreditch and on Brick Lane. Due to the size of the arches and other physical constraints on the site, such as pillars supporting the modern Overground viaduct, it is proposed that 45% of the units would be less than 80sqm, with only 4% of units more than 500sqm (the largest would be 1000sqm). The intention is that this would attract local, independent and start up occupiers. The proposed proportion of hot food and drink to retail/financial services (A3/A1) uses is 40%/60%. Following negotiations, the applicant has agreed to reduce the proportion of A5 from 15% of the A Use class provision on the site to a maximum total of 5%. These proportions would be controlled through the Retail Management Strategy secured by the S.106 agreement if the scheme were to be considered acceptable.

7.19 Policy D.TC3 "Retail outside our town centres" notes the Central Activities Zone's unique place in the retail hierarchy but raises the prospect that retail development within them may affect the vitality and viability of nearby Major, District or Neighbourhood Centres. The applicant has provided a Retail Assessment, including a Retail Impact Assessment, which addresses this issue. The assessment considered whether there would be an impact on neighbouring centres in terms of centre trade/turnover, town centre vitality and viability, and existing/committed/planned investment. The assessment concludes that the scheme would enhance the Brick Lane District Centre by making it more accessible and that there would be no significant adverse impacts arising on existing centres or future investment as a result of the development. Given these findings, the support for retail uses in the CAZ within the London Plan and the fact that the proposed retail space would play an important role within the

development activating streets and bring heritage assets back into use, the quantum of retail floorspace is acceptable.

- 7.20 The proportion of food and drink uses to retail use is appropriate given the expectation that cafes and restaurants are most appropriately located in the CAZ. The proportion of A5 units originally proposed was considered excessive and the reduction to 5% of the total is supported. A5 uses are supported in the CAZ, but only where there is at least 4 units between two hot food takeaways, they would not have residential amenity and they would not be located within 200m walking distance of a school or a local authority leisure centre. The site is appropriately distanced from schools and leisure centres and so 5% of the floorspace at A5 would be acceptable. The layout of the site, with breakout spaces for customers to consume takeaway food would help ensure issues associated with A5 uses are managed.
- 7.21 The Retail Management Strategy would also ensure that the aspiration for their element of the scheme set out in the application documents are carried through. The strategy would include a requirement that at least 10% of the retail floorspace be occupied by independent businesses, with 20% of this as micro/start up businesses. Whilst it would be preferable from a place-making stance for the proportion to be higher to enhance the local and distinctive character of the retail offer, there is currently no express LBTH planning policy to require this notwithstanding within the Local Plan a principle is set for development in City Fringe which seeks to promote a mix of uses that successfully reinforce the City Fringe character of small independent shops and businesses, alongside residential use.
- 7.22 Overall the retail component of the development is supported in principle and would successfully relate the development to its surroundings at street level whilst providing appropriate uses for restored heritage assets.

Housing

- 7.23 There is an aspiration for the site to contribute significantly towards Tower Hamlets Local Plan housing targets, though as a subordinate element to the employment floorspace. The proposed housing provision of between 346 and 500 homes is significant, though much reduced from the 1,464 (maximum) number of units proposed on the scheme as originally submitted.
- 7.24 The application is accompanied by a Residential Optimisation Study, exploring where additional residential units could be provide on the site. This sets out site limitations in terms of on-site physical and structural constraints, the impact of increased building heights on daylight to neighbours, as well as each other. A key area were additional units were to be provided on the original scheme is in building above the Oveground Viaduct 'box'. However, it is accepted that to make this worthwhile would require buildings of a scale that are likely to be unacceptable in their daylight/sunlight impact, given previous reasons for refusal.
- 7.25 Other location where an additional residential block was explored was at the eastern end of the Braithwaite Viaduct. However, on further review officers considered it preferable to secure the necessary consolidated open space in this area. Furthermore and critically in any case a building in this location would necessarily have to be of a limited scale. In terms of building heights, and with reference to the daylight/sunlight analysis provided later in the report, it is accepted that adding any significant additional height to any of the proposed residential blocks would be likely to result in unacceptable daylight/sunlight impacts.
- 7.26 The one area where additional residential units could be provided is plot 8, which is currently proposed as a 150 bed hotel, with some residential provision on the upper floors. The Residential Optimisation Study seeks to rule out the two 'pavilion' blocks as suitable locations for residential blocks due to the distance between the front doors of the units they would contain and the street level access point on Braithwaite Street below the viaduct. This problem would

not arise in the linked hotel due to its internal servicing. It is accepted that the distance that deliveries and shopping would need to be carried would be a challenge for the furthest new homes, but it is not accepted that this issue is so insurmountable as to render this part of the site undevelopable for housing.

- 7.27 In summary, the conclusions of the Residential Optimisation Study are generally sound apart from where they relate to plot 8. The acceptability of the proposed hotel use is examined in more detail in the next section.

Hotel (Use Class C1).

- 7.28 The proposed hotel envisaged in the indicative plan would have up to 150 guest bedrooms and with ancillary space in the maximum parameter scheme would have a floorspace of 11,013 m² located in plot 8. Policy D.TC6 (short stay accommodation) of the Local Plan supports new visitor accommodation in the Central Activities Zone, with a series of caveats; the size and scale of the accommodation must be appropriate to its location, it should not create an overconcentration of hotels in one location or compromise the supply of land for new homes/employment and should have adequate access and servicing arrangements. The location of the hotel within the CAZ, within a proposed new retail hub, and located immediately adjacent to Shoreditch Overground Station that connects by one stop to Crossrail at Whitechapel means the scale of the hotel (by bed spaces) is consistent with Policy D.TC6.
- 7.29 The massing of the hotel and servicing arrangements are addressed elsewhere in this report. With regard to the prospect of overconcentration of hotels, the proposed hotel would represent a small fraction (under the maximum parameter 4.75%) of the floorspace of the Bishopsgate development and would serve a complimentary role to the B1 offices. Any impact on the character of the area from the additional hotel in isolation, would be very limited given the proposed volume of new housing, retail and employment space in the scheme. As such is not felt to contribute to issues overconcentration or give rise to direct amenity issues to existing neighbouring residents given its location on the site set away from the street edges and accessed from the raised liner open space.
- 7.30 It is acknowledged that there has been a large increase in hotel floorspace in the vicinity of the site in recent years, with ten hotels under construction within 0.6 miles of the site. Given the level of development in the area in general, on account of its central location and high public transport accessibility and the fact that policy directs hotels to this type of location, this pipeline of new visitor accommodation in the area is not surprising and not at odds in this instance with development plan policies at either the Local Plan or London Plan level. The superseded local Development Plan Document required new hotel developments to demonstrate need and to this end the developer has provided a Hotel Needs Assessment. However, the newly adopted Local Plan does not have this requirement and it is unnecessary to consider hotel need in the assessment of the current application.
- 7.31 Of greater concern is the requirement that hotel development should not occupy sites suitable for residential development. The application's Residential Optimisation study sets out the constraints that are considered to militate against Plot 8 providing more housing. As described above, Plot 8 consists of a tall building which would pass through the platform level park to ground floor level to the west of Braithwaite Street, and would be connected to two lower in scale 'pavilion' blocks to be constructed on top of the listed part of the Braithwaite arches. It would not be acceptable from a heritage perspective for access and servicing cores to pass through the listed arches to the ground given the impact this would have on the historic fabric. Any residential units in the location of the pavilion blocks would need to be accessed and serviced across the platform level park, either via the main tower of Plot 8 or by bridges across Middle Road to Plot 10.

- 7.32 It is accepted that the distances from the cores to the front doors of individual units of up to 120m, and the need to pass through another building first, would make access to any residential units in this location awkward at best. The Optimisation Study further notes that a concierge would be necessary to manage the servicing given this trolleying distance. This, along with the convoluted access arrangements, would raise service charges and make any proposed building in this location unsuitable for affordable housing.
- 7.33 A second significant constraint on residential development is identified as the structural requirements of building on top of the viaduct. The principal structures of the blocks would need to align with the supporting pier arch walls below, which constrains the flexibility of residential layouts. The large footprints of the pavilion blocks as designed, with the load spread over several columns, could not be adequately repurposed for residential use without several entirely north facing units. North facing hotel bedrooms are acceptable given that they would only be occupied for relatively brief periods but not for residential purposes.
- 7.34 On the basis of the Residential Optimisation Study, it is accepted that the delivery of additional residential units, particularly affordable ones, in Plot 8 would be challenging and only a relatively small number could deliver in any case. It is difficult to categorically rule the potential of additional housing in Plot 8 as there may be alternative proposals that would be able to conceive of solutions to the constraints. A further unknown in the absence of a viability assessment is the extent to which the hotel contributes to the delivery of other public benefits within the scheme.
- 7.35 An alternative would be for the pavilion blocks to be deleted from the scheme and replaced with additional open space, with a handful of additional flats provided in the lower part of the plot 8 tower (currently occupied by the hotel lobby and reception areas). However, given that the proposed public open space in the scheme exceeds the minimum policy requirement set out in the Site Allocation, there is no strong policy justification to require further provision of open space.
- 7.36 On balance therefore, the hotel use is considered acceptable given the constraints on residential development in this location, the support for new hotels in the CAZ and its relatively small proportion of floor space in relation to the development as a whole. It is anticipated that the hotel would include ancillary leisure facilities such as a gym and a spa. These facilities would help contribute towards the Site Allocation requirement to provide leisure facilities on the site.

Community, non-residential institutions and leisure

- 7.37 Up to 6363sqm of class D1/D2 floorspace is proposed across the site (the D1 use class includes 'non-residential institutions such as art galleries, halls, clinics and creches whilst the D2 class covers entertainment and leisure uses such as cinemas and concert halls). This would principally be in two locations; a building constructed for this purpose in Plot 6 and fronting onto Brick Lane (with a minimum floorspace of 1,768 and a maximum of 2,385sqm), and the conversion of the internal western end of enclosed former London Road between Plots 2 and 3 (occupying a minimum of 1,194sqm and a maximum of 3,685sqm) and described as an 'exhibition space' in the plans.
- 7.38 The site allocation seeks a local presence/community facility and directs this to a location on or adjacent to the Brick Lane District Centre. An Ideas Store was previously suggested as being appropriate for the site, and this was intended to constitute the local presence. However, this has now been adjudged by that Council service provision area as being surplus to requirements and has therefore been omitted from the scheme.

- 7.39 Instead the applicant has agreed that the majority of the D1/D2 spaces, including the London Road space and the majority of Plot 6, would be occupied by cultural uses. The precise occupiers have not been identified yet and this is considered appropriate given the time that will elapse before the spaces are constructed. A cultural use could include galleries, venues, space for exhibitions and performances. A definition would be secured in the S.106 agreement to ensure that one of the less suitable uses in the broader D1/D2 use class would not occupy the space instead. A further control would be a joint Cultural Panel between Hackney and Tower Hamlets and including local representatives that would have the final say over occupiers of the two spaces. The Cultural Panel would vet potential occupiers and ensure that they would provide cultural occupiers that would be complimentary to the development and would not overlap with existing operators in the area (such as Rich Mix). The London Road space would be fitted out to ensure suitable air quality and sound mitigation to ensure that these factors would not constrain the range of future occupiers. The London Road space would also be expected to have a community aspect and this consideration would inform the selection of potential occupiers. The Cultural Panel and the definition of what constitutes a cultural use would be secured through the S.106 agreement.
- 7.40 The applicant has offered 400sqm (secured by s106) of the proposed D1/D2 space (that would occupy up to 2,385sq.m within Plot 6 as a fully community focussed facility, to be let at a peppercorn rent in perpetuity and fully fitted out (with £500,000 set aside for fit out costs). In the absence for a specific need for an Ideas Store, officers consider the community facility would address the requirements of the site allocation. Both the cultural uses and the community space are considered to be significant public benefits of the scheme and would meet the aspirations on the Site Allocation for leisure and community uses.
- 7.41 A space for a GP surgery, which also falls within the D1 use class, is also identified within the floor plans. However, the NHS (Strategic Estates) have advised that such a facility would not be required, with future provision planned to be in the form of larger health centres of at least 1000sqm and the proposed size of this space would be 315sqm (max. and min parameters). Therefore the provision would remain as general D1/D2 floorspace, open for occupation by another use within those classes.

Public toilets (sui generis)

- 7.42 298sqm within the scheme is identified for public toilets. This is a welcome additional amenity and would be well located in the heart of Shoreditch. The delivery and maintenance of the public toilets would be secured through the S.106 agreement.

Housing

Affordable Housing

- 7.43 The site is owned by Network Rail and as such is considered to be in public ownership. The London Plan and its associated Affordable Housing and Viability SPG requires that developments on public land to provide 50% of the housing as affordable to qualify for the Fast Track route and avoid the need for a Viability Assessment.
- 7.44 The proposed maximum parameter development would include 185 affordable homes: 90 rented (45 x London Affordable Rent and 45 x Tower Hamlets Living Rent) and 95 x Intermediate (Shared Ownership and London Living Rent). The same proportions of the total quantum of housing would be provided in the minimum parameter scheme. This means that 50% of the housing, measured by habitable room, would be in one of the affordable housing tenures. The development would not be supported by public subsidy and therefore would meet the requirements for Fast Track.

- 7.45 The proposed tenure split is slightly in favour of intermediate housing. 35% of the housing is to be divided 70:30 affordable rent to intermediate, whilst the remaining 15% is to be exclusively intermediate.
- 7.46 Paragraph 2.35 of the Mayor's SPG and Policy H6 of the Intend to Public new London Plan state that where 50% affordable housing is delivered on public land, a flexible approach should be taken to the tenure of additional affordable homes above the usual 35% threshold, taking into account the need to maximise provision. Therefore, whilst the affordable housing would not meet the tenure split set out in the Local Plan, this is permissible as an exception where 50% affordable housing is to be provided on public land.
- 7.47 Intermediate units are often difficult to secure as genuinely affordable in the shared ownership tenure where land values are high, as would be the case on the Bishopsgate site. Therefore, the applicant has agreed to provide at least 50% of the Intermediate units as London Living Rent, including all of the three-bedroom units. Any other Intermediate units with a value above the £600,000 threshold set out in the Mayor's SPG would be provided as Discount Market Rent. The rent levels for these would be set so that they would not exceed 28 percent of the relevant annual gross income upper limit specified in the London Plan Annual Monitoring Report. Any remaining units below £600,000 in value would be Shared Ownership. For both Shared Ownership and Discount Market Rent units, for the first three months there would be a further requirement limiting occupancy to households with an income below £52,000 for a two-bed unit and £47,000 for a one bed unit. As such it is considered that the Intermediate housing products would be genuinely affordable.
- 7.48 The affordable housing would be secured through the S.106 agreement. An early stage review of viability would still be secured. However, in line with the SPG, a late stage review is not required for schemes that qualify for the Fast Track route.

Dwelling Mix

- 7.49 The Local Plan policy SH.1 requires a mix of unit sizes. The proposed indicative unit mix for the maximum and minimum parameter schemes are set out in the tables below and compared with Tower Hamlets policy objectives:

Unit Size	Total Units	Affordable Housing						Market Housing		
		Social/Affordable Rented			Intermediate			Units	As a %	Policy Target %
		Units	As a %	Policy Target %	Units	As a %	Policy Target %			
Studio	0	0	0	0	0	0	0			
1 Bed	275	21	23%	25%	12	13%	15%	242	77%	30%
2 Bed	138	27	30%	30%	39	41%	40%	72	23%	50%
3 Bed	73	28	31%	30%	44	46%	45%	1	0%	20%
4 Bed	14	14	16%	15%	0		/	0		/
Total	500	90	100%	100%	95	100%	100%	315	100%	100%

Table 3 – Indicative dwelling and tenure mix (maximum parameter scheme)

	Total Units	Affordable Housing						Market Housing		
		Social/Affordable Rented			Intermediate			Units	As a %	Policy Target %
Unit Size	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units			
Studio	0	0	0	0	0	0	0	73%	30%	
1 Bed	187	18	29%	25%	18	24%	15%			
2 Bed	104	16	25%	30%	39	51%	40%	49	24%	50%
3 Bed	45	19	30%	30%	19	25%	45%	7	3%	20%
4 Bed	10	10	16%	15%	0		/	0		/
Total	346	63	100%	100%	76	100%	100%	207	100%	100%

Table 4 – Indicative dwelling and tenure mix (minimum parameter scheme)

- 7.50 In both the minimum and maximum parameter schemes, the unit mix for affordable rented housing would closely comply with the policy requirements, with a considerable emphasis on family sized units. For the intermediate units in the maximum parameter, there would be a similar policy compliant emphasis on family sized housing in compliance with the desired mix.
- 7.51 Whilst the indicative mix for affordable units is acceptable, the proposed mix for market units is very significantly out of line with policy in both scenarios. Almost all would be one or two bedroom homes with an almost negligible quantity of family units. The most favoured unit size in policy terms for market homes is two-bed, but less than half the proportion sought is proposed.
- 7.52 Notwithstanding the compliance with the affordable housing tenure mix, a market unit mix so out of accord with policy is not acceptable and site specific factors such as location in CAZ in very close proximity to City of London and accordingly high sales prices for larger units does not warrant such a degree of deviation from the policy target. The applicant has commented that the unit mixes are indicative, and the housing mix could be reviewed at reserved matters stage. A planning condition needs to be imposed to ensure a unit mix strategy is put forward should permission be granted to secure a greater proportion of larger market units at reserved matters whilst maintaining the policy compliant affordable mix.

Accessible Housing

- 7.53 In the Access Statement, the applicant has committed to providing 10% of the units as part M4 (3)(2)a of the Building Regulations. The remainder of the units would meet the M4 (2) requirements. Furthermore the applicant has committed to providing all the accessible units within the affordable rented tenure as M4 (3)(2)b (fully fitted out). As such the scheme would comply with the requirement for 10% of units to be disabled accessible/adaptable.
- 7.54 The blue badge parking spaces would be located in reasonable proximity to the blocks containing the accessible units. The management and allocation of these spaces would be secured through a condition requiring a Parking Management Plan. Full details and implementation would be secured in the reserved matters applications.

Quality of Residential Accommodation

- 7.55 The residential parts of the scheme are in outline only and so full details of their design and standard of accommodation would be for approval at reserved matters stage. However, the Residential Strategy in the Site Wide Parameters document commits to providing flats in accordance with the adopted housing policies. It further commits to maximise dual aspect

homes, provide unit in accordance with Lifetime Homes Standards as a minimum, provide principal access and egress points to residential buildings at ground floor level and design the blocks to be 'tenure blind', where there is no difference in appearance between the market and affordable units. The Residential Strategy commits for all units to have access to external private amenity space, whether balconies, winter gardens or roof terraces.

- 7.56 The location of affordable units is not defined in the outline application and would necessarily need to be spread between more than one of the plots given the proposed phasing and link between delivery of affordable and market units. The units in the tower proposed for Plot 8 are unlikely to be suitable for affordable rent housing given the need to avoid sharing cores to avoid servicing charges. The residential blocks proposed for Plots 4, 5 and 10 would be similarly situated in terms of access of amenity space, outlook and daylight. Therefore all would lend themselves to provide a reasonable quality of accommodation and lend themselves well for affordable housing. As such, there is no need to define the location of affordable housing at outline stage.
- 7.57 With regard to daylight and sunlight, although a full assessment of internal daylight would only be conducted at detailed design (reserved matters) stage, it is noted that many residential units in plots 8 and 10 would have a southerly open aspect across the new public open space. As set out in the Residential Optimisation Study supporting the application, the maximum heights and positions of plots 4, 5 and 10, which face each other across the top of the Overground viaduct box have been based on the need to ensure that sufficient daylight is available to the units on the lower floors. Careful attention would be needed for the layout of the lower floors of the blocks adjacent to the Overground box to ensure adequate outlook. This could be achieved by placing and other non-habitable space faces the box.
- 7.58 The Environmental Statement Addendum has assessed the likely noise environment for the residential units and notes that they would be subject to significant noise from road traffic on the northern side of the site and from the railway on the southern edge. Acoustic glazing and ventilation would be sufficient to reduce internal noise to within acceptable levels however and this should be secured by condition. Some of the external amenity areas would also be subject to elevated levels of noise. However, screening and barriers, necessary for instance to prevent access to the railway, would have a dampening effect.
- 7.59 Given the mixed use nature of the site, noise levels from external plant would also have to be controlled. There is also the prospect of a degree of construction noise from later phases of the development affecting building within the scheme already occupied. This would need to be addressed through the Construction Environment Management Plan.

Communal Amenity Space & Play Space

- 7.60 Development Plan policies require provision of children's play space (10sqm per child). The Borough's child yield calculator estimates that the maximum parameter scheme would house 195 children (73 x children under 5, 59 x children aged 5-11 and 58 x children aged 12+) requiring 1897sqm of child play space.
- 7.61 The application states that a total of 3,970sqm of play space would be provided, consisting of 680sqm of doorstep play space, 2,800sqm of local playable space for all ages and 490sqm of 'youth space'. This would be provided both in roof level terraces to some of the individual residential buildings as well as within the podium level park. Whilst full details would need to be agreed at reserved matters stage, it is evident that ample space would be available to meet the residential play space requirements of the Local Plan, even with the maximum proposed level of development, whilst also providing the minimum 1 hectare of strategic open space sought in the site allocation.

7.62 Policy D.H3 requires communal amenity space at a minimum of 50sqm for the first 10 dwellings and 1sqm for every additional unit). This generates a need for 540sqm for the maximum parameter scheme. Again, this could be secured at the detailed design phase of the development.

Open Space

7.63 As noted above, the site allocation seeks the provision of strategic open space of at least one hectare, reflecting a long-term aspiration for the redevelopment of the Goods Yard site.

7.64 A total of 12,854sqm would be provided at podium level, comfortably exceeding the site allocation requirement. This would span the full length of the site, with the illustrative plans showing a variety of landscaped spaces serving different functions. A consolidated area towards the eastern end of the site would provide a grassed area and trees containing a play area. Smaller gardens would be between the buildings of Plot 8 and two open areas would be provided at both ends of the site providing views along Brick Lane and to Shoreditch. The different areas would be connected by a linear east west pedestrian route.

7.65 One criticism of the design is that the presence of buildings at podium level, in particular the hotel and flats in Plot 8, would result in a fragmented and disjointed open space. Of particular concern is a potential 'pinch point' at the eastern end of Plot 8 where the site narrows. In response the applicant has produced further illustrative plans and images showing how at reserved matters stage Plot 8 could be designed to maintain a visual as well as a physical connection between the eastern and western sections of the open space. These additional plans have gone a long way to address officers' concerns on this matter, although more details would benefit a full understanding the longer view sightlines of the larger open space at the eastern end of the site as viewed from the western end of the linear open space..

7.66 The applicant has argued that the mix of uses at platform level, including offices, residential, hotel and restaurants/cafes, would provide activity in the open space throughout the day and evening, enlivening the space, a high level of natural surveillance and thereby discouraging anti-social behaviour. There is some merit in this and the A3 uses in particular would help to activate the space.

7.67 Overall the approach the outline approach to the delivery of open space is acceptable and would meet the requirements of the site allocation subject to these aspirations being translated into the detailed design phase. The S106 agreement would secure 24 hour access to the open space, management, maintenance and security. The phasing plan commits to delivering the park in the early stages of the development, which is welcome and would also be secured through the S.106 agreement.

7.68 The applicant has also agreed to contribute to the provision of sports/play equipment in open space in the vicinity of the site. This is in recognition of the linear quality of the of the open space, accentuated by the need for public access to be set back 3m from the edge of the railway, which does not lend itself to structured but informal ball sport play. A prospective Multi Use Games Area (MUGA) alongside outdoor gym equipment in Allen Gardens/Weavers' Fields would supplement the quality and diversity of play space for older children within the development. A financial contribution of £200,000, secured through the S.106 agreement, would secure this.

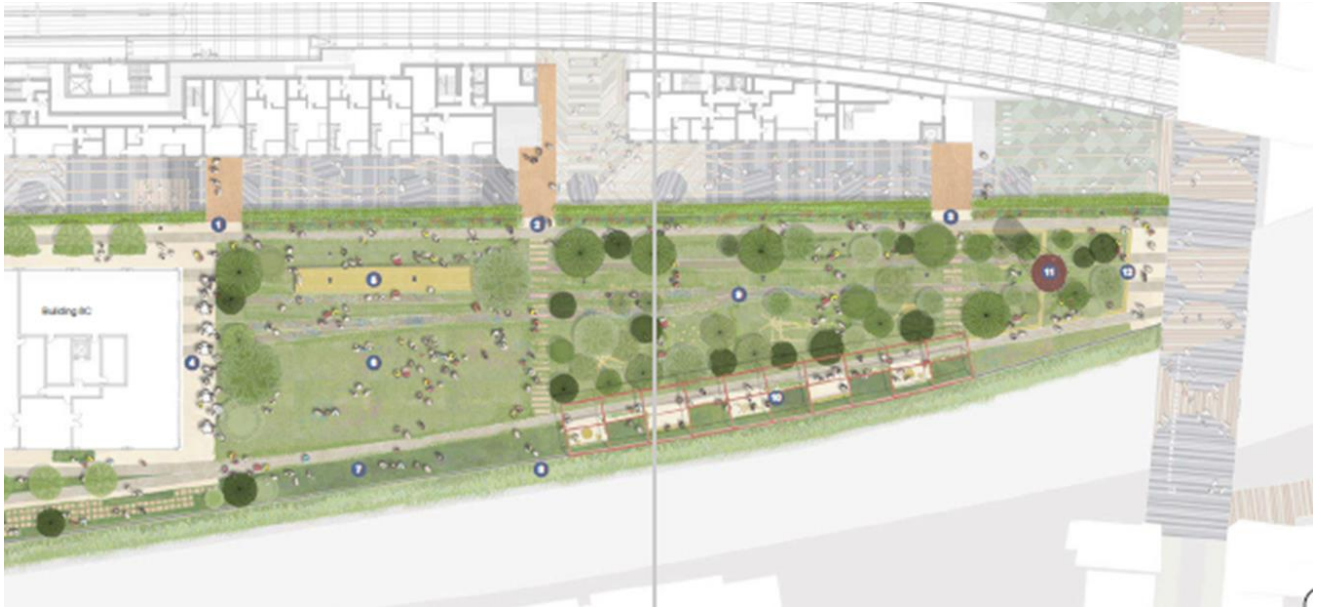


Image 6 – platform level open space (eastern part)

Biodiversity

- 7.69 The Development Plan policies seek to safeguard and where possible enhance biodiversity value.
- 7.70 A Phase 1 Habitat Survey was conducted as part of the ES assessment. This demonstrates that the site has some importance (Borough level) for Black Redstarts and invertebrates from the Open Mosaic Habitat on the top of the Braithwaite Viaduct. Reptiles and bats were not detected. The site is considered to be of ecological importance for bats. The phased nature of the development means that there would be some 'refuge habitat' available invertebrates and birds present on the site.
- 7.71 The borough's Biodiversity officer has identified some weaknesses and inconsistencies in the proposed approach to landscaping and biodiversity, particularly with regard to the appropriateness of particular planting species and biodiversity measures. The developer has undertaken to address these at the detailed design phase. The combination of the platform level park, green roofs and other biodiversity features across the site would enhance the ecological value of the site compared to its current situation. There is the prospect also of adding a green roof or other biodiversity measures to the top of the Overground viaduct, though this would need to be explored with TfL at the detailed design stage.

Design

- 7.72 Development Plan policies call for high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.
- 7.73 The proposals draw upon the unique historic environment of the Goods Yard to create a new neighbourhood, building upon the distinct character of the existing railway heritage. They involve the reuse of existing historic structures and enable increased access to and awareness of heritage on the site, much of which is presently considered to be at risk. The proposals offer the potential to contribute positively to local character within the area, creating a distinct quarter.

Suitability of the site for tall buildings

- 7.74 The site is located in the Central Activities Zone, where the current London Plan directs tall buildings to be located. A cluster of tall buildings has been approved in the vicinity of the site on the Hackney side of the boundary and the scheme would be set in the context of an area already characterised by tall buildings. The local context also includes the 25 storey Avant Garde tower, an isolated tall building on Bethnal Green Road immediately to the north-east of the Good Yard. The site allocation anticipates that there would be larger buildings around Shoreditch High Street station.
- 7.75 With regard to Tower Hamlets planning policy, which applies to the part of the site within the borough, Bishopsgate Goods Yard is not within one of the Tall Building Zones identified in the Local Plan. The assessment criteria in policy D.DH6 for new tall buildings outside these zones therefore applies, which requires them to be located in areas of high public transport accessibility within town centres and/or opportunity areas, address deficiencies in the provision of strategic infrastructure, strengthen the legibility of a Centre or mark the location of a transport interchange or other location of civic or visual significance and not undermine the prominence and/or integrity of existing landmark buildings and tall building zones.
- 7.76 The site has the highest public transport accessibility and the development would mark the location of Shoreditch High Street station. The scheme would contribute to strategic infrastructure, particularly through the provision of open space but also by contributing to improvements to the highways around the site and pedestrian permeability across it. The height of the proposed buildings would gradually step down from west to east moving away from the highest buildings on the Hackney side. Under the maximum parameter, the tallest buildings in the site within Tower Hamlets would be of a comparable height to the existing Avant Garde building. As such, the proposals are considered to comply with Tower Hamlets' Tall Building policy.

Impact on London View Management Framework (LVMF) Views and Borough Designated Views

- 7.77 Development Plan policies call for development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. The application includes a Townscape, Heritage and Visual Impact Assessment (TVIA). This identifies the London View Management Framework (LVMF) views that could be affected by the development.
- 7.78 Unlike the application as originally submitted, the development would no longer impinge on views of the Tower of London UNESCO world heritage site. The TVIA also assesses other LVMF views including from Alexandra Palace, Parliament Hill, Kenwood House, Primrose Hill, Greenwich Park Blackheath Point King Henry VIII's Mound and Tower Bridge and concludes that the development would either not be visible in these views or have a neutral effect. Officers have reviewed the TVIA and share the conclusions of the submitted TVIA that the scheme would not impact in any significant way upon LVMF views and is therefore considered acceptable in that respect. There would be no impact on the designated local views in the Local Plan.

Scale and Mass

- 7.79 The TVIA demonstrates that the greater townscape impact of the proposal would be on local views in the immediate vicinity of the site. The Goods Yard is surrounded on all sides by four conservation areas; Redchurch Street, Fournier Street/Brick Lane, Boundary Estate and South Shoreditch. The proposed development would also be visible in views from Elder Street Conservation Area. Given the scale of the proposals, there will inevitably be impact on their settings as well as their special architectural and historic character.

Plot 2

- 7.80 The office building on Plot 2 would be the tallest and bulkiest building within the scheme and as such would have the most significant and wide ranging visual impact. Although it would be entirely located within the borough of Hackney, there would be an impact on the setting of heritage assets within Tower Hamlets. As noted above, a number of tall buildings have been approved in recent years in the Shoreditch High Street area, most notably Principal Place and the Highgate Hotel and a tower with some height and presence is considered appropriate for the Goods Yard site. However, the building proposed for Plot 2 would appear as a broader, bulkier more dominating structure than other existing and consented tall buildings within the vicinity, particularly when viewed from the north and south.
- 7.81 The application seeks approval of the detailed design of Plot 2. These include wind mitigation fins on the south and west elevations that to a degree exacerbate the visual impact of the building. These elements were not included in earlier iterations of the design of the building and it is apparent that they have been added at a later date to address microclimate issues that were unfortunately not considered at the outset by the applicant. Although the design of these fins has been developed to make them appear more lightweight, they would remain a somewhat incongruous addition to the building. It would have been preferable if wind mitigation measures had been designed into the building at an early stage.
- 7.82 The Townscape and Visual Impact Assessment [TVIA] illustrates that the proposed building would have significant impacts on a number of sensitive views. Of particular concern, is the impact on view 49 from Folgate Street looking north along Elder Street and view 60 [Blossom Street], where the building's bulky appearance detracts from the setting of Elder Street Conservation Area and [in the case of view 49] a number of listed buildings.
- 7.83 The Plot 2 tower would have a harmful impact on views from the southwest, along Commercial Street. Commercial Street is the boundary between the Elder Street and the Brick Lane and Fournier Street conservation areas and is lined with a number of listed buildings. TVIA views 43 [at the junction with Hanbury Street], 46 [close to Wheler Street] and 64 [at the junction with Fleur De Lis Street] all illustrate the way in which plot two would dominate and detract from sensitive townscape views.
- 7.84 There would also be a detrimental impact on views from conservation areas located to the north of the application site. For example, TVIA view 32 [Arnold Circus Roundabout] illustrates the dominating presence with broad north elevation of the building would have on the setting of the Boundary Estate Conservation Area. The impact of the building would not be limited to the views in the TVIA alone.
- 7.85 Plot two also has significant detrimental visual impacts on a number of views from within the London Borough of Hackney. For example, as illustrated in TVIA views 28, 30, 35, 51 and 65.

Plot 1

- 7.86 Of concern are the potential impact of Plots 1 and 4 on views along Bethnal Green Road (views 36 and 40 in the TVIA). There is a danger that the development parameters for this element of the scheme are liable to result in an imposing wall of development that could dominate and detract from these important townscape views. This detrimental impact would include harm to the setting of a number of designated heritage assets.
- 7.87 At present, views along the western end of Bethnal Green Road are terminated by the concrete box enclosing the Overground line. It is clear that there is an opportunity with this scheme to improve the townscape here by repairing the urban structure. It is also noted that tall buildings are already feature within views along Bethnal Green Road, notably the Avant Garde tower on Bethnal Green Road itself and Principal Place further in the distance on Shoreditch High Street. As such, it is recognised that there is potential for positive change to this view, which may include buildings of some height and presence.

- 7.88 Plots 1 and 4 would form a new street frontage along the far western end of Bethnal Green Road, incorporating the retained single storey historic wall and replacing the temporary Box Park retail units. It is evident from the information submitted in support of the application that the buildings that could come forward on these plots could form a dominant and imposing wall of development as there is a very limited amount of proposed modulation in the principal building line or variation in the overall height of the individual buildings.
- 7.89 Revisions to the design guidance for the building on Plot 1 considerably improve the situation, though this would remain a large and bulky building. To be successful, the development of Plot 1 would likely need to be limited to little more than the minimum parameters set out in the Design Guide. Any proposals coming forward will also need to be very carefully articulated and detailed to help minimise the apparent scale to the eye.

Plot 3

- 7.90 Plot 3 has also been subject to amended guidance within the design code, but the revised proposals remain a particular concern. The proposed building would span the railway line and is grounded on the narrow strip of land at the western end of Quaker Street. The southern side of this street is in Tower Hamlets and is within the Brick Lane and Fournier Street Conservation Area.
- 7.91 The parameter plans allow for a building of up to 51.7 metres to be located on the back of the pavement, with no set back elements, to create a sheer wall on the northern side of Quaker Street. This would have an imposing and overbearing impact on this relatively narrow street and would be harmful to the setting of the conservation area and nearby listed buildings, in particular the Grade II Listed Bedford House opposite. The overbearing impact is illustrated in TVIA view 62 [at the junction with Commercial Street]. The minimum parameter height would be 45m AOD, which would still constitute a bulky and substantial building.
- 7.92 In its favour, the height of the building would represent a transition from the medium rise heights within the Fournier Street Conservation Area to the towers of Plot 2 and Plot 8. Being constructed mainly over the railway it would also constitute an efficient use of land. However, these factors in themselves are not sufficient to outweigh the overbearing impact and harm to the setting of heritage assets that would arise from this building.
- 7.93 The impact on the setting of the conservation areas and listed buildings within them from the buildings proposed for Plots 1, 2 and 3 would amount to less than substantial harm to their character and appearance. In accordance with paragraph 196 of the NPPF, great weight should be attached to any harm to heritage assets and this should be balanced against the public benefits of the scheme.

Plots 4 and 5

- 7.94 Plots 4 and 5 would be occupied by mainly residential blocks around the northern boundary of the site and are in outline. The parameter plans would see them gradually reducing in height from east to west, with 19 storeys (81.5m AOD) under the maximum parameter for the westernmost section of Plot 4 where it would be opposite the entrance to Shoreditch High Street station.
- 7.95 As noted above, there is concern that Plots 4 and 1 would visually combine to create the appearance of a wall of tall development when viewed from the east along Bethnal Green Road. The detailed design will be critical in ensuring that the mass of these blocks is broken up and the parameter plans allow an opportunity for this and it needs to be taken at reserved matters stage to address that concern. With the minimum parameter the scale of Plot 4 would be significantly reduced compared to the maximum parameter, with the tallest section as low as 62.3m AOD, as opposed to 81.5m. This would have implications for housing delivery however. It is anticipated that an appropriate design response could be devised at reserved matters that

addressed the massing whilst optimising housing set in the context of being consistent with a wider set of development plan policies and objectives.

- 7.96 The breaking up of Plot 5 into three separate blocks is considered to be an appropriate design response in the context of the Sclater Street historic buildings and the limited width of the road. Illustrative drawings showing how these blocks could be individualised in the detailed design some promise. For both Plots 4 and 5, the incorporation of the existing boundary wall into the ground floor would link them to the historic use of the site and is supported.

Plot 6

- 7.97 The community/cultural building would be up to four storeys in height, which is an appropriate scale for Brick Lane onto which it would front. The focusing of the building on the public square at the eastern end of the site is also an appropriate design response. The building would need to be of very good design quality given landmark location at the eastern end of the site.

Plot 8

- 7.98 The tower and two linked 'pavilion' buildings would be located at the centre of the site. The tower proposed for Plot 8a (maximum AOF height of 105.75m AOD) has a slim profile and would step down from the highest part of the development on Plot 2 immediately to the west. This is an acceptable relationship. The low profile of the pavilion blocks minimise their impact on the wider setting. Concerns regarding their impact on the listed arches and the platform level open space are addressed elsewhere in this report. Particular attention would need to be paid to the detailed design and massing of this plot to ensure its integration into the public realm.

Plot 10

- 7.99 The dimensions of Plot 10, being a narrow space between the Overground 'box' viaduct and the proposed Middle Road, limit the massing options for buildings in this area. Plot 10 as proposed would be of a comparable height to Plots 4 and 5 and the parameter plans, including the maximum parameters, do not raise any significant concerns in urban design terms. Aspects of the detailed design, including creating an attractive backdrop to Middle Road and the platform level open space and securing an appropriate design of the bridges and wind mitigation measures above Middle Road will be critical.

Heritage

- 7.100 The proposals will bring back into use two designated heritage assets at risk; the Braithwaite Viaduct and the Oriel Gateway, both Grade II Listed. Several undesignated heritage assets would be refurbished and restored, including London Road, the Goods Yard's boundary walls, and the historic buildings on Sclater Street, which include the Weavers Cottages and the Mission Chapel. These are public benefits that should be given significant weight in consideration of the proposal.

- 7.101 There are however other heritage impacts within the site that need to be taken into consideration.

Loss of historic fabric

- 7.102 Whilst the proposals maintain the majority of the historic fabric of the site there are a couple of areas of loss within Tower Hamlets which must be considered harmful.

- 7.103 The first of these is the removal of one of the non-listed Victorian barrel vaults over Braithwaite Street. The vaults abut the historic Braithwaite Viaduct and are a non-designated heritage asset, forming part of the setting of the viaduct and visible in direct conjunction with it in the street scene. This alteration is required to facilitate the servicing of the site, with one of the

three servicing yards located to the west of Braithwaite Street. Given the difficulty in servicing the site, this alteration is considered necessary to allow the wider redevelopment of the site to come forward and is acceptable in that context.

7.104 The second area is to the west Braithwaite Street. As well as the demolition of some of the undesignated arches within Hackney, the access ramp to the upper levels of the viaduct would also be demolished. This loss of this element evidence of the historic connections around the Goods Yard and its loss is considered to be harmful to the setting and understanding of the Goods Yard Site and the Oriel Gateway.

Impact on heritage of outline proposals

7.105 The design codes and parameters for the development give an indication of what is proposed outside of the detailed elements of the scheme. There are concerns that the lack of definitive information mean that it is difficult to fully assess the impact of proposals upon the historic environment. This is a particular issue for the development proposed in Plots 7 and 8.

7.106 Plots 7B, 7C and 7D are considered to affect the special character of the listed Braithwaite viaduct and are the subject of a Listed Building Consent. However, plot 7E, London Road, which is a key element of the setting of the listed viaduct and which retains such significance in relation to the understanding of the listed viaduct and the Goods Yard as a whole, is in outline only. How this part of the plot is repaired and treated is a critical part of the overall successful reuse of the viaduct and the way that it is treated will have a serious impact upon the understanding and significance of the Goods Yard as a whole.

7.107 The intentions and aspirations for 7E are supported in heritage terms. These include the reopening of London Road for pedestrians, the repair of the jack arches above, the landscaping vision to the platform level park and the creation of an educational/visitor centre, with the restored hydraulic accumulator within. However, issues such as the boundary to the railway line, any ventilation and smoke extraction required as a result of the enclosure of the space, fire protection measures, acoustic considerations, how the jack arches would be repaired, and facilitating access for all need consideration. How these elements are treated is key to ensuring that the locally distinctive character of this space is protected and to ensuring the setting of the listed viaduct is not harmed.

7.108 The impact of Plot 8 was initially of greater concern, which would introduce a hotel and some flats above the viaduct contained in three buildings. 8A is integrated with the listed viaduct to gain entrance to the building. With regard to 8B and 8C, the intention is that these will be relatively low lightweight structures (4 stories in the maximum parameter) and the understanding is that it will be possible to support these on the existing structure. The existing condition of the viaduct and whether it could support the increased weight of the buildings, concrete slab, water mitigation measures and water towers without significant intervention, was not considered to be satisfactorily addressed in the revised scheme as originally submitted as the proposals appeared to be based upon very limited investigation.

7.109 However, the applicants have since presented a report containing information regarding the investigative work which has already been undertaken, which is more extensive than was set out in the initial application submission and offers a clearer picture of the existing structure. They have also detailed the practical constraints that limit the ability to produce further investigative works at this stage of the scheme's development.

7.110 Whilst it is appreciated that it will necessary to review and update some of this work, the evidence suggests there is a very reasonable prospect that the structures could support the new buildings without the need for substantially damaging interventions. The applicant has committed to not undertake any piling works through the listed structure and this would be controlled by imposition of a no piling compliance condition.

7.111 Whilst it would be preferable in heritage terms for further detail to be provided regarding plots 7E and 8, on balance it is considered that a robust set of conditions, including one prohibiting piling, would be sufficient to secure these elements of the scheme satisfactorily.

7.112 The educational/visitor centre, a 290sqm space located at basement level in one of the old boiler rooms below London Road, would provide an opportunity for visitors to appreciate the history and significance of the site. The space would be located next to the restored hydraulic accumulator, which would itself be a feature of interest representing the industrial heritage of the site. It would be visible from the visitor space and a platform at street level of London Road. This provision of this space would form an important part of revealing the historic interest of the site and is supported. Details of how the space would be accessed and managed would be secured through the S.106 agreement.

7.113 Aside from Plots 7 and 8, the reuse of existing historic materials within the landscaping scheme is to be welcomed. This and the interpretation centre to be housed with the hydraulic accumulator will make the history of the site more readily understandable. A full audit of the historic materials and features across the site, and a strategy for the reuse of the materials should be secured by condition. The boundary treatment at platform level, which are likely to be of a significant scale given the need to safeguard the railway, also has the potential to significantly impact the setting of the viaduct and should also be secured by condition.

7.114 How the boundary wall to the north of the Goodsyards is to be treated is also dealt with in outline only, but the design codes makes it clear that the boundary wall is to be retained which is welcome. Proposals for the repair of the boundary walls will come forward as the various plots come forward reserved matters approval.

Sclater Street buildings (Plot 5)

7.115 The retention and refurbishment of these non-designated heritage assets (The Weavers' Cottages, The Victorian Building and the Mission Hall) is welcomed in principle. However, much depends upon the detail of the proposals.

7.116 With regard to the Weavers' Cottages, the rear extensions in the yard space, which are presently in poor condition, will be replaced with three storey glazed extensions to facilitate office use providing access and services to allow the main cottages to be restored, This is considered to be appropriate for these heritage assets which are not listed. It should be noted that these cottages are the subject of an application for listing and, listing may change the assessment of what is appropriate.

Listed Building Application (Plots 7B, 7C and 7D- Braithwaite Viaduct).

7.117 The general approach of retaining and repairing the viaduct with the intention of converting it for retail use is supported. The proposals indicate that it is the applicants' intention to protect the patina of age, which is to be welcomed. However, there are no details provided regarding the approach to this, the repairs anticipated, or any cleaning proposed. Further details of this will be required but could be dealt with by condition.

7.118 The proposals create two east west cross routes through the site in line with the original guidance and this means that the viaduct is visible along its northern elevation, allowing the viaduct to be viewed and enjoyed by the public. This is a significant improvement over previous proposals and is supported.

7.119 The intention is to create shop units facing both north to Middle Road and south to London Road enabling the grain of the units to remain small. The developers state they are keen to target independent businesses, and this is desirable. In terms of the opening up between units and creating through routes, demolition is limited and the advantages of doing this is accepted.

- 7.120 With regard to the shopfronts, what is proposed is a standardised base fit out, with details such as the location of doors being more flexible. Signage and lighting is incorporated. This approach is supported. As the arches vary in detail, each shopfront will need to be individually prepared and proposals have been drawn up for each arch. It is assumed that no additional security measures are proposed.
- 7.121 Although the shopfronts are generally supported, there are some remaining concerns. It is intended that the signage zone will span the unit and will be louvred to allow ventilation. Whilst it is helpful that ventilation is being considered at this point, the strategy of encompassing it in the signage zone may not be the optimal solution and may make it difficult to unify proposals across different units. The entirety of the arch above the louvres is identified as an internal signage zone in addition to projecting fins, and it is questioned whether this amount of signage is needed. It is suggested that the proposals are supported by a design guide which deals with signage in more detail and it is important that this should be secured by condition. It will be important that this is provided / conditioned.
- 7.122 It is anticipated that restaurant and café units will be located on corner units where the additional ventilation required can be incorporated within a separate frontage. These louvred frontages are not particularly attractive features within the retail environment. Further detail of louvres and ventilation in general will need to be secured to ensure that these are satisfactorily integrated with the historic structure. In terms of the new shopfronts on Farthing Lane these appear to be diminutive in scale, when compared with the existing arches.
- 7.123 The phasing of the scheme would be secured through the S.106 agreement to prioritise the works to the historic buildings at risk, which would occur in the first two phases. This sequencing is supported.

Heritage summary

- 7.124 The Bishopsgate Goods Yard site has been underused for many years and has a number of complex constraints governing its redevelopment. These proposals envisage the mixed reuse of the site and the refurbishment of the important heritage assets of the Goods Yard site including the listed Oriel and Braithwaite Viaduct. It should be noted that whilst the restoration of the Oriel Gateway is welcomed in principle, as this part of the site is not within Tower Hamlets the detail of how it would be achieved is a matter for consideration by Hackney Council.
- 7.125 The proposals draw upon the unique historic environment of the Goods Yard to create a new neighbourhood, building upon the character of the existing railway heritage. They involve the reuse of existing historic structures and enable increased access to and awareness of heritage on the site, much of which is presently considered to be at risk. The proposals offer the potential to contribute positively to local character within the area, creating a locally distinct quarter.
- 7.126 Whilst the proposals involve some harm to the significance of designated and non designated heritage assets this can be assessed as less than substantial. Retention of the heritage of the site is an underlying principle informing the masterplan, and the design code which forms a part of the documentation offers confidence in assuring the quality of the scheme going forward.

Balance of public benefits

- 7.127 The Council's statutory duty to consider a proposal's impact to conservation areas and their setting is contained in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which is reflected in central, regional and local policy and guidance.
- 7.128 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.

- 7.129 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.
- 7.130 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.
- 7.131 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.
- 7.132 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.
- 7.133 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.
- 7.134 As set out above, there are a number of impact amounting to less than substantial harm, including to the setting of conservation areas and listed buildings beyond the site, which in accordance with paragraph 196 of the NPPF should be given great weight. Given the benefits of the proposal in terms of the delivery of affordable housing, the restoration of heritage assets at risk, the new publicly accessible park, the pedestrian routes across the site and public realm and the community centre/cultural floorspace, the benefits are considered to outweigh the impact identified.

Archaeology

- 7.135 Development Plan policies require measures to identify, record, interpret, protect and where appropriate present the site's archaeology. The site is located in an Archaeological Priority Area as defined in the Local Plan.
- 7.136 As noted by Historic England (GLAAS), here is potential for archaeological remains to be found on the site from a number of time periods. It is likely that the archaeological interest of the site will not only be found at ground level, but will also be in the fill which is to be excavated to enable water attenuation, and the introduction of the concrete slab if the proposals are granted.
- 7.137 In line with GLAAS's recommendations, conditions requiring a phased written scheme of investigation, an archaeological watching brief, a programme for historic building recording, the analysis of findings and proposals for outreach and permanent onsite heritage interpretation should be attached to any planning permission.

Waste

- 7.138 The scheme would generate a substantial amount of waste over the course of the construction programme, including from excavation and demolition of some of the existing structures. As set

out in the ES addendum, this would need to be handled through a Site Waste Management Plan.

7.139 The positions of the refuse and recycling storage within the development are acceptable in principle subject to detailed design.

Amenity

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

Privacy & Outlook

7.141 Policy D.DH8 of the Local Plan notes that a separation distance of 18m between directly facing windows reduces inter-visibility to a level acceptable to most people. The proposed blocks would be largely positioned away from existing residential development , separated by the railway along the southern boundary and the viaduct or adjacent to existing commercial development such as the Tea Building.

7.142 Plot 4 would be located opposite a wider section of Bethnal Green Road where there would be a sufficient separation distance apart from its north eastern corner, which would be approximately 17.5m from residential windows at the rear of 28-30 Bethnal Green Road. The adjacent Plot 5 would follow the line of the Goods Yard boundary wall as it draws away from Sclater Street to the east. At its closest point it would be approximately 16.5m from residential windows opposite. For both of these blocks, the judicious positioning of windows in the reserved matters design should be sufficient to address privacy issues. Further east on Sclater Street, the conversion of the upper floors of The Victorian Building into two flats would result in a separation distance of 12m across Sclater Street of approximately 12m. However given that this is an existing building reflecting the traditional street pattern and its conversion and restoration is desirable in heritage terms, this is considered acceptable.

7.143 The other part of the development where privacy distances are a concern where offices in Block 3 would face residential flats at 154 Commercial Road in “Hollywood Lofts” over a separation distance of 12m. The indicative plans show that the proposed core of that building would be located on its southern side, removing much of the potential for overlooking. It would be necessary to address the potential for loss of privacy in the final design of Block 3, though privacy screens, louvres or some other measure for the office windows, secured through condition. The effect on outlook from these measures would be less of a concern given that the block is for offices not residential and therefore restrictions made to views out to address privacy concerns to neighbouring residents would not pose an amenity issue for future office occupants.

7.144 Overall therefore the impact on privacy and overlooking from the scheme would be acceptable subject to the detailed design addressing residual concerns.

Daylight, Sunlight & Overshadowing

7.145 The ES includes an assessment of daylight and sunlight. This has been independently reviewed by consultants appointed by the GLA, with the results shared with the boroughs.

7.146 The effects on existing surrounding properties from a daylight perspective have been assessed using the methodology and tests set out in the Building Research Establishment (BRE) Site layout planning for daylight and sunlight: a guide to good practice. The Vertical Sky Component (VSC) test is the primary test. The No Sky Line (NSL) test was also undertaken where internal layouts to neighbouring residential rooms were known or could be approximately estimated.

7.147 The effects upon sunlight levels have been tested using the Annual Probable Sunlight Hours (APSH) test. These are considered to be the appropriate tests and in line with BRE criteria. Three assessments have been undertaken, one for the *maximum parameter* scheme and one for the *indicative scheme* set out in the Design and Assessment Statement and one for the *minimum parameter scheme*. Since the maximum parameter scheme represents the worst case scenario, this is the main focus of the analysis below.

7.148 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% - 30% reduction	Minor adverse effect
30.1% - 40% reduction	Moderate adverse effect
Above 40% reduction	Major adverse effect

Table 5 – classifications for reductions in daylight and sunlight

7.149 In total, 5133 windows have been assessed for daylight under VSC in the Daylight/Sunlight Assessment of the maximum parameter scheme. 4191 of these would comply with BRE guidelines, with no noticeable loss of light. Of the windows that do not comply with BRE criteria, 414 would have a minor adverse effect, 214 a moderate impact whilst 334 would have a major adverse impact as a result of the development. For NSL, of 2905 rooms assessed, 2580 would comply with BRE guidelines, with 96 affected to a minor degree, 79 moderately and with a major adverse effect on 50. For sunlight, of 1829 windows assessed, 1664 would comply with BRE guidelines, 32 would see a minor impact, 5 moderate and 56 a loss of Annual Probable Sunlight Hours in excess of 40% following the development.

7.150 Image 7 below shows the location of the nearest residential properties to the site with have been assessed. Blue denotes commercial properties, purple shows residential one and orange is for mixed use, typically with residential above ground floor level. Table 6 sets out the impact on the residential properties that are located in Tower Hamlets.



Image 7 – Location of assessed residential properties in relation to site

Property	Vertical Sky Component reduction %				
	Meets criteria (less than 20%)	20.01-29.99% (minor adverse)	30-39.99% (moderate adverse)	40+ (major adverse) loss	Total
148-150 Commercial Street	17	5	0	0	22
154 Commercial Street	16	1	4	38	59
Warehousing – Fleur De Lis Street	3	0	6	0	9
1-3 Elder Street	49	23	0	0	72
159 Commercial Street	23	5	0	0	28
8 Fleur De Lis Street	15	1	0	0	16
1-20 Burhan Uddin House	104	16	15	11	146
97-105 Brick Lane	47	3	0	2	52
The Fusion	71	11	1	25	108
1-16 Sheba Place	7	1	0	0	8
43-54 Eagle Works	17	2	0	0	19

1-42 Eagle Works	108	67	2	10	187
10 Quaker Street	7	3	0	20	30
31-39 Redchurch Street	7	7	0	0	14
19-29 Redchurch Street	5	5	5	4	19
2-4 Chance Street	0	1	0	2	3
17-21 Whitby Street	7	2	7	0	16
48-50 Redchurch Street	13	3	0	1	17
30 Redchurch Street	2	0	2	0	4
32 Redchruch Street	2	0	2	0	4
36 Redhurch Street	1	0	2	0	3
38 Redchruch Street	1	1	1	0	3
70 Redchurch Street	14	6	0	1	21
28-30 Bethnal Green Road	12	0	0	18	30
Avant Garde	601	37	39	111	788
93-95 Sclater Street	13	4	0	0	17
97-99 Sclater Street	8	6	0	0	14
100 Sclater Street	0	0	0	11	11
102 Sclater Street	0	0	0	3	3
104-106 Sclater Street	0	0	2	1	8
119 Brick Lane	2	0	4	4	10
180 Brick Lane	22	2	1	1	26
178 Brick Lane	13	3	3	0	19
1-48 Wheler House	66	22	26	11	125
23-24 Wheler Street	44	4	1	0	49
25 Wheler Street	52	11	16	15	94
45 Redchurch Street	11	0	0	1	12
14 Chance Street	3	0	0	3	6

Table 6 – Impact on Daylight for proposed development

7.151 In addition to the properties set out in the table above, the Daylight/Sunlight report also assessed the impact on windows in The Old Truman Brewery, 5-7, 15-17, 40, 41-43, 47-49, 51,

52-54, 53, 55, 57, 59, 61, 63, 65 Redchurch Street, 7, 125-127, 147, 182-198 Brick Lane, 23, 24, 25, 26, 27, 28, 28a, 30-32, 36 Calvin Street, 101-103 Sclater Street, 21 Wheeler Street, 41, 43-47, 62-67 Quaker Street, 132, 157 Commercial Street, 154, 156, 160, 164-170, 172, 174, 176 Brick Lane, Daniel Gilbert House Bedford House, 6 and 8 Elder Street, 5-9 Club Row and Telford Homes Block B. It was found for these that there would be no noticeable impacts to these properties under the maximum parameter scheme.

7.152 Of the properties detailed in the table, the impact on 25 Shoreditch High Street, 1-3 Elder Street, 8 Fleur de Lis Street, 19-29 Redchurch Street, 38 Redchurch Street, 48-50 Redchurch Street, 70 Redchurch Street, 3 Club Row, 93-95 Sclater Street, 97-99 Sclater Street, 178-180 Brick Lane, 1-48 Wheeler House, 23-25 Wheeler Street, and 18 Chance Street is considered to be marginal, with a noticeable impact on only a limited number of windows. This would not raise concerns from an amenity perspective.

7.153 The most significantly affected properties in Tower Hamlets are set out in the table below.

Property	Daylight Impact	Sunlight impact	Further detail
154 Commercial Street	Major adverse	None	38 of 59 windows would experience a reduction in VSC excess of 40%, several of which serve living rooms. 24 rooms would experience an alteration NSL in excess of 40%. Retained levels of light very low to north facing rooms.
1-20 Burhan Uddin House	Moderate adverse	Minor adverse	Major loss of VSC to 11 of 146 windows in excess of 40% VSC. 10 are at basement level or otherwise restricted. 32 of the 42 affected windows experience would retain VSCs of at least 15.2%. For NSL, 73 of the 79 (92%) rooms assessed would meet BRE's criteria, with a major impact to 3 rooms, 2 of which already experience low light levels.
The Fusion	Moderate adverse	Minor adverse	Minor loss of VSC to 11 of 118 windows, 1 with a moderate VSC loss and 25 a major loss in excess of 40%. However, 19 of the worst affected have extremely low existing light levels. For sunlight, 3 rooms would have a moderate loss and 1 a major loss. A no balcony assessment shows that the design of the building serves to greatly limit the existing levels of light and help explain impacts on worse affected rooms.
1-42 Eagle	Moderate	None	108 of 187 windows assessed would meet VSC

Property	Daylight Impact	Sunlight impact	Further detail
Works	adverse		<p>criteria. 10 would lose in excess of 40% VSC though 8 of these have very low existing light. 65 of 79 affected windows have retained levels above 15%.</p> <p>58 of the 89 rooms assessed for NSL would meet BRE's NSL criteria. 25 of the 31 affected rooms have retained NSL levels above 50%.</p>
10 Quaker Street	Major adverse	None	<p>23 of 30 windows assessed would not meet VSC criteria, with 20 losing in excess of 40% of existing VSC. 11 of the 20 windows that would experience Major Adverse effects retain VSC levels of 15% or greater.</p> <p>Major adverse impact on NSL in excess of 40% loss for 10 of 17 affected rooms.</p>
2-4 Chance St	Major adverse	Major adverse	Major adverse effect on 2 of 3 windows assessed. Loss is mainly accounted for by recessed position of windows however, resulting in low existing light levels.
17-21 Whitby Street	Moderate adverse	Minor adverse	Moderate loss of VSC to 7 of 16 windows. 5 affected windows retain VSC in excess of 20%. There would be a major adverse effect to NSL for 6 of 8 affected rooms, though 4 of 8 would retain NSL levels above 50%.
30 Redchurch Street	Moderate adverse	Minor adverse	Moderate loss of VSC to 2 of 4 windows. Major impact on NSL to one room. 2 of 3 rooms would retain over 50% NSL.
32 Redchurch Street	Moderate adverse	Minor adverse	2 of 4 windows would not comply, with a moderate loss of VSC. 3 of 4 rooms would comply for NSL.
36 Redchurch Street	Moderate adverse	Minor adverse	Both affected windows would lose between 30% and 40% VSC though retained VSC would be above 18%. Only one room affected for NSL to a minor extent.
28-30 Bethnal Green Road	Major adverse	Major adverse	18 of 30 windows assessed would see a major loss of VSC in excess of 40%. Only one rooms would have a major impact for NSL however.
Telford Homes Block A (Avant Garde Tower)	Major adverse	Moderate adverse	<p>187 of 788 windows would not meet BRE criteria. 37 would experience a minor loss of VSC, 39 a moderate impact and 111 a major impact in excess of 40% VSC loss. 57 of the 187 affected windows would retain at least 15% VSC.</p> <p>For NSL, 326 of the 413 (78.9%) rooms assessed would meet BRE criteria. Of 87 affected rooms, 24</p>

Property	Daylight Impact	Sunlight impact	Further detail
			would experience minor loss to NSL, 17 a moderate loss and 46 a major loss in excess of 40%. 11 rooms would have a greater than 40% loss of sunlight.
100 Sclater Street	Major adverse	Major adverse	All 11 windows assessed would lose VSC in excess of 40% and all 8 rooms would experience an NSL loss greater than 40%. Six rooms see a greater than 40% reduction in sunlight.
102 Sclater Street	Major adverse	Major adverse	Major adverse impact on all 3 windows assessed, with loss of 40% VSC and loss of 40% NSL for affected rooms. Major sunlight impact to 1 room.
104-106 Sclater St	Major adverse	Moderate adverse	All 8 windows assessed would not comply with VSC, with a major impact on 5 in excess of 40% loss. 6 of 8 rooms would lose in excess of 40% NSL. Major sunlight impact to 2 rooms.
119 Brick Lane	Moderate adverse	Major adverse	Moderate impact on 4 windows and major impact on 4 windows. All rooms would meet NSL criteria. 7 windows would see a loss sunlight of over 40%.
19-29 Redchurch Street	Minor adverse	Moderate adverse	3 of 14 windows would see a major loss of annual sunlight. Effects exacerbated by set backs, though retained levels of sunlight would be good.

Table 7 - : Daylight/sunlight moderate/major impacts by property with the worse case maximum parameter plans applied

7.154 As set out above, there are three locations around the site within Tower Hamlets where the daylight impact of the proposed maximum parameter scheme would have a major impact to neighbouring blocks and the amenities of residents within them. These are the Avant Garde (Telford Homes) development and adjacent 28-30 Bethnal Green Road opposite the Goods Yard to the north of the site, 100-106 Sclater Street adjacent to the location of Plot 6 at the site's eastern end and 154 Commercial Road (Hollywood Lofts) along with 10 Quaker Street to the south of where Plot 3 would be constructed over the mainline railway.

7.155 *Avant Garde Tower*: The Avant Garde development features a 25 storey tower as well as flats at lower levels facing out onto the narrow Sclater Street directly towards the site. It accounts for by far the largest share of affected properties in daylight terms on account of its scale and density as well as its position close to Plots 4 and 5, where residential blocks of up to 19 storeys are proposed.

- 7.156 The maximum parameter scheme would result in a noticeable loss of light to 187 of 788 windows tested and a noticeable reduction in visible skyline in 87 of 413 rooms tested. In many cases, the reduction in daylight would be very substantial, with 111 windows seeing a reduction of more at 40% of VSC, considered a major impact, with several exceeding a 60% reduction. The extent of daylight loss to individual is accentuated by the fact that the skyline to the south is largely unobstructed by development at present and the elevated position of most of the flats in the tower. Previously unobstructed windows on the higher floors would tend to continue to receive reasonable levels of light notwithstanding major reductions resulting from the proposed scheme. Nevertheless, 137 affected windows would have VSC levels below 15% following the development. In addition, 11 rooms would be subject to a major loss of sunlight. Whilst some of these lower figures are partly due to existing obstructions on the Avant Garde building, it is clear that the amenities of a significant number of residents would be affected.
- 7.157 The daylight assessment for the minimum parameter scheme shows a significant improvement compared to the maximum parameter for the Avant Garde building. The number of windows with noticeable VSC reductions would fall from 187 to 132, with a major impact (above 40% reduction) on only 58 windows. Retained VSC levels would also be higher. The number of rooms with a noticeable NSL impact would be 36 compared to 87 for the maximum parameter scheme, with only 10 being subject to a major loss. Of these, half would retain an NSL of 50% or above, with the lowest retained NSL at 40%. Given the central location of the site, the impact of a minimum parameter scheme on the Avant Garde building would be relatively modest.
- 7.158 Limiting the development to the minimum parameter scheme would have an impact on the amount of housing, including affordable housing, that the scheme could deliver. Whilst the impacts of the maximum parameter scheme on Avant Garde are significant, the parameter plans allow scope for negotiating a detailed design and massing that strikes the right balance between neighbour amenity and the delivery of public benefits. Given the assurances provided by the minimum parameter daylight/sunlight assessment, this can be satisfactorily be addressed at reserved matters stage.
- 7.159 *Sclater Street properties/119 Brick Lane*: The development, primarily Plot 6 containing the community/cultural building, would result in major loss of light (in excess of 40% VSC reduction) to the rear facing windows of 100, 102 and 104-106 Sclater Street, which back onto the north-eastern corner of the site. A total of 22 windows would be affected in the maximum parameter scheme. There would be a major loss of NSL for all but two of the rooms that these windows serve. The use of the rooms are not known but a proportion of them would be habitable. In some cases, retained VSCs would be reduced to single figures, though it is likely that affected flats would have a second outlook onto the street.
- 7.160 All three Sclater Street properties would suffer losses of sunlight commensurate with the losses of daylight. In addition, 119 Brick Lane, which is at a right angle to Sclater Street and would be less affected in terms of daylight loss but would suffer a major loss of sunlight to much of its rear elevation windows.
- 7.161 There would be some improvement to light under the minimum parameter scheme, though any reduction in Plot 6 from the maximum parameter would be at the expense of D1/D2 'cultural' floorspace. The proximity of the Sclater Street properties to the site boundary, their orientation and the constrained nature of this part of the site mean that it would be difficult to locate any building here without a major impact. Given the use of the building that would cause the impacts, which is directed to this location on the Ste Allocation, the public benefits of this aspect of the scheme are considered to outweigh the acknowledged harm to neighbours through loss of light.
- 7.162 *154 Commercial Street and 10 Quaker Street*: The development proposed for Plot 3 would span the width of the mainline railway and be constructed to the back edge of the footway on Quaker Street. Rising to up to 7 commercial storeys it would rise above and dominate the 5

storey building at 154 Commercial Street. The 1st to 4th storeys of this building have been converted to residential flats, at least 6 of which would be single aspect facing directly north towards the application site. The rooms in these flats, in particular the living/kitchen/diners, have deep layouts. The flats presently have a relatively unobstructed outlook across the Goods Yard site. The combination of these factors means that the impact on daylight to these flats would be exceptionally severe.

- 7.163 Of 43 affected windows, only one would be affected to a minor degree. The remainder would see losses of VSC of up to 91.5% for the flats at first floor level, with retained VSCs in the low single figures. Similar losses would be evident for NSL, with losses to rooms under this measure of up to 93.7%. The impact would reduce marginally to the higher floors, floor, but overall these flats would be drastically altered from being very well lit to very poorly lit by natural light.
- 7.164 There would also be a major adverse impact on flats within 10 Quaker Street primarily from Plot 3, which would be located on the opposite side of Wheeler Street. The impacts would not be as severe as for 154 Commercial Street, with losses in excess of 40% VSC for 20 of 30 windows assessed.
- 7.165 The minimum parameter scheme for Plot 3, which would see a building of 6 rather than 7 storeys, would only be a minor improvement for the affected flats at 154 Commercial Street. Retained VSCs would be in the high single figures, with the largest VSC and NSL reductions (both at 1st floor level) being 80.5% and 88.1% respectively. The improvement would be greater for 10 Quaker Street, with only 3 rooms being subject to a major loss of light measured under NSL and retained VSC levels in the mid-teens.
- 7.166 The NPPF allows greater flexibility for daylight impacts resulting from residential development. However, Plot 3 would be commercial and so this policy flexibility would not apply. As noted elsewhere in this report, Plot 3 also raises particular concerns in heritage and design terms and combined with these daylight impacts make it the weakest aspect of the overall scheme. The applicant has noted that any further reduction in the height of this block below the minimum parameter would make it uneconomical to build a structure spanning the railway and this is acknowledged.
- 7.167 To minimise the impact of Plot 3, development would need to be restricted to no more than the minimum parameter. The severe, albeit localised, daylight impact to neighbouring properties in this location, along with other daylight impacts elsewhere from the scheme, would need to be weighed against its overall public benefits.



Image 9 – location of worst affect properties: 1 - Avant Garde; 2 – Sclater Street/Brick Lane; 3 – 154 Commercial Road

- 7.168 *Other major daylight impacts:* The daylight/sunlight assessment notes that there would be a major impact to 28-30 Bethnal Green Road, a wedge shaped four storey building on the corner of Sclater Street and Bethnal Green Road adjacent to the Avant Garde development. Whilst there would be major impacts to windows facing towards the Goods Yard, the building's second aspect onto Bethnal Green Road would ensure that only one room would have a noticeable NSL reduction. As with Avant Garde, it would be difficult to develop the Goods Yard site without some impact on this property given its proximity. 2-4 Chance Street, also to the north of the site, would be the final address where there would be a major adverse daylight impact. This would only be to two windows however and is largely the consequence of the existing design of that building.
- 7.169 *Overshadowing:* The Shoreditch House swimming pool and roof terrace on the opposite side of Bethnal Green Road to the site have been analysed for overshadowing. Following the development, the area of this space receiving sunlight would receive would be significantly reduced, though it would still be well sunlit in summer. The roof terrace would be not be a well sunlit space following the development, though would retain some summer sun. These spaces do not serve residential properties however and limited weight can be given to impacts on them in amenity terms.
- 7.170 Concerns have been raised by local residents regarding the potential impact on Arnold Circus from overshadowing. However, this open space is approximately 250m to the north of the development site and any impact would be negligible. Officers are satisfied that there are no other areas of open space that would need to be assessed.
- 7.171 *Daylight/sunlight summary:* There would be majors impacts on several neighbouring properties under the maximum parameter scheme. Impacts would be significantly reduced, though not entirely eliminated under the minimum parameter scheme for many of them, in particular the Avant Garde building. Officers are satisfied that an appropriate balance could be struck between impact on daylight/sunlight and public benefits, particularly from housing delivery at the reserved matters stage.

7.172 The one address where daylight and outlook impacts would be severe under any scenario would be to a small number of flats at 154 Commercial Road. Whilst any development on the site would have a significant impact to these properties given that they currently have unobstructed views north across the site, the position of Plot 3 greatly increases the harm. Limiting Plot 3 to the minimum parameter scheme would produce a very marginal improvement, but it is one that should be insisted upon and secured for the reserved matters application. The harm to the amenities of all properties affected needs to be weighed against the public benefits of the scheme.

Noise, Vibration and Construction Impacts

7.173 It is not considered that noise generated by the development would be likely to be above what would be expected in a central location. Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust, especially given the constrained nature of the site. Conditions will be applied securing a Construction Environmental Management Plan and a Construction Logistics Plan to minimise the impact on neighbouring residents during the works. Plant noise, for instance from air conditioning or extractors, would also be controlled.

7.174 Air Quality

7.175 The ES addendum has considered dust and air quality impacts during the construction of the development and whilst the development is operational. Unlike the scheme as originally submitted, a Combined Heat and Power plant is no longer proposed, with on-site energy to be generated from solar panels and air source heat pumps. This is a benefit from an air quality perspective. The proposal includes an Air Quality Neutral Assessment. This shows that the development would be air quality neutral as the number of vehicle trips generated are below assessment benchmarks. This finding has been accepted by the GLA's ES consultant.

7.176 The ES shows that elevated levels of dust would occur during construction works and mitigation measures to suppress this would need to be secured through the CEMP. The impact on air quality during construction would be 'substantial adverse at a receptor on Commercial Street in Hackney and 'slight adverse' at two receptors on Slater Street, with a negligible impact at all other locations. Again mitigation measures and controls would be required through the CEMP.

7.177 During the operation of the development, only the Commercial Road receptor would see a continuing adverse impact from the development due to the new buildings themselves resulting in emissions being concentrated in this location. The design of the D1/D2 space in London Road would need to include active ventilation to ensure acceptable air quality given its proximity to this section of Commercial Road. As requested by the Council's Air Quality officer, a condition requiring a ventilation strategy for the whole site would be sought.

7.178 Details of how odours would be dealt with from restaurants and other food uses have not been provided. This is acceptable given the outline stage of the development and full details would be secured by condition.

Transport

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

Deliveries & Servicing

7.180 It is accepted that with a scheme of the size proposed and with the site's constraints in terms of railway infrastructure and historic structures, the servicing element will present difficulties. Servicing for the development would be via servicing yards accessed via Braithwaite Street, Bethnal Green Road and Slater Street. Whilst there are concerns with the introduction of

service vehicles in any substantial number on any of these roads the service yards at Bethnal Green Road and Braithwaite Street in particular raise concerns.

- 7.181 Whilst Bethnal Green Road is heavily trafficked, potentially providing a reasonable location for a service yard to be placed, the location of the access has raised a number of issues, including the potential impact on cyclists. In response to these concerns, the applicant provided revised trip generation figures for servicing vehicles in its Feb 2020 transport addendum which showed a decrease in the previous assessment (based on surveys of nearby developments) for the Bethnal Green Road service yard down from 270 two-way daily movements to 126 two-way daily movements, with 20 two-way movements in the peak hours. Further details which seek to make changes on the highway in terms of road marking – yellow box, moving bus stops, revision of bus lanes, revised waiting and loading restrictions – as well as limiting the size of vehicles to 11m in length in order to mitigate the use of this location to ensure that vehicle entering and exiting the site do not block the road, have also been provided.
- 7.182 Braithwaite Street is a no through road and is currently a busy pedestrian and cycle route accessing the Overground station and currently experiencing little vehicular traffic. The northern part of the street (split by barriers) is currently busier than the southern section due to access to the Overground, street vendors and the various uses by the rail sidings. The proposed servicing yards south of the barriers, which would serve Plots 2, 3 and 8, would introduce servicing vehicles onto a pedestrian and cyclist dominated street. The applicant has worked with the highway authorities to make changes to the proposal in order to make this acceptable in terms of impact but even with these there will still be a major, noticeable impact on the street. This element has now been revised and by widening the access way two-way access can now be gained and vehicles can be held within the site if necessary, before exiting onto the street.
- 7.183 As part of the February 2020 addendum a revised assessment was provided, again based on surveys at nearby developments, which showed a total of 384 two-way daily movements in the street (reduced from 470). Of these, the addendum states that between 60-80% of these are likely to be smaller vehicles – light goods, cars, cycles or motorcycles, which would mean that 20-40% would be larger vehicles (HGVs). With regard to the interaction of service vehicles and pedestrians and cyclists the applicant has submitted details of the existing road widths, which show that adequate space will still be available in line with standards.
- 7.184 Although the revised transport data and measures set out above for the service yards would go some way to address concerns, there is still potential for a risk to highway and pedestrian safety from the operation of the servicing yards and the volume of servicing trips. Consequently, additional measures have been proposed by the developer following discussions with TfL and the boroughs. These include a requirement for the approval of a site wide Delivery and Servicing Strategy prior to the use of any servicing yard. This would set targets and caps for each servicing yard based on the Transport Assessment addendum, as well as a site wide cap on servicing movements. There would be a target to reduce HGV movements beyond the forecasts in the Transport Assessment over time. The site operator would be required to collect data on deliveries to the site, which would be available to the boroughs. If the data shows the site or individual service yard is exceeding the targets, the site operators would be required to produce a plan to achieve the targets. If the targets are not met for a further 3 months, the site operator would incur a financial penalty through forfeiting a non-compliance bond.
- 7.185 The Delivery and Servicing Strategy and associated mechanisms to encourage compliance would be secured through the S.106 agreement. Whilst accepting that there would inevitably be an impact on local streets given the scale of the development, on balance it is considered that the mitigation measures and strategy outlined above would serve to reduce the impact to an acceptable level.

Parking

- 7.186 The site is in a location with exceptionally high public transport access and would be car-free, secured through the S.106 agreement in accordance with policy. In relation to accessible on-site car parking, this should be provided on site. Draft London Plan Policy T6 requires that blue badge parking should be provided for 3% of residential units at the outset, with spaces to serve an additional 7% as the need arises.
- 7.187 The plans demonstrate that 15 off-street Blue Badge spaces would be provided for occupants of the residential part of the scheme. This represents a space for 3% of the units under the maximum parameter scheme. The applicant has suggested that additional spaces could be provided on-street if necessary, as the site constraints mean that it would be difficult to provide further spaces on site. The 15 spaces would be accessed via Sclater Street and be located along one of the pedestrian accesses into the site. It would be necessary to manage the spaces to enable 24hour access, to allocate the spaces appropriately and to ensure that there is no conflict with pedestrians. It may be possible to identify additional locations for disabled parking in the detailed design phases. Conversely, some of the spaces provided could be repurposed if there is insufficient demand.
- 7.188 For the commercial component of the scheme, two blue badge parking spaces are proposed within the site on Wheler Street for the first (detailed) phase of the development. There is potential for further spaces to be identified and provided in response to demand as latter phases are brought forward for approval, possibly within servicing areas though this is less than ideal. A Blue Badge Parking Management Plan would be secured through the S.106 agreement to enable access to and allocate spaces, assess demand and bring forward additional spaces where necessary.
- 7.189 On balance given the constraints of the site the approach to Blue Badge parking is considered acceptable. Electric vehicle charging points for these bays would be secured by condition in line with London Plan requirements.

Cycle Parking and Facilities

- 7.190 The outline scheme parameter plans commit to provided cycle storage and associated facilities in line with London Plan requirements for long stay parking. This is acceptable and would be secured at the reserved matters stage. Short stay parking would be at 70% of London Plan targets initially to allow more public realm. Provided that cycle parking could be increased to reflect increased demand if necessary, this approach is acceptable. Modifications could be secured through the site wide Travel Plan.

Pedestrian/Cycling Access and Permeability

- 7.191 The site is in an area with very high pedestrian footfall throughout the day, particularly in the vicinity of the entrance to Shoreditch High Street station and along Bethnal Green Road. The development would see the creation of several linked routes across the site which at present is a barrier to pedestrians, with only a single north-south route crossing the site (Braithwaite Street).
- 7.192 The new routes, and in particular the east-west link Middle Road, would provide significant additional permeability for pedestrians and relieve pressure on existing routes around the site. Access to Shoreditch High Street Station would be improved. Braithwaite Street would also be improved and resurfaced as part of the scheme, making it more attractive as a pedestrian route though this is offset partially by the fact that its southern end would accommodate vehicles servicing the development, whilst at present it is almost traffic free.
- 7.193 Given the additional footfall generated by the scheme and potential pedestrian and cycle/vehicle conflict, the applicant has agreed to provide a £250,000 financial contribution to mitigate these site specific issues with the addition of a traffic lighted Toucan crossing over Bethnal Green Road, secured through the S.106 agreement.

- 7.194 The new routes and increased pedestrian access would be a significant public benefit of the scheme, which would be shared with the wider community and visitors as well as occupants of the new development.
- 7.195 The Site Allocation seeks to improve cycling permeability and access across the site too. It is not currently envisaged that Middle Road would accommodate cyclists as well as pedestrians given the potential for conflict given the likely additional pedestrian footfall on this route. Furthermore, it is acknowledged that the introduction of vehicular traffic visiting the Braithwaite Street servicing area would detract from the attractiveness of Braithwaite Street as a cycling route. To help mitigate this impact and with regard to the objectives of the site allocation the applicant has accepted a financial contribution of £250,000 would be appropriate to aid cycle improvements and better connect Sclater Street with Bethnal Green to the east along a quiet route, secured through the S.106 agreement.
- 7.196 On balance, given the constraints of the site and the difficulty in enabling servicing access and an attractive street environment for pedestrians as well as cycle permeability, this s106 obligation is considered a necessary but acceptable alternative. The creation of two new cycle hire docking stations with 25 bays each would also contribute to improving infrastructure for cyclists in the vicinity of the site. This would be secured through a financial contribution in the S.106 agreement of £440,000.

Construction Impacts

- 7.197 The development would have a very long build period of up to 13 years and the management and logistics of works over such a period would need careful scrutiny. CEMPs and Construction Logistics Plans would be secured for each phase of the development.

Highways contributions

- 7.198 In addition to the financial contributions to secure cycle dockings stations, a pedestrian crossing and cycle infrastructure improvements detailed above, a contribution of £4.5 million would be provided initially toward improving Shoreditch High Street junction, including improvements to pedestrian access and new cycle routes and a further £1 million for link works along Shoreditch High Street at a later stage of the development. LB Hackney are seeking £255,000 towards carriageway and footway resurfacing and improvements. Officer consider that all these works are necessary for the scheme to be a success in terms of good place-making and securing safe, transport sustainable development notwithstanding this package of measures would not lie within Tower Hamlets.

Energy, Sustainability and Environment Impacts

Energy:

- 7.199 The emerging London Plan and Local Plan policies require all developments to be zero carbon. There should be a minimum of 45% reduction in regulated carbon dioxide with the remainder to be offset with cash payment in lieu.
- 7.200 The submitted Energy Strategy for the outline scheme sets out the proposals to reduce energy demand through energy efficiency measures and renewable energy technologies (including 100kWp Photovoltaic array (500m²) and Air Source Heat Pumps). It is therefore an electrical based system that can take advantage of the decarbonised grid in the future. In general, the principles of the energy strategy proposals are acceptable. However, the onsite savings are significantly below the adopted policy requirements at 35% against the Building Regulations baseline. Should the proposals be approved it is necessary that the future evolution of the Energy Strategy be secured, to ensure that at the reserved matters stage the on-site carbon emission reductions are in accordance with policy requirements. It is considered that there

would be considerable scope to improve on-site carbon savings as the designs of individual blocks are progressed at reserved matters stage.

7.201 As proposed, the Energy Strategy sets out a 935 tonnes/CO₂ reduction in on-site emissions and would require in a carbon offsetting contribution of £4,859,250 to offset the remaining 1,705 tonnes CO₂ and achieve net zero carbon. A clause in the S.106 agreement would secure the full amount whilst allowing the figure to be reduced when further on-site carbon reduction measures are incorporated into the scheme at reserved matters stage.

7.202 The Energy Strategy, to be updated at reserved matters, should set out how the scheme will be net zero carbon on-site in 2050 as required by the Climate Change Act 2008 (as amended) and Emerging London Plan Policy SI2. It should also provide details for how energy demand and carbon dioxide emissions post-construction will be monitored annually for each phase (for at least five years), proposals explaining how the site has been future-proofed to achieve zero-carbon on-site emissions by 2050 and an analysis of anticipated occupant costs for energy. This would be secured by condition.

policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'excellent' rating'. BREEAM pre-assessments should form part of the reserved matters applications and demonstrate the scheme is designed to achieve a BREEAM Excellent rating. This would be secured by condition.

Wind and microclimate

7.133 Wind and microclimate are assessed in detail in the ES, with a scale model of the development used to conduct wind tunnel tests. In the absence of any wind mitigation, the development would result in winds exceeding safety criteria to the south and southwest of Plot 2 on Shoreditch High Street, posing a risk in particular to pedestrians and cyclists passing the site. The wind tunnel investigations have succeeded in identifying wind mitigation measures that would address these safety concerns and provide an appropriate level of comfort for each part of the site in respect of its purpose. All the thoroughfares within and around the site the scheme would be suitable for walking even in the windiest season. Almost all of the platform level open space would be suitable for sitting in the summer months and comfort levels would be appropriate in the winter also. The landscaping scheme would need to direct seating to where this could be enjoyed in the windiest season.

7.134 Most strikingly the wind mitigation measures include the solid horizontal fins on the west and south elevations on the building on Plot 2. Also required would be 11 elevated banners along Middle Road (the new east/west route), baffles suspended from the underside of the Overground viaduct where it crosses pedestrian thoroughfares, slid screens between the south eastern corner of Plot 2 and the south-western corner of Plot 8, solid balustrades to the terraces on Plot 2 and various trees and planting around the site. Care would need to be taken with the appearance of wind mitigation structures at reserved matters phase to ensure that they were well integrated into the design of the blocks.

7.135 The only place where wind levels would be wind level above that comfortable for the intended use would be on elevated terraces level on the western corner of Plot 2. As this would be private space serving the offices this does not raise concerns in planning terms. Overall, the levels of wind within the development would be acceptable with appropriate mitigation. Full details and implementation of the wind mitigation measures would be secured by condition.

Flood Risk & Drainage

7.136 The site is located within Flood Zone 1, though there are surface water flooding risks within the wider catchment area around the site. There are no objections on flooding or drainage grounds from the Environment Agency, Thames Water or the Council's Drainage officer subject to conditions.

7.137 The surface water strategy consists of blue roofs and geo-cellular tanks. At detailed design phase it would be expected that more sustainable drainage measures be incorporated into the design and to reassess the area of the catchment where unrestricted discharge is currently proposed. These details would be secured by condition.

Land Contamination

7.138 The ES includes an assessment of the Ground Conditions and Contamination. The assessment has been reviewed by the LBTH Environmental Health (Contaminated Land) Officer, who raised no objections subject to the inclusion of a condition to secure a scheme to identify the extent of the contamination at the site and detail the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

Cumulative Impacts

7.139 As part of the Environmental Statement addendum, the potential for cumulative impacts with other reasonably foreseeable developments in the vicinity of the site was assessed. 43 committed, permitted or reasonably foreseeable schemes were assessed. Cumulative impacts are divided into type 1 effects (combined effects from proposed development) and type 2 effects (combined effects from cumulative developments).

7.140 Combined effects from dust, noise, emissions from vehicles and visual impact are likely to arise during large scale construction scheme. In this case the ES addendum identifies a minor to moderate adverse effect on neighbouring properties within 15m of the site perimeter from noise during construction works for the foundations and superstructures and minor impacts from vibration. A detailed and robust Construction Management Environmental Plan would provide mitigation against this. There would also be some impact on pedestrian amenity at the far western end of the site in Hackney.

7.141 During the operation of the development, there would be some cumulative daylight/sunlight impacts which have already been considered above. The cumulative impact on townscape from the appearance of the development alongside recent approved and under-construction developments has also been considered.

Human rights & Equalities

7.142 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.

7.143 The requirement to use local labour and services during construction enables local people to take advantage of employment opportunities. The proposed development allows for an inclusive and accessible development for less able and able residents, employees, visitors and workers. Conditions secure, amongst other things, accessible flats and disabled parking.

Concluding Remarks

- 7.144 The proposed development is broadly in line with the aspirations for the site in terms of land use, as set out in the Site Allocation. Whilst it would be preferable for more housing to be provided, the Central Activity Zone location warrants the scheme being an office led development and the constraints of the site in terms of the need to preserve heritage assets, existing transport infrastructure and the effect on neighbours' daylight and sunlight curb the capacity for further residential development on the site. Whilst the replacement of the hotel with additional residential units would be preferable, it is acknowledged that there are physical constraints that limit the practicality of this. In any case only a limited number of additional units could be provided this way. The range of development set out in the Parameter Plans allows the scope for the decision maker at reserved matters to strike the appropriate balance between the delivery of housing and other public benefits and impact on neighbouring amenity, with the exception of a small number of units at 154 Commercial Road, where the daylight impact would be severe.
- 7.145 The development would have significant town-scape impacts on the surrounding area on account of the height and scale of the proposed buildings. In particular this would affect the settings of nearby conservation areas and several listed buildings. The largest building proposed, located on Plot 2, would be of a similar height to existing tall buildings in the vicinity, though its width and bulk would mean it would have a greater visual impact to these comparable schemes. Plots 1 and 3 would also have significant impacts on the streetscape. It would not be possible for development to proceed on the site without some impact on heritage assets. The harms need to be weighed against the public benefits of the development, which include bringing the site back into use and the restoration of heritage assets at risk (including 2 Grade II listed structures).
- 7.146 The proposed servicing arrangements also present difficulties, particularly to Braithwaite Street, though alternatives are very limited given the site constraints. The impact on the function of Braithwaite Street as a pedestrian and cycling route needs to be weighed against the improvements to pedestrian access across the site, with the creation of new east/west routes and wider pedestrian and cycling improvements beyond the site.
- 7.147 Overall the benefits of the scheme in terms of bringing the site into use, the affordable housing an employment provision, the platform level park, the community use, and cultural spaces, the public conveniences and wider transport improvements are sufficient to warrant approval of the development despite remaining concerns regarding scale, heritage impact, daylight/sunlight and the impact of servicing access. The recommendation is therefore that Tower Hamlets does not object to the applications being approved subject to the conditions and S.106 legal agreement set out below.

Infrastructure Impacts

- 7.203 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments of approximately £17,930,490.00 with anticipated affordable housing relief of £6,169,660.00 and Mayor of London CIL2 of approximately £33,036,111 (minus affordable housing CIL relief of £1,571,239). There would also be a CIL charge of £8,291,758 arising from the scheme for the London Borough of Hackney.
- 7.204 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to mitigate direct impacts of the scheme to make the scheme acceptable against policy and to offset the likely impacts of the proposed development.
- 7.205 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, the London Plan Hackney's policies, as follows:

- £412,692 towards construction phase employment skills training
- £945,521.32 towards end-user phase employment skills training
- £3,863,616 towards construction and end use employment and training (Hackney)
- £1,000,000 towards provision of two employment/training officer roles.
- £4,859,250 carbon offsetting contribution.
- £4,500,000 towards Shoreditch High Street junction works
- £1,000,000 towards Shoreditch High Street works (Phase 2)
- £440,000 towards two cycle hire docking stations
- £250,000 for a pedestrian crossing on Bethnal Green Road.
- £250,000 towards improvements to the cycle grid connecting site to Bethnal Green.
- £200,000 towards play/sports equipment for older children in nearby parks
- £155,000 towards southern footway resurfacing (Hackney).
- £100,000 towards carriageway resurfacing (Hackney)
- £25,000 towards Redchurch Street public realm improvements (Hackney)
- £8,750 towards construction logistics plan monitoring.

8. RECOMMENDATION

8.1 That the London Borough of Tower Hamlets raises no objection to the applications for planning permission and listed building consent subject to planning conditions and the prior completion of a legal agreement to secure the appropriate planning obligations:

8.2 Financial obligations

- a. £412,692 towards construction phase employment skills training
- b. £945,521.32 towards end-user phase employment skills training
- c. £3,863,616 towards construction and end use employment and training (Hackney)
- d. £500,000 towards provision of a regeneration officer (Hackney only)
- e. £500,000 towards an employment/training officer for the site for 10 years (shared between boroughs)
- f. £4,859,250 carbon offsetting contribution.
- g. £4,500,000 towards Shoreditch High Street junction works
- h. £440,000 towards two cycle hire docking stations
- i. £250,000 for a pedestrian crossing on Bethnal Green Road.
- j. £250,000 towards improvements to the cycle grid connecting site to Bethnal Green.
- k. £155,000 towards southern footway resurfacing (Hackney)
- l. £100,000 towards carriageway resurfacing (Hackney)
- m. £25,000 towards Redchurch Street public realm improvements (Hackney)
- n. £8,750 towards construction logistics plan monitoring.
- o. £200,000 towards play/sports equipment for older children in nearby parks
- p. £21,500 monitoring fee to Tower Hamlets (43 Heads of Terms)

Total financial contributions: £17,031,329.32.

8.3 Non-financial obligations

a. Affordable housing

- Provision of 50% affordable housing by habitable room.
- Initial 35% to comprise 70% low cost rent and 30% Intermediate. Additional 15% to be 100% Intermediate.
- Low cost rent to comprise 50% London Affordable Rent and 50% Tower Hamlets Living Rent.
- At least 50% of Intermediate to be provided as London Living Rent (including all the three bed units). Remainder to be provided as Discount Market Rent or London Shared Ownership.
- Early stage review, with any surplus to be allocated as 70% London Affordable Rent to 30% London Living Rent.
- 33% of low cost rent to be delivered before 25% of market units, 66% to be delivered before 50% of market units.
- Delivery of housing linked to provision of commercial parts of development.

b. Access to employment

- 10% of B1 space within Tower Hamlets at 10% discount below market rents. 7.5% of B1 space in Hackney at 60% discount.
- 20% local procurement
- 25% local labour in construction and end use occupiers.
- 150 construction phase apprenticeships
- 8 end use apprenticeships
- 10% of retail floorspace to be occupied by independent retailers, to include 2% micro-entities and start up retailers.
- Provision and implementation of a retail management strategy to regulate the mix of A3 and A5 uses and to minimise disturbance to the amenity of the area. A5 uses to be capped at 5% of retail floorspace.

c. Transport

- Provision and implementation of site wide and phase based travel plans.
- Provision of blue badge Parking Management Plan.
- Delivery and Servicing Management Plan, including non-compliance bond
- Car free agreement (except blue badge).
- Passive provision of a second entrance to Shoreditch High Street station.

d. Energy

- Securing of S.278 highways work and access to new public realm.

- Commitment to comply with GLA's carbon reduction target.
 - Provision and implementation of Energy Strategy
 - Submission of energy assessment and provision and implementation of site wide energy framework
 - Submission of dynamic thermal modelling in relation to the residential units.
- e. Parks, squares and public realm
- Provision of public parks and squares on a phased basis
 - Provision of pedestrian routes on a phased basis
 - Provision and implementation of a site wide estate management strategy
 - Provision of on-site play space totalling 3,970sqm.
- f. Other
- Provision of a 400sqm community use with fit out at peppercorn rent
 - Fit out to cultural spaces; shell and core to Plot 6, acoustic and air quality measures to Plot 3.
 - Establishment of a cultural panel made up of all parties concerned and local people in order to facilitate the selection of community/cultural operators for the D1/D2 space.
 - Provision and implementation of public art strategy
 - Compliance with LBTH code of construction practice.
 - Provision and maintenance of public toilets

8.4 That the Corporate Director of Place is delegated the power to negotiate the legal agreement and to agree the section 106 legal agreement with the Greater London Authority and any subsequent Rent and Nominations Agreement and Highway Agreement.

8.5 That the Corporate Director of Place is delegated the power to negotiate conditions and informatives with the Greater London Authority to address the following matters:

8.6 Conditions (Planning application)

Compliance

1. 5 year outline condition with all matters reserved (access, appearance, layout landscaping, layout, scale) except for Plots 2 and 7 as set out in the application.
2. Development in accordance with approved plans.
3. Development in accordance with parameter plans and Design Guide, except Plot 3 which is to be no more than minimum parameter.
4. Restrictions on demolition and construction activities:
5. Restriction on change of use from D1/D2

- a. All works in accordance with Tower Hamlets Code of Construction and adoption of best practicable means
- b. Ground-borne vibration limits, including vibration monitoring; and
- c. Noise pollution limits.
- d. Liaison with occupants of adjacent properties

Pre-commencement of each phase

- 6. Submission and approval of surface water drainage scheme (SuDs)
- 7. Piling Method Statement (in consultation with Thames Water)
- 8. Archaeological Written Scheme of Investigation (Historic England GLAAS).
- 9. Archaeological watching brief.
- 10. Scheme for historic building recording and analysis
- 11. Detailed construction and design method statement in consultation with London Underground.
- 12. Detailed construction and design method statement in consultation with Rail for London.
- 13. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):
 - a. Site manager's contact details and complaint procedure;
 - b. Dust and dirt control measures
 - c. Measures to maintain the site in tidy condition, disposal of waste
 - d. Recycling/disposition of waste from demolition and excavation
 - e. Safe ingress and egress for construction vehicles;
 - f. Numbers and timings of vehicle movements and access routes;
 - g. Parking of vehicles for site operatives and visitors;
 - h. Travel Plan for construction workers;
 - i. Location and size of site offices, welfare and toilet facilities;
 - j. Erection and maintenance of security hoardings;
 - k. Control of dust during construction works
 - l. Construction site plant and machinery
- 14. Land Contamination Remediation
- 15. Unit mix strategy
- 16. Extraction equipment to hot food uses

Pre-superstructure works on relevant phase

17. Full details of wheelchair accessible and adaptable units, equating to 10% of the total, including 10% of London Affordable Rent/Tower Hamlets Living Rent dwellings to M4 (3)(2)(b) standard (accessible).
18. Details of external facing materials and architectural features, including:
 - Fenestration
 - Samples of external materials
 - Entrances
 - External plant, plant enclosures and safety balustrades
 - External rainwater goods, flues, grilles, louvres and vents
19. Details of works to the public realm, including tree planting, seating, paving etc.
20. Details of wind mitigation measures.
21. Details of biodiversity improvement measures, including green roofs
22. Details of waste management strategy
23. Details of Secured by Design measures.
24. Details of cycle parking (including short stay parking) and associated facilities and subsequent delivery)
25. Securing of BREEAM 'Excellent' rating for each phase at reserved matters, including water BREEAM excellent.
26. Zero Carbon Futureproofing statement, post-construction carbon dioxide monitoring and an analysis of future occupant energy costs.
27. Details of mechanical ventilation to ensure acceptable air quality.
28. Details of noise mitigation for future residents.

Prior to occupation

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

8.7 Informatives

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

8.8 Conditions (Listed Building Consent – Braithwaite Viaduct)

1. Standard time limit
2. All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile.

3. New facing brickwork to match existing.
4. Details of a masonry cleaning programme.
5. Retention of hidden historic features uncovered during works.
6. Removal of redundant plumbing, mechanical and electrical services.
7. Schedule of all historic items and Salvage Strategy
8. Detailed assessment of composition, condition and structural strength of Braithwaite Viaduct.
9. Details of works to viaduct to be approved in writing.

Appendix 1

Drawings

Planning application PA/14/02011

BGY-FBA-00-00-DR-A-00-0001	P1	EXISTING SITE PLAN - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0002	P1	EXISTING LOCATION PLAN - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0003	P1	SITE BOUNDARY - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0004	P1	APPLICATION BOUNDARY - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0005	P1	APPLICATION BOUNDARY - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0006	P1	ILLUSTRATIVE PROPOSED MASTERPLAN - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0007	P1	ILLUSTRATIVE PROPOSED MASTERPLAN - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0008	P1	ILLUSTRATIVE PROPOSED MASTERPLAN - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0009	P1	ILLUSTRATIVE PROPOSED MASTERPLAN - FOR APPROVAL
BGY-FB 00-00-DR-A-00-0010	P1	EXISTING SITE CONSTRAINTS - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0011	P1	EXISTING LEVELS (GROUND) - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0012	P1	EXISTING LEVELS (PLATFORM LEVEL) - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0013	P1	EXISTING SITE SECTIONS 1, 2, 3 - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0014	P1	EXISTING SITE SECTIONS 4, 5, 6, 7 - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0015	P1	EXISTING SITE SECTIONS 8, 9, 10 - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0020	P1	HERITAGE AND CONSERVATION - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0021	P2	PARAMETERS–RETENTIONS/DEMOLITIONS- FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0022	P1	PARAMETERS – FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0023	P1	PARAMETERS – FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0024	P1	PARAMETERS – FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0025	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0026	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0027		PARAMETERS - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0028		PARAMETERS- FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0029		PARAMETERS – FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0030		PARAMETERS - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0031		PARAMETERS – FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0032		PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0033	P1	PARAMETERS –FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0034	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0036	P1	PARAMETERS – FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0037	P1	PARAMETERS – FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0038	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0039	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0040	P1	PARAMETERS – FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0041		PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0042		PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0043	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0044	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-00-00-DR-A-00-0045	P1	PARAMETERS - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0046		PARAMETERS - FOR INFORMATION
BGY-FBA-00-00-DR-A-00-0060	P1	PARAMETERS - FOR APPROVAL
BGY-FBA-01-00-DR-A-00-0060	P5	PARAMETERS - PLOT 1 - FOR APPROVAL
BGY-FBA-03-00-DR-A-00-0061	P3	PARAMETERS - PLOT 3 - FOR APPROVAL
BGY-FBA-04-00-DR-A-00-0062	P1	PARAMETERS - PLOT 4 - FOR APPROVAL
BGY-FBA-05-00-DR-A-00-0063	P3	PARAMETERS - PLOT - FOR APPROVAL
BGY-FBA-00-06-DR-A-00-0064	P3	PARAMETERS - PLOT 6 - FOR APPROVAL
BGY-FBA-07-00-DR-A-00-0065	P3	PARAMETERS - PLOT 7E - FOR APPROVAL

BGY-FBA-08-00-DR-A-00-0066 P5	PARAMETERS - PLOT 8 - FOR APPROVAL
BGY-FBA-10-00-DR-A-00-0067 P3	PARAMETERS - PLOT 10 - FOR APPROVAL
BGY-FBA-10-00-DR-A-00-0068 P3	PARAMETERS - PLOT 11 - FOR APPROVAL
BGY-FBA-10-00-DR-A-00-0100 P1	TOPOGRAPHICAL SURVEY - FOR INFORMATION
BGY-FBA-10-00-DR-A-00-0101 P1	TOPOGRAPHICAL SURVEY - FOR INFORMATION
BGY-SH-XX-00-DR-L-00-100	LANDSCAPE GENERAL ARRANGEMENT PLAN - FOR INFORMATION
BGY-SH-XX-00-DR-L-00-101	LANDSCAPE GENERAL ARRANGEMENT PLAN- FOR INFORMATION
BGY-SH-XX-00-DR-L-00-102	LANDSCAPE GENERAL ARRANGEMENT PLAN -FOR INFORMATION

EPA-TGY-00-1-001 P01	Plot 2 Location Plan (Within Proposed Master Plan) - FOR APPROVAL
EPA-TGY-05-1-010 P03	Plot 2 Boundaries - FOR APPROVAL
EPA-TGY-05-1-020 P01	Plot 2 Demolition Plan - FOR APPROVAL
EPA-TGY-05-1-096 P01	Proposed Basement Plan - FOR APPROVAL
EPA-TGY-05-1-097 P02	Proposed Ground Floor Plan - FOR APPROVAL
EPA-TGY-05-1-098 P01	Proposed Ground Mezzanine Plan - FOR APPROVAL
EPA-TGY-05-1-099 P01	Proposed Platform Level L1 - FOR APPROVAL
EPA-TGY-05-1-100 P01	Proposed Plan - Platform Mezzanine - FOR APPROVAL
EPA-TGY-05-1-101 P02	Proposed Plan - Level 01 - FOR APPROVAL
EPA-TGY-05-1-102 P01	Proposed Plan - Level 02 - FOR APPROVAL
EPA-TGY-05-1-103 P01	Proposed Plan - Level 03 - FOR APPROVAL
EPA-TGY-05-1-104 P03	Proposed Plan - Level 04 to 08 - FOR APPROVAL
EPA-TGY-05-1-109 P03	Proposed Plan - Level 09 - FOR APPROVAL
EPA-TGY-05-1-110 P02	Proposed Plan - Level 10 - FOR APPROVAL
EPA-TGY-05-1-111 P03	Proposed Plan - Level 11 to 14 - FOR APPROVAL
EPA-TGY-05-1-115 P02	Proposed Plan - Level 15 - FOR APPROVAL
EPA-TGY-05-1-116 P02	Proposed Plan - Level 16 - FOR APPROVAL
EPA-TGY-05-1-117 P02	Proposed Plan - Level 17 - FOR APPROVAL
EPA-TGY-05-1-118 P03	Proposed Plan - Level 18 to 25 - FOR APPROVAL
EPA-TGY-05-1-201	Proposed Plan - Lower Roof Plant - FOR APPROVAL
EPA-TGY-05-1-202 P03	Proposed Plan - Upper Roof Plant - FOR APPROVAL

EPA-TGY-05-3-300 P03	Section AA - North-South 1 - FOR APPROVAL
EPA-TGY-05-3-301 P02	Section BB- East-West 1 - FOR APPROVAL
EPA-TGY-05-3-302 P02	Section CC - East-West 2 - FOR APPROVAL
EPA-TGY-05-3-303 P02	Section DD - East-West 3 - FOR APPROVAL
EPA-TGY-05-2-202 P03	Elevation - South A1 - FOR APPROVAL
EPA-TGY-05-2-203 P03	Elevation - North A1 - FOR APPROVAL
EPA-TGY-05-2-204 P03	Elevation - West A1 - FOR APPROVAL
EPA-TGY-05-2-205 P03	Elevation - East A1 - FOR APPROVAL
EPA-TGY-05-4-400	Detail - Façade Studies - Typical, Cladding South - FOR APPROVAL
EPA-TGY-05-4-401	Detail - Façade Studies - Typical, Cladding North - FOR APPROVAL
EPA-TGY-05-4-402	Detail -Façade Studies South Balconies & Roof Terrace - FOR APPROVAL
EPA-TGY-05-4-403 P04	Detail - Façade Studies - Northwest corner ('Prow') - FOR APPROVAL
EPA-TGY-05-4-404 P00	Detail - Facade Study Southwest Facade - FOR APPROVAL

Listed Building application ref: PA/14/02096

00-XX-DR-A-05_10-010 P1	Listed Building Application Boundary
00-XX-DR-A-05_10-011 P1	Site Application Boundaries
00-XX-DR-A-05_10-012 P2	Demolition Plan - Heritage Assets

00-B0-DR-A-05_10-B00 P1	Existing Basement Level
00-00-DR-A-05_10-000 P1	Existing Ground Level
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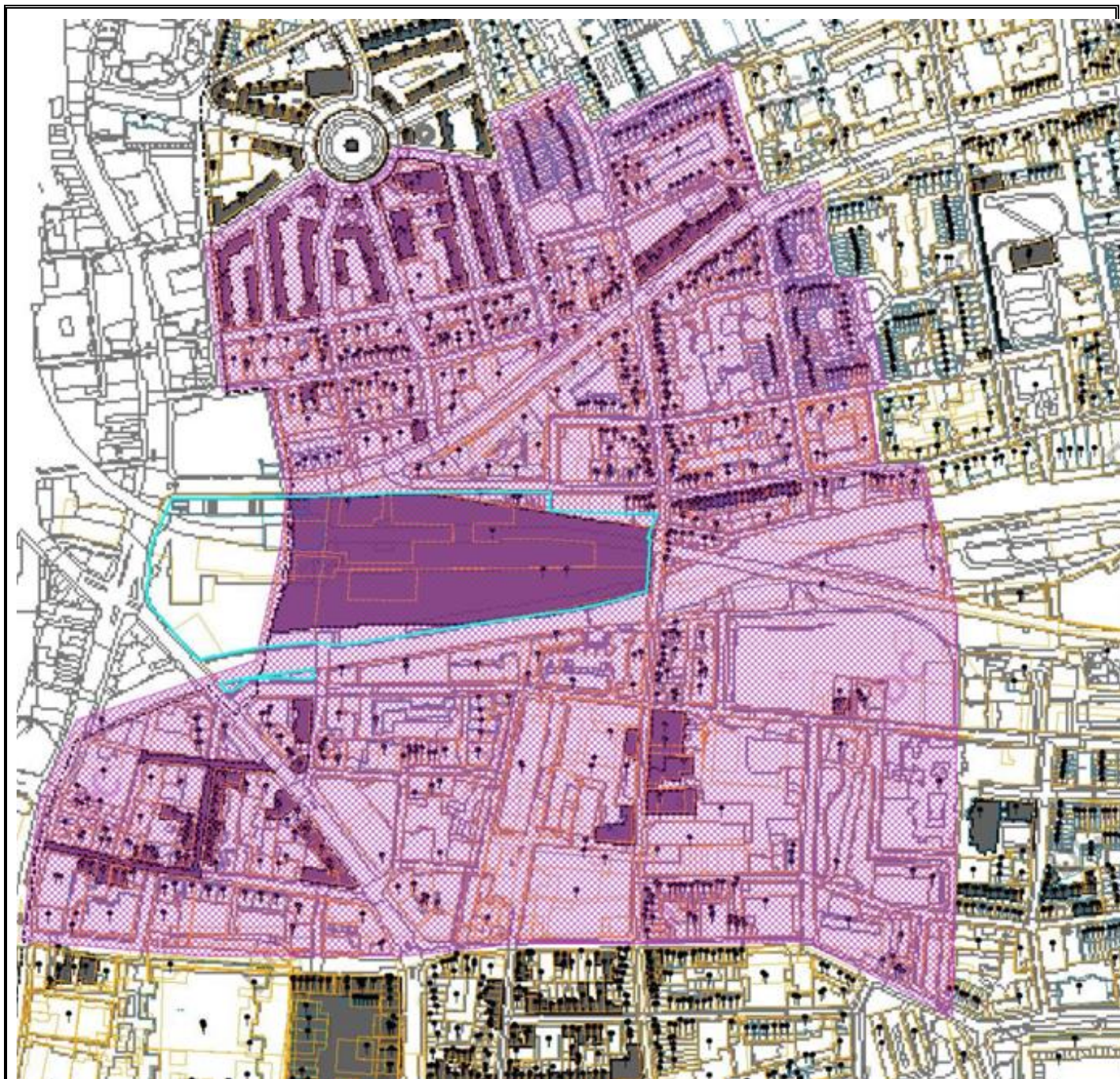
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07-XX-DR-A-00_10-7D13 P1	Proposed Sections Sheet 3

Documents








1. Application form
2. Development Specification;
3. Design Guide;
4. Environmental Statement Addendum, comprising:

- Volume 1: Main Text.
 - Volume 2: Townscape Visual Impact Assessment;
 - Volume 3: Appendices;
5. Non-Technical Summary;
 6. Retail Assessment;
 7. Transport Assessment;
 8. Utilities and Services Statement;
 9. Planning Statement;
 10. Heritage Statement;
 11. Regeneration Statement;
 12. Operational Waste Strategy;
 13. Hotel Needs Assessment;
 14. Code of Construction Practice;
 15. Health Impact Assessment;
 16. Structural Engineering Condition Survey Report;
 17. Design and Access Statement;
 18. Statement of Community Involvement;
 19. Circular Economy Statement;
 20. Design and Access Statement Addendum;
 21. Design Guide Addendum;
 22. Goodsynd Fire Strategy;
 23. Transport Addendum Note;

Appendix 2 – Consultation boundary



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

 Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings	Planning Applications Site Map PA/1402011 This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process	 TOWER HAMLETS London Borough of Tower Hamlets
	Scale : 50m grid squares	Date: 11 November 2020

Appendix 3: Table of maximum and minimum parameter floorspaces by plot

Plot	B1 floorspace		A1-A5 floorspace		D1/D2 floorspace		Residential sqm (units in brackets)		Hotel floorspace		Total (inc ancillary)	
	max	min	max	min	max	min	max	min	max	Min	max	min
1	54230	36504	945	631	0	0	0	0	0	0	61572	41344
2	66930	66930	2350	2350	0	0	0	0	0	0	76597	76597
3	17342	10029	2470	2035	3685	1134	0	0	0	0	20363	14776
4	0	0	587	587	0	0	13969 (144)	12151 (119)	0	0	15980	14162
5	521	521	1004	1004	315	315	9518 (84)	9518 (58)	0	0	12860	10718
6	0	0	0	0	2385	1768	0	0	0	0	2463	1846
7	0	0	5878	5878	390	390	0	0	0	0	7317	7317
8	0	0	2578	2123	299	295	11300 (138)	7323 (91)	11595	10135	28515	22780
10	0	0	3565	3565	0	0	13721 (134)	7743 (78)	0	0	19179	12067
11	0	0	170	170	0	0	0	0	0	0	170	170
Sum	130940	113563	18390	18343	6363	3902	48508 (500)	36735 (346)	11595	10135	245016	201777

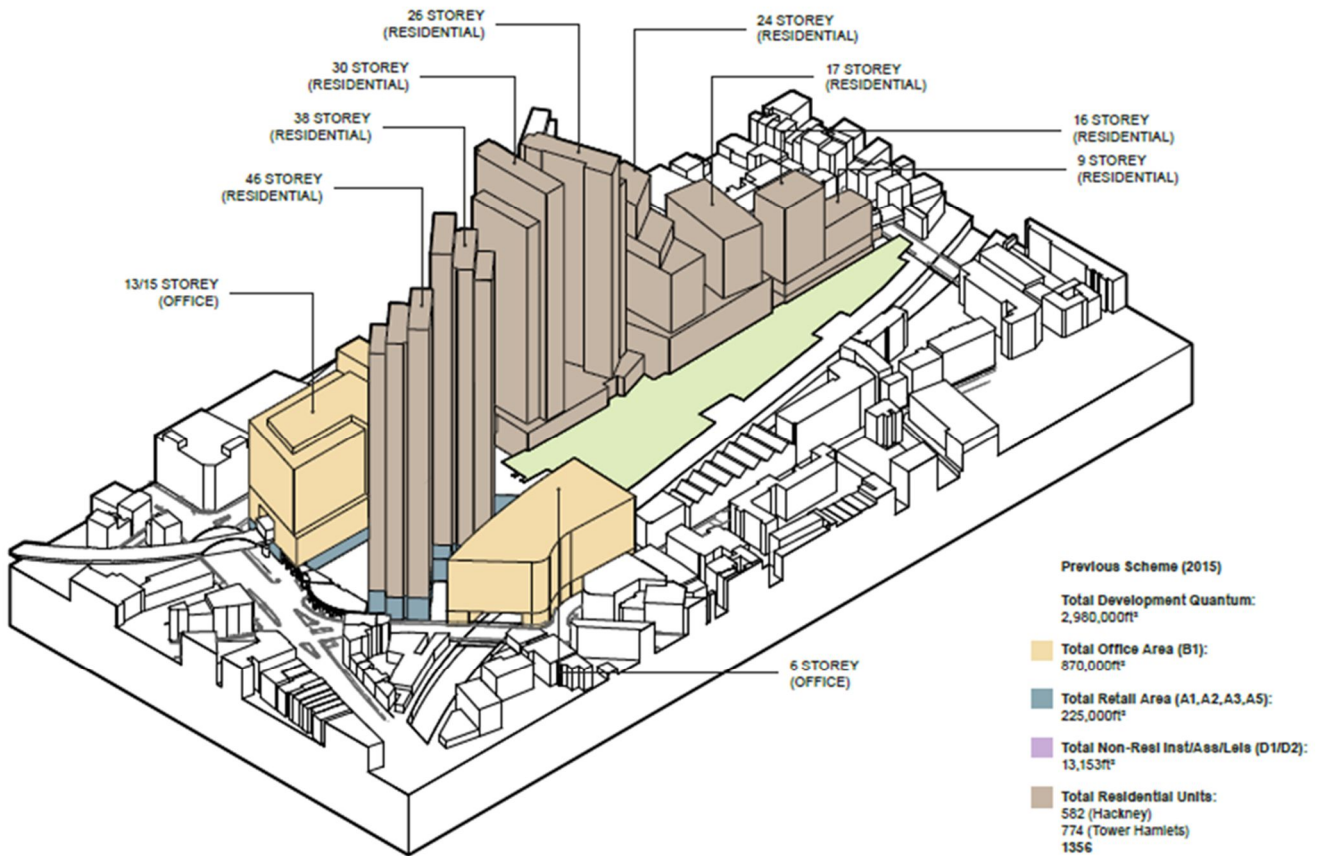


Fig 1.5.2: 2015 Submitted Scheme Axonometric, view from south west

Figure 1: Massing as originally proposed

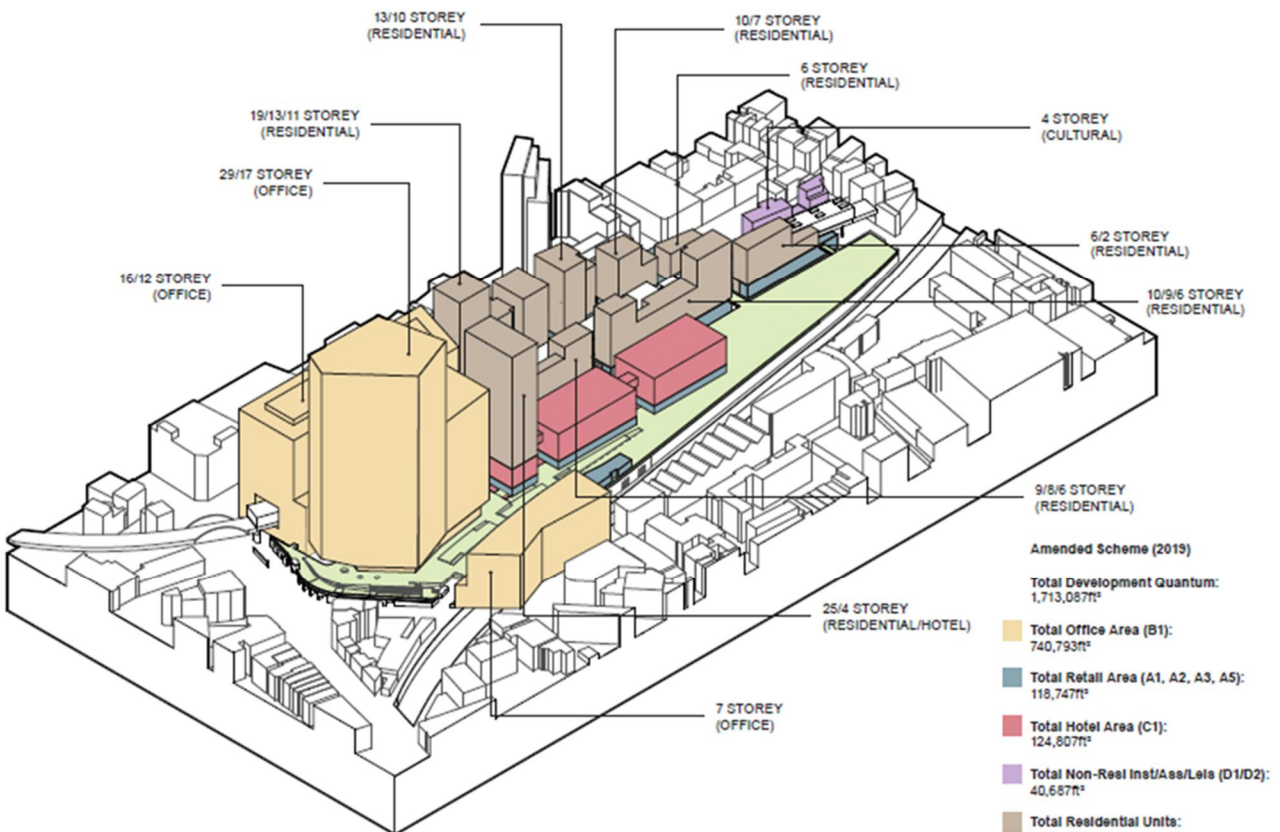


Fig 1.5.3: 2019 Amended Scheme Axonometric, view from south west

Figure 2: Massing for revised proposal



Figure 3: Existing view of site opposite entrance to Shoreditch High Street Station looking east

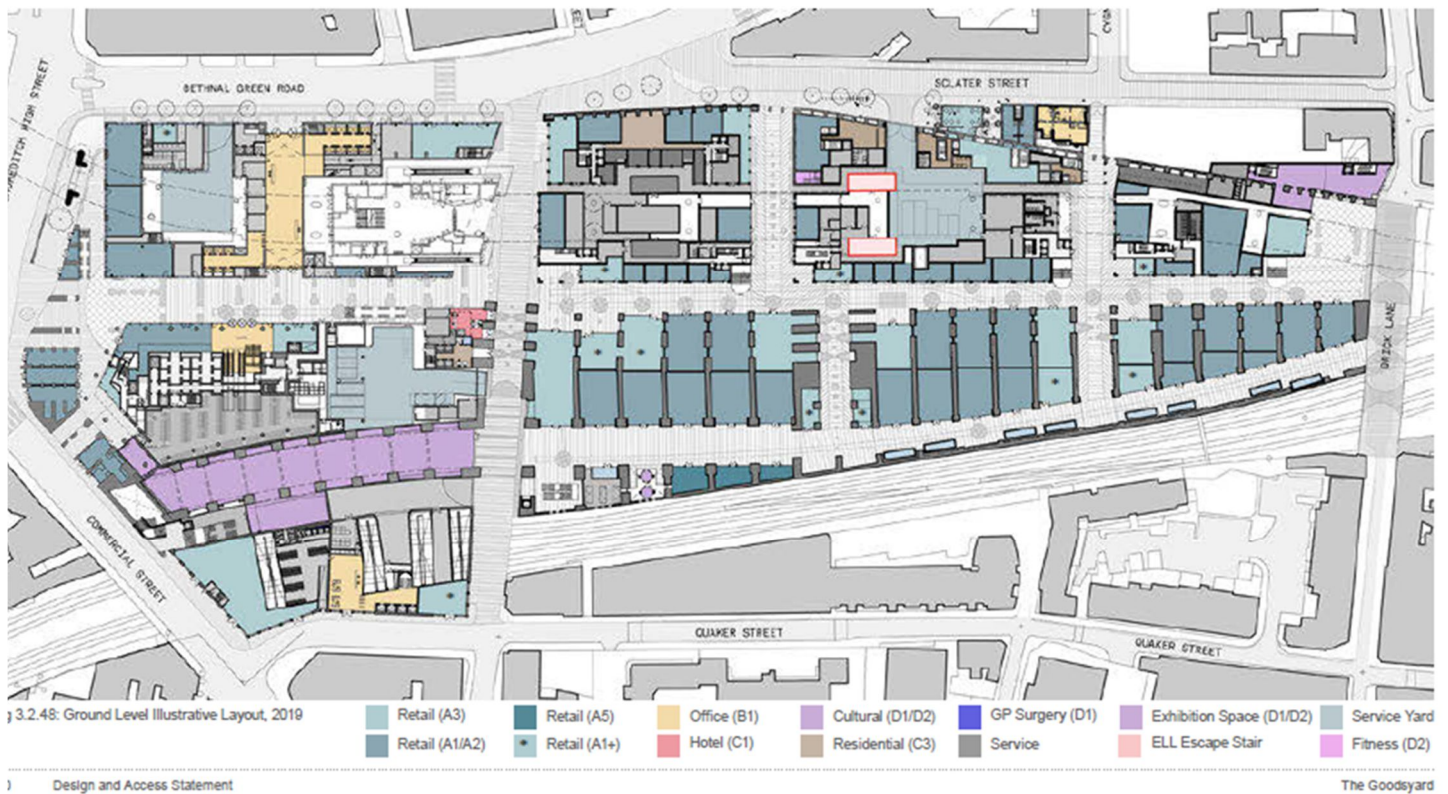


Figure 4: Proposed Site layout (at grade ground floor)

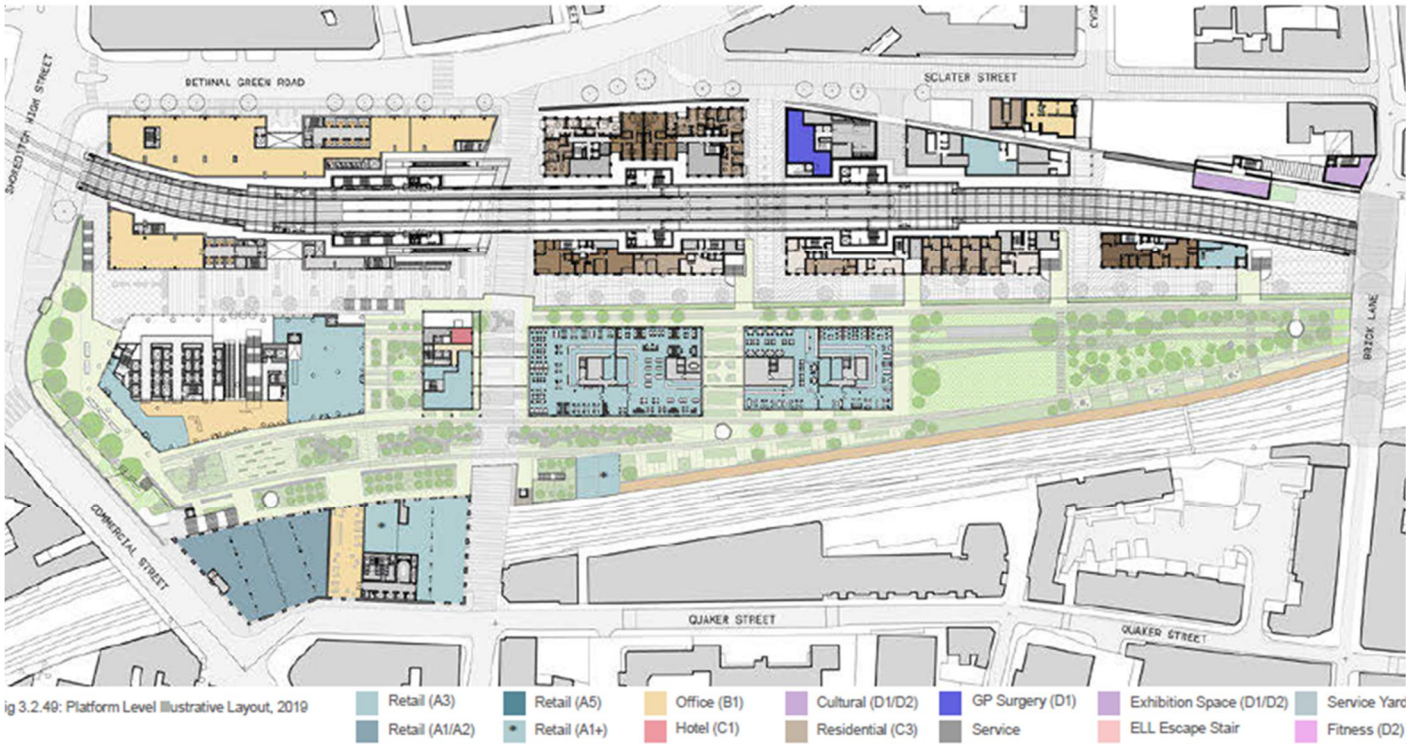


Figure 5: Proposed Site layout (at platform level/podium level)



Fig 3.5.12: Illustrative view of London Road

Figure 6: Indicative CGI Image of London Road – looking east

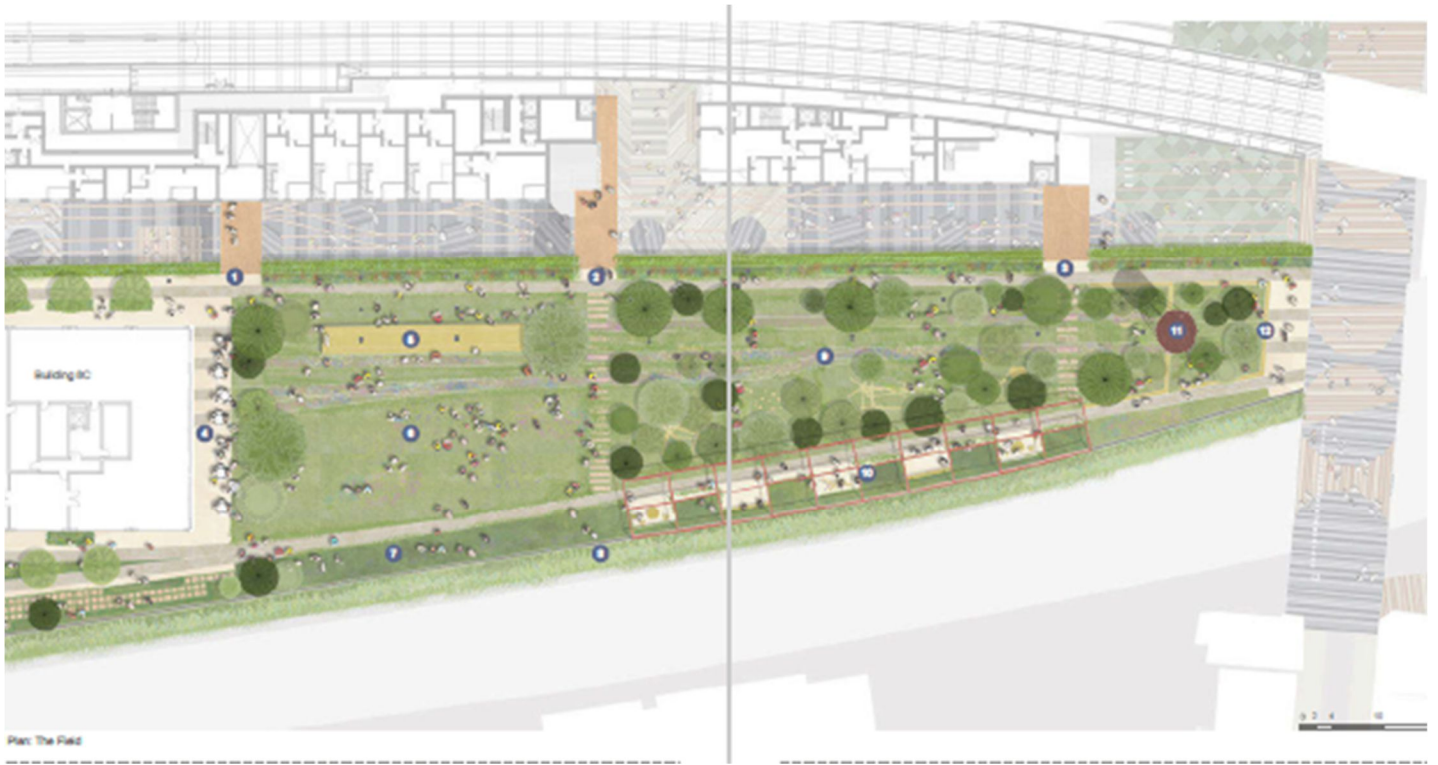


Figure 7: Platform level park (eastern section)



Figure 8: Existing photograph of platform level above Braithwaite Viaduct from the east end of site looking west.

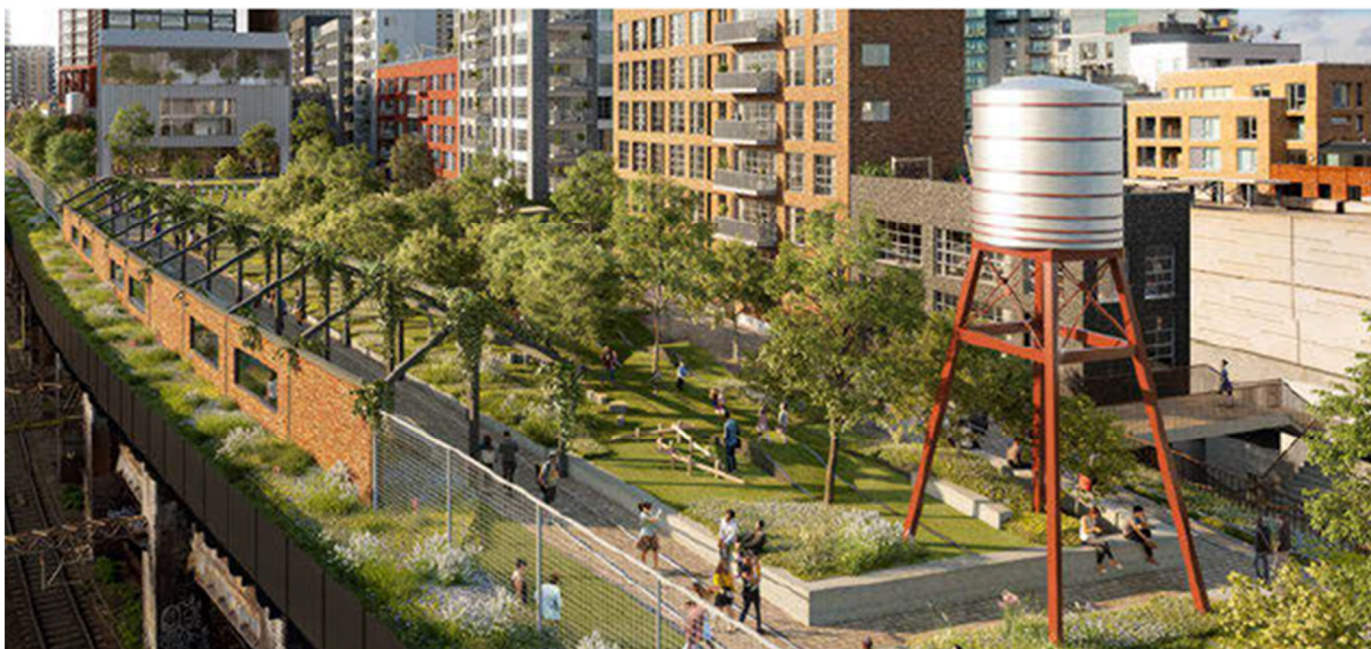


Figure 9: CGI Image of eastern section of Platform level park/ open space (indicative). Proposed buildings shown all fall within outline part of application



Figure 10: Plot 2 – CGI Image View of proposal looking north on Commercial Street (tallest element of scheme)
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Figure 11: CGI Image - Indicative *only* of Plots 1 and 4 (massing shown at maximum parameter)

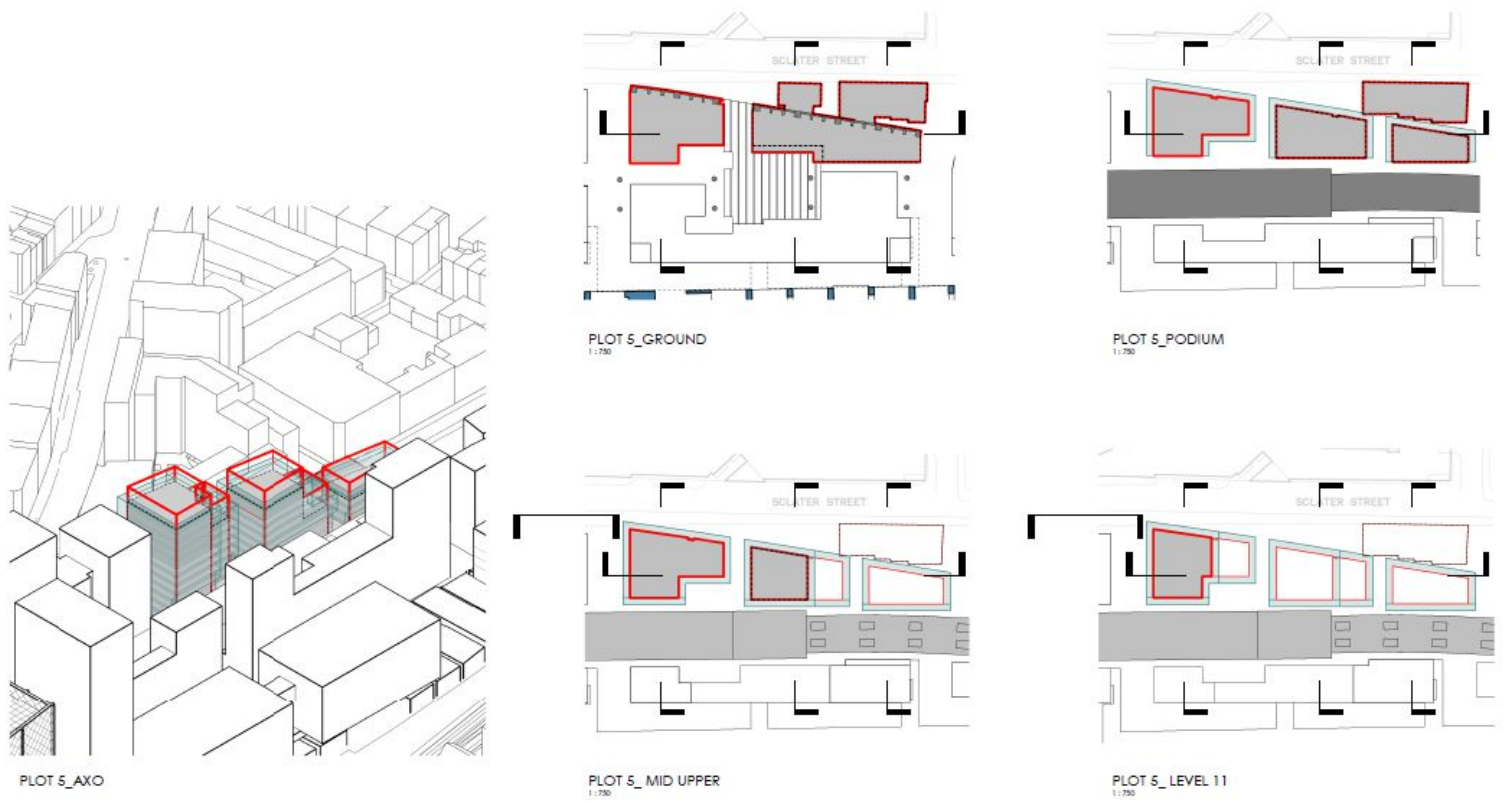


Figure 12: Typical parameter plan (for Plot 5)



Figure 13: Existing photograph of listed arches under Braithwaite Viaduct



Figure 14: View south from Wheler Street (rear of 154 Commercial Street in the centre)



Figure 15: Sclater Street buildings

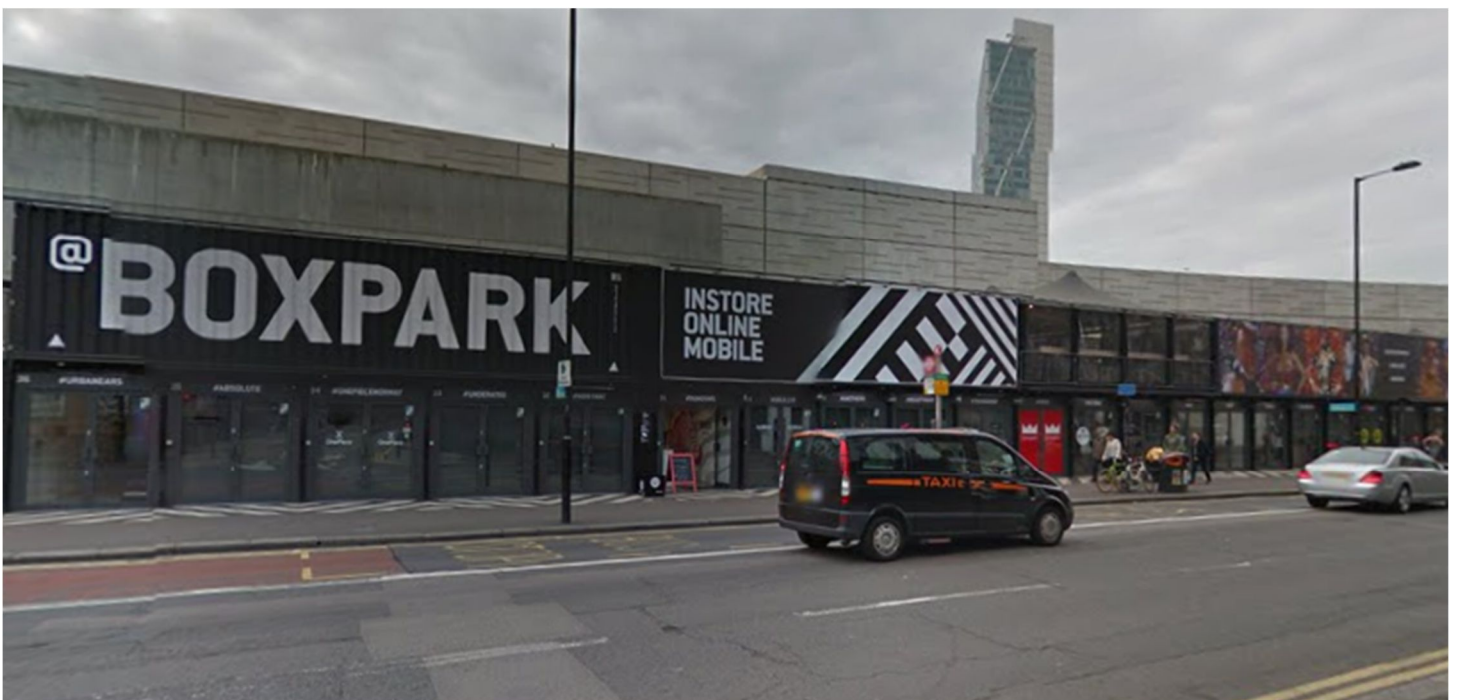


Figure 16: Boxpark



Figure 17: View east along Bethnal Green Road with Tea Building on left hand side

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STRATEGIC DEVELOPMENT COMMITTEE

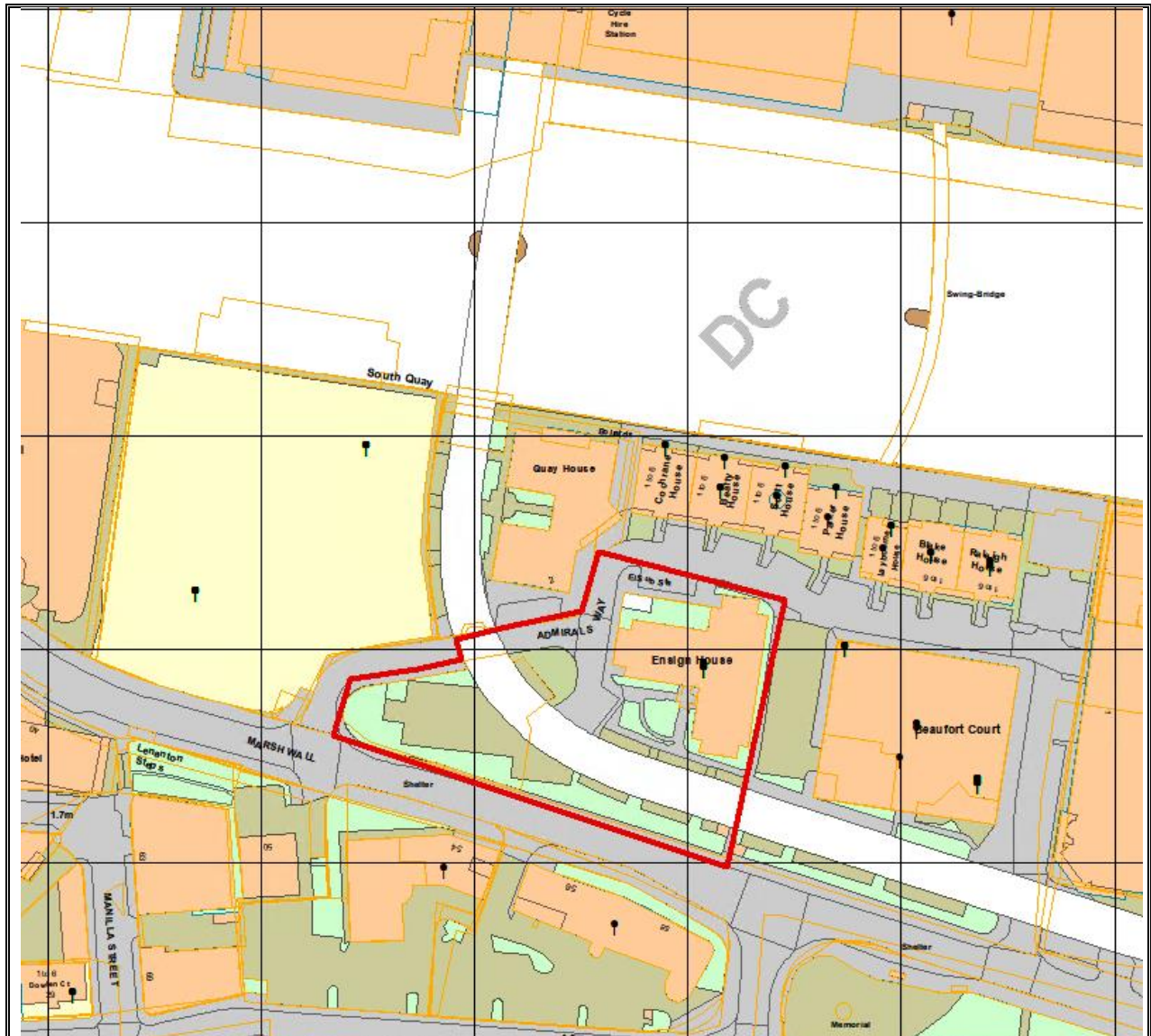
19/11/2020






Report of the Corporate Director of Place Classification: Unrestricted

Pre-application presentation

Reference	PF/19/00234
Site	Ensign House,
Ward	Canary Wharf
Proposal	Redevelopment of the site to provide a residential building up to 53-storey.
Applicant	Far East Consortium
Architect	Maccreeanor Lavington
Agent	DP9
Case Officer	Nelupa Malik
Key dates	Pre-application request submitted October 2019 Pre-app discussions began in October 2019 CADAP review in October 2020

SITE PLAN



<p>Site Plan</p> <p> Grade II Listed Building</p> <p> Conservation Area</p> <p> Neighbourhood Centre</p> <p></p>	<p>Planning Applications Site Map PF/19/00234</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	 <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p> <p>Date: 11 November 2020</p>
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1. BACKGROUND

- 1.1 The National Planning Policy Framework and the National Planning Practice Guidance promote early engagement between developers and Local Planning Authorities at the pre-application stage, prior to submitting a planning application. The Council welcomes pre-application discussions and has a well-established process to facilitate this. In March 2019 the Council's Development and Strategic Development Committees considered a draft protocol for pre-application presentations. The protocol is now incorporated in the Committee Terms of Reference. The Council's updated Statement of Community Involvement also highlights the importance of pre-application engagement and the role of elected members and local communities in this stage of the planning process.
- 1.2 This report updates the Strategic Development Committee on progress made and issues identified in respect of pre-application discussions for the proposed redevelopment of the Ensign House site.

2. DESCRIPTION OF THE PROPOSAL

- 2.1 Pre-application advice is being sought for the redevelopment of the site consisting of the demolition of an existing 6-storey office building and the erection of single 53-storey tower building (201.8 AOD).
- 2.2 The pre-application scheme initially proposed a building of up to 60-storeys and the majority of the pre-application meetings held so far have predominantly been focused on a scheme involving a 60-storey building. The very latest version of the proposal reduces the building to 53-storeys. Based on this building height, the development proposes to provide 505 residential units for private sale, affordable rent and intermediate tenures.
- 2.3 At ground floor level the scheme seeks to provide 2 retail units with the rest of the ground floor incorporating entrances and lobby areas for the residential units and refuse storage areas.
- 2.4 The remainder of the site will incorporate areas of public realm and children's play. Further children's play provision and communal amenity provision for the development is proposed to be provided internally within the building.

3. SITE AND SURROUNDINGS

- 3.1 The pre-application site comprises 0.46 hectares of land located on the northern side of Marsh Wall and south of Admirals Way. Admirals Way runs along the eastern, western and northern boundaries of the site. The site is occupied by Ensign House; a 6-storey office building which takes up much of the north-eastern side of the site with the remainder of the site largely comprising associated car parking (40 spaces). Ensign House is currently occupied by a number of commercial businesses.
- 3.2 The elevated section of the DLR viaduct passes over the south-west portion of the site essentially dissecting the site into two parts with the majority of the south-western part of the site to the south of the flyover. Access to the site gained from the north, east and west off Admirals Way.
- 3.3 The site is bound by Quay House to the north-west; a 3-storey office building and 3 to 6-storey commercial business buildings to the north and beyond Admirals Way. To the east of the site is Beaufort Court; a 5-storey office building.

- 3.4 The site of Quay House has planning permission (granted 01/06/2020) for the demolition and redevelopment of the site to provide a mixed-use development comprising a hotel (Class C1) and serviced apartments (Class C1) with ancillary gym, retail, parking, landscaping and public realm works. This development would deliver a single 40-storey building.
- 3.5 Further to the west and beyond Quay House is the site of the Wardian (formerly Arrowhead Quay) which has planning permission (granted 19/02/2015) for the erection of two buildings of 55 and 50-storeys to provide 767 residential units and ancillary uses, plus 850sqm of ground floor retail uses (Use Classes A1-A4), provision of ancillary amenity space, landscaping, public dockside walkway and pedestrian route, basement parking, servicing and a new vehicular access. This development is nearing completion.
- 3.6 The site has the following planning designations and site constraints.
- Marsh Wall West Site Allocation.
 - Canary Wharf Strategically Important Skyline.
 - Flood Zones 2 and 3.
 - Area of Deficiency of Access to Nature.
 - Isle of Dogs and South Poplar Opportunity Area.
 - Isle of Dogs Neighbourhood Planning Area.
 - Archaeological Priority Area Tier 3.
 - Canary Wharf Tall Building Zone.
 - South Quay Neighbourhood Centre

4. RELEVANT PLANNING HISTORY

- 4.1 PA/20/01992 – Request for an Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), in respect of the demolition of the existing building on-site and the construction of one building, approximately 62-storeys in height, providing approximately 600 residential units, small-scale retail uses at ground floor, and an area of publicly accessible open space within the south western of the site.
- 4.2 PA/99/00049 – Display of two illuminated fascia signs and one flag on front, ground floor elevation. Withdrawn 03/03/1999.
- 4.3 PA/98/01213 – Change of use from Class B1 (Business) to Class A2 (Financial and Professional Services). Permitted 02/11/1998.

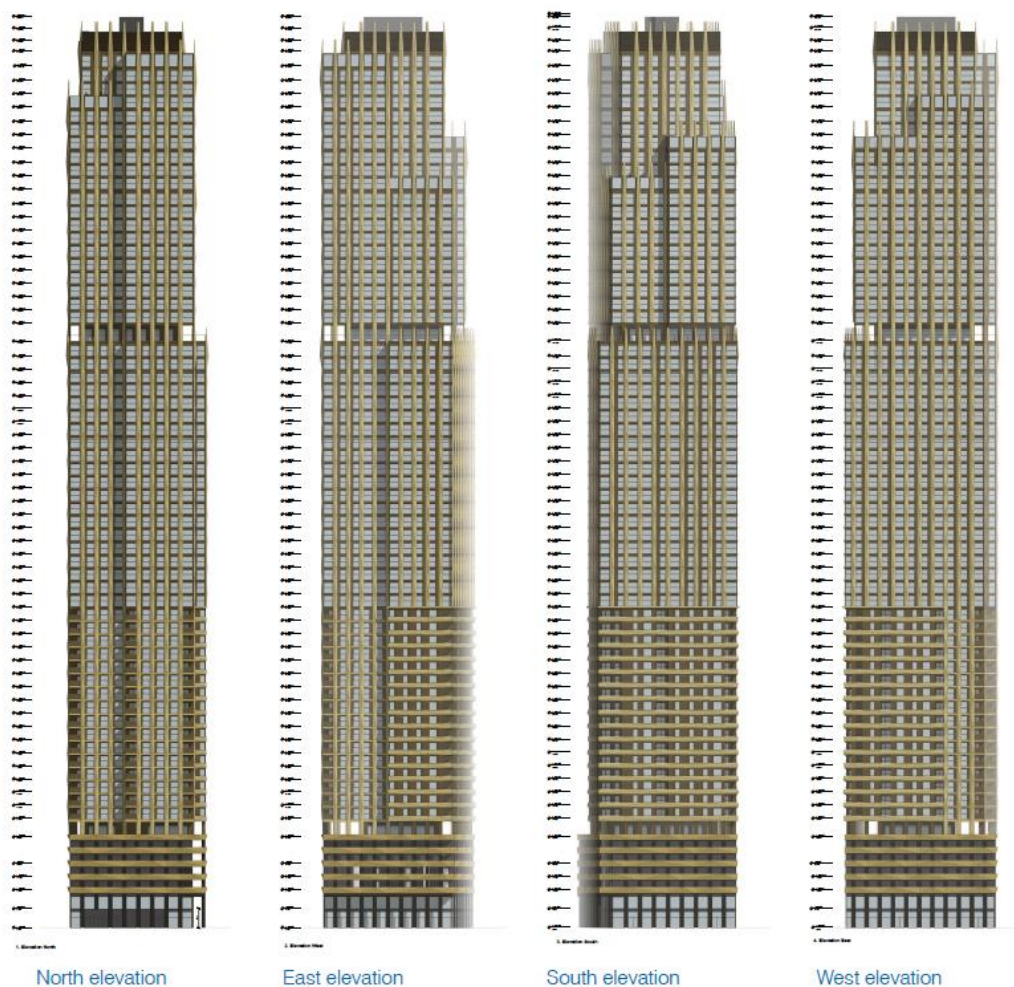
5. PUBLICITY AND ENGAGEMENT

- 5.1 The applicant has not undertaken any public consultation events to date.
- 5.2 The applicant has engaged in 7 pre-application meetings with Officers and has had one pre-application meeting with the GLA.
- 5.3 An earlier iteration of the proposal was presented to the Council's Conservation and Design Advisory Panel (CADAP) on 12th October 2020 to test the principles of the proposal. The scheme presented before the panel incorporated a building at 60-storeys in height.
- 5.4 In general, members of the panel enjoyed the proposed height and architecture of the building and did not consider that 60-storeys would be inappropriate in this location, provided

that the design was exceptional and that concerns regarding the quality of the residential units and amenity space could be resolved.

5.5 Comments from CADAP members included the following:

- Support the plinth, middle and top approach to design however highlighted that all the tall buildings shown in the developer's presentation were in fact commercial buildings and not residential. Residential buildings have different performance requirements.
- Panel members sought clarification on the sustainability aspirations for this building and suggested that overheating may be one of the biggest issues.
- Panel members admired the façade treatment however questioned its function and considered that it was important that the architectural expression did not appear simply 'stuck on'.
- Questions were raised as to whether there were any environmental benefits from the elevational treatment.
- Panel members were concerned that the scheme was referencing office buildings and that this resulted in a bulky footprint and a plan more suited to a commercial use than residential use.
- Concerns were raised about the quality of the flats with some floors having 12 units per floor and many of the flats were single aspect with no external amenity space.
- Concerns were raised that the scheme included 55% dual aspect units only.
- The absence of private amenity space for the private units were a concern and the approach to incorporate additional space internally and have large window openings instead was questioned.
- The proposal to have two lobbies; one for the private flats and one for the affordable was considered to create a 'poor door' effect.
- The panel members questioned the cycle parking provision which is proposed to be situated on two levels and the notion that these areas can be counted as amenity. Considered that this could work against the public face of the building.
- The panel supported the ambitions of the open space strategy, however noted that Marsh Wall has very poor air quality and raised concerns about the location of play space in relation to air quality.
- The panel expressed concerns about an imbalance between play and public space and the location of play space, much of which appears to be indoors.
- The panel noted that the play space for different age groups was entirely separated. Play space should be designed for the mix of different age groups.
- Concerns raised about how various development sites along Marsh Wall could be linked up.
- Support given to the covered walkway beneath the DLR and the opportunity of providing a colonnaded space was an exciting concept, however consideration needed to be given as to how this might work in practice.
- Overall, the panel felt the scheme offered an interesting architectural aesthetic, but before the height could be supported further work was required to resolve the issues arising from the plan as a result of the bulky footprint, amenity and open space issues. There is also a need for more work on sustainability.



Proposed Scheme Presented before CADAP at 60-storeys.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 The Development Plan comprises:

- The London Plan 2016 (LP)
- Managing Growth and Sharing the Benefits - Tower Hamlets Local Plan 2031 (2020)

6.2 The Emerging Development Plan comprises:

- The Draft London Plan (DLP)

The Mayor of London's Draft New London Plan with Consolidated Suggested Changes was published in July 2019. The Examination in Public (EiP) 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 EiP, incorporates all of the Mayor's suggested changes following the EiP and an 'Intent to Publish' was published by the Mayor of London in December 2019. However, some policies in the Draft New London Plan are subject to Secretary of State directions made on 13th March 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.

- Isle of Dogs Neighbourhood Plan

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

- The National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- BRE - Site Layout Planning for Daylight and Sunlight (2011)
- Mayor of London's Housing SPG (updated 2017)
- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Shaping Neighborhoods: Play and Informal Recreation SPG (2012)
- Mayor of London's Energy Assessment Guidance (2018)
- Isle of Dogs and South Poplar Opportunity Planning Area Framework (2019)
- LBTH Planning Obligations SPD (2016)
- LBTH Development Viability SPD (2017)

7. PLANNING ISSUES

7.1 The following key planning issues have been identified at the pre-application stage.

Land Use

- 7.2 Policy D.EMP3 of the Tower Hamlets Local Plan 2031(2020) ("*The Local Plan*") seeks to protect viable employment floorspace however allows exceptions for the net loss of employment floorspace provided that it can be robustly demonstrated that the site is genuinely unsuitable for continued employment use due to its condition; reasonable options for restoring the site to employment use are unviable; and that the benefits of alternative use would outweigh the benefits of employment use.
- 7.3 The Local Plan Site allocation 4.6 identifies that housing and employment uses incorporating a range of floorspace sizes, including small-to-medium enterprises are appropriate land uses for Marsh Wall West.
- 7.4 Policy 2.13 of the London Plan (2016) requires development proposals to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses. Draft London Plan policy SD1 similarly supports development which creates employment opportunities and housing choice for Londoners.
- 7.5 Policies 3.3, 3.5 and 3.8 of The London Plan emphasises that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures.
- 7.6 Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.
- 7.7 The pre-application site does not fall within a Preferred Office Location and therefore the loss of employment floorspace to provide a residential-led development can be considered, particularly in light of the site's designation as an Opportunity Area. The applicant would be required to demonstrate as part of the planning application submission that there are clear

planning benefits from the proposal that would satisfy the above policies in the context of the wider Canary Wharf and Isle of Dogs area.

- 7.8 The provision of new housing would positively contribute to the Borough’s housing stock, noting that there is an acute local and national demand for increased housing. The principle of housing on this site would be acceptable in land use terms subject to the applicant demonstrating compliance with relevant Local Plan policies in respect of matters relating to including but not limited to; design and heritage, affordable housing and housing mix, amenity, transport and environment.

Housing

- 7.9 Policy S.H1(2) of the Tower Hamlets Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need.
- 7.10 Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing in accordance with a 70% affordable rent and 30% intermediate tenure split based on the number of habitable room. Policy D.H2 also sets locally specific targets for unit mix and sizes.
- 7.11 Policy H5 of the Draft London Plan and The Mayor of London’s Affordable Housing and Viability SPG (August 2017) sets out a ‘threshold approach’ to viability, whereby the approach to viability information depends on the level of affordable housing being provided. Applications for schemes that meet or exceed 35% or 50% (on public land) affordable housing provision subject to a number of criteria are deemed to be eligible for the ‘Fast Track’ route.
- 7.12 The scheme in its current iteration proposes 505 units of which 403 units would be for private sale, 73 units as affordable rent and 29 units as intermediate. Details of the intermediate product have not been provided so far in pre-application discussions.
- 7.13 The current proposed unit mix against policy D.H2 is set out below in the table below:

		Market Housing			Affordable Rent			Intermediate		
Unit Size	Total Units	Units	As a %	Policy Target %	Units	As a %	Policy Target %	Units	As a %	Policy Target %
Studios	75	75	19%	/	/	/	/	/	/	/
1-bed	171	159	39%	30%	8	11%	25%	4	14%	15%
2-bed	201	163	40%	50%	27	37%	30%	11	38%	40%
3-bed	47	6	1%	20%	27	37%	30%	14	48%	45%
4-bed	11	/	/	/	11	15%	15%	/	/	/
Total	505	403	100%	100%	73	100%	100%	29	100%	100%

- 7.14 Based on the above, the scheme does not propose a policy compliant unit mix across all tenures. 19% of the total units will comprise studio flats for which there is no policy requirement.

- 7.15 In the private for sale tenure there would be an over provision of 1-bed units and a substantial under provision of 2-bed and 3-bed units.
- 7.16 In the affordable rent tenure, there would be an under provision of 1-bed units and an over provision of 2-bed and 3-bed units. The affordable rent tenure would provide a policy compliant mix of 4-bed units.
- 7.17 In the intermediate tenure, there would be a minor under provision of 1-bed units and 2-bed units and a minor over provision of 3-bed units.
- 7.18 The affordable housing offer is proposed at 30% based on habitable rooms. This has been the only affordable housing offer proposed in pre-application discussions and is specific to the latest design proposals. The current scheme seeks to provide 1326 habitable rooms of which 398 would represent affordable equating to the 30% proposed. The affordable provision is proposed to be split 72:28 in favour of affordable rent to intermediate. The proposal would not be eligible for the 'Fast Track' route and as such the planning application must be accompanied by a Financial Viability Appraisal to determine if this is the maximum reasonable amount of affordable housing that can be provided.
- 7.19 In terms of housing standards and quality, it is proposed that there would be 8 units per core up to level 16, 12 units per core on levels 17-45, 11 units per core on levels 47-49, 8 units per core on levels 50-51 and 6 units per core on level 52. The number of units per core on levels 17-49 are of a concern and could result in a high proportion of single aspect units.
- 7.20 The private sale and intermediate units will be accessed via a central core which has four lifts serving all levels of the building. The affordable rented units is proposed to be accessed via a second core which has two lifts rising to level 14. Officers have previously expressed concerns that the scheme should seek to ensure that it does not create social segregation. However, it is acknowledged that the scheme has evolved from initial inception and now locates both entrances on the same elevation whereas previously the entrance to the affordable rented tenure was located on the southern elevation. However, Officers would continue to seek a single point of entry for all tenures.
- 7.21 No initial daylight/sunlight assessments have been undertaken during the course of the pre-application discussions to date.
- 7.22 In terms of private amenity space, all the affordable units (up to level 16) would have access to direct amenity space in the form of inset balconies. No private amenity space is proposed for the private units as it is intended to make these as larger units incorporating additional floorspace equivalent to the required level of private amenity space.
- 7.23 In terms of communal amenity space within the building, previous iterations of the proposal suggested that there would be a communal amenity area in the form of a roof terrace on level 40. Officers have previously expressed concerns that this terrace would not be accessible by the affordable rented tenure. Officers have yet to see the floorplan for level 40 in more recent versions of the proposal to be satisfied that this concern has been addressed, particularly given that lift access for the affordable rented tenure only reaches level 14.

Design, Scale and Massing

- 7.24 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. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context.

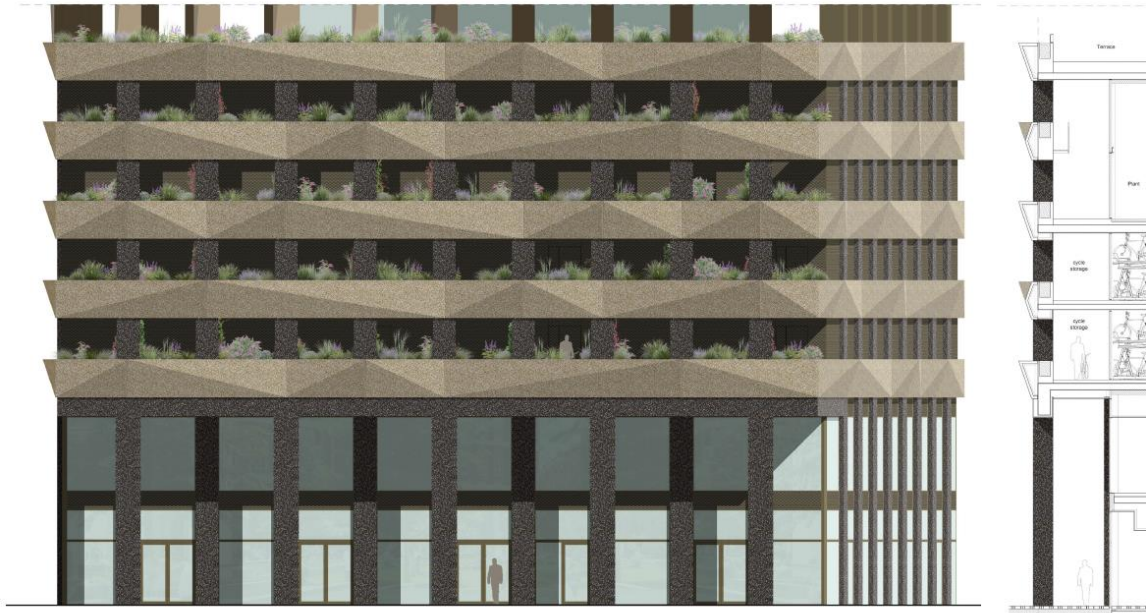
7.25 Policy D.DH6 of the Local Plan sets the criteria for the assessment of tall buildings and specifically directs tall buildings towards designated Tall Building Zones. The site falls within the Canary Wharf Tall Building Zone whereby the following criteria would be applicable:

- a) Development within this location will be expected to positively contribute to the skyline of strategic importance and maintain the iconic image and character of Canary Wharf as a world financial and business centre.
- b) Individual buildings should be integrated into urban super blocks set in the public realm.
- c) Building heights within the Canary Wharf cluster should step down from the central location at One Canada Square.

7.26 The scheme proposes a plinth and tower approach for the building. Concerns have been raised by Officers with regard to the height and massing of the proposal throughout the pre-application process. Officers have previously suggested that a scheme incorporating a height of 50-storeys would be more appropriate in this location and aligned with policy D.DH6 of the Local Plan, particularly in relation to the site's location on the edge of the Canary Wharf Tall Building Zone. However, Officers acknowledge that a 53-storey building that has a far greater level of articulation, detailing and design quality than that which is currently proposed could have the potential to appropriately respond to the tall building policy.



Proposed Tower at 53-storeys.



Proposed Plinth .

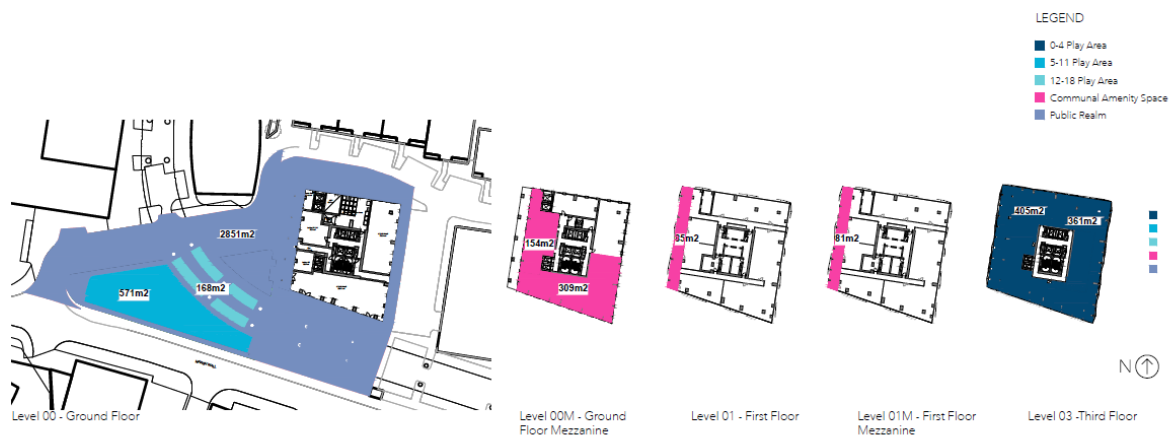
7.27 In terms of the proposed architectural treatment, the development proposes to express the building using copper/bronze coloured angular projecting fins arranged vertically. The materiality for the plinth is proposed to be polished concrete arranged horizontally and, in a colour/tone to reflect the material colour of the tower. In principle, Officers consider that this approach is interesting however further detailing is required with regards to its articulation to ensure that the quality of the development comes through successfully at an appropriate height.



Proposed Projecting Fins.

Open Space, Communal Amenity Space and Children's Play Space

- 7.28 The scheme proposes to provide communal amenity space within the building envelope at ground floor mezzanine level, first floor and first floor mezzanine level.
- 7.29 Play provision for 0-4 year aged group is proposed to be provided within the building on level 3. Play provision for aged 5-11 year aged group is proposed to be provided on the south-western portion of the site and fronting Marsh Wall and provision for 12-18 aged group under the DLR viaduct. The remainder of the site is proposed to comprise public realm.
- 7.30 Marsh Wall is an area which has a deficiency in public open space. The south-western portion of the site falls within an area identified in the now superseded South Quay Masterplan vision as being a suitable location for principal public open space. Whilst the masterplan has now been superseded by the new Local Plan, concerns with regard to public open space deficiency remain. The scheme would need to incorporate meaningful public open space to soften the development and demonstrate how the strategy can connect to wider areas of public open space and/public realm outside the application site boundary.
- 7.31 The latest iterations of the proposal indicates that areas of children's play for aged groups 5-11 years would front Marsh Wall whilst areas of public/realm and/or public open space would be sited north of the DLR viaduct. This could have implications in respect of air quality and generally provide a poor environment given its proximity to the elevated DLR viaduct, Marsh Wall and associated traffic movements. Officers have suggested to the applicant that the most appropriate location for the children's play area for age group 5-11 years would be north of the DLR viaduct.



Preferred Allocation Strategy for Public Open Space, Communal Amenity and Children's Play Provision.

Neighbouring Amenity

- 7.32 Policy D.DH8 of the Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, not result in any material deterioration of sunlight and daylight conditions of surrounding development.
- 7.33 No preliminary daylight and sunlight assessment has been carried out to date to inform Officers of the likely impact of the proposals on potential occupiers of the development and neighbouring buildings.

Transport and Servicing

- 7.34 Local plan policies S.TR1, D.TR2 and D.TR3 require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling. These policies also seek to secure safe and appropriate servicing arrangements.
- 7.35 The site has a PTAL (Public Transport Accessibility Level) of 3-4 which is moderate to good on a scale of 0-6b where 6b is the best.
- 7.36 There has been limited information submitted to date during pre-application meetings in respect of matters relating to transport and servicing. It is understood however that 7 blue badge spaces will be proposed at basement level however no floor plans for the basement have been presented before Officers to date. The provision of 7 blue badge spaces would be below Draft London Plan policy requirement for a minimum of 3% of dwellings on residential developments of ten or more to be provided with at least one designated blue badge bay per dwelling from the outset.
- 7.37 Cycle parking provision is proposed on levels 1 and 2 and it would be expected that the provision accords with current and draft London Plan standards.

Environment

- 7.38 National planning policy and guidance sets the direction of travel for the planning system to support the transition to a low carbon future in a changing climate.
- 7.39 Policy D.ES7 of the Local Plan specifically requires that for residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in lieu contribution.
- 7.40 Detailed discussions with regard to the proposed energy and sustainability strategy have not been undertaken during pre-application meetings thus far however, it would be expected that the scheme that comes forward demonstrates compliance with the above through an appropriate Energy Strategy.
- 7.41 Local plan policies also seek to secure a range of sustainable development outcomes including net biodiversity gains; the implementation of efficient energy systems which seek to minimise carbon emissions and to secure effective strategies for addressing matters relating to contaminated land and sustainable urban drainage.
- 7.42 The proposed development would constitute an EIA development as such the accompanying Environmental Statement submitted with any subsequent planning application would need to include the relevant impact assessments.

Infrastructure Impact

- 7.43 The proposed development will be liable to the Council's and the Mayor of London Community Infrastructure Levies (CIL) and planning obligations to be secured under Section 106 of the Town and Country Planning Act 1990 (as amended).

8. RECOMMENDATION

- 8.1 The Committee notes the contents of the report and pre-application presentation.
- 8.2 The Committee is invited to comment on the issues identified and to raise any other planning and design issues or material considerations that the developer should take into account at the pre-application stage, prior to submitting a planning application.

9. APPENDICES – IMAGES



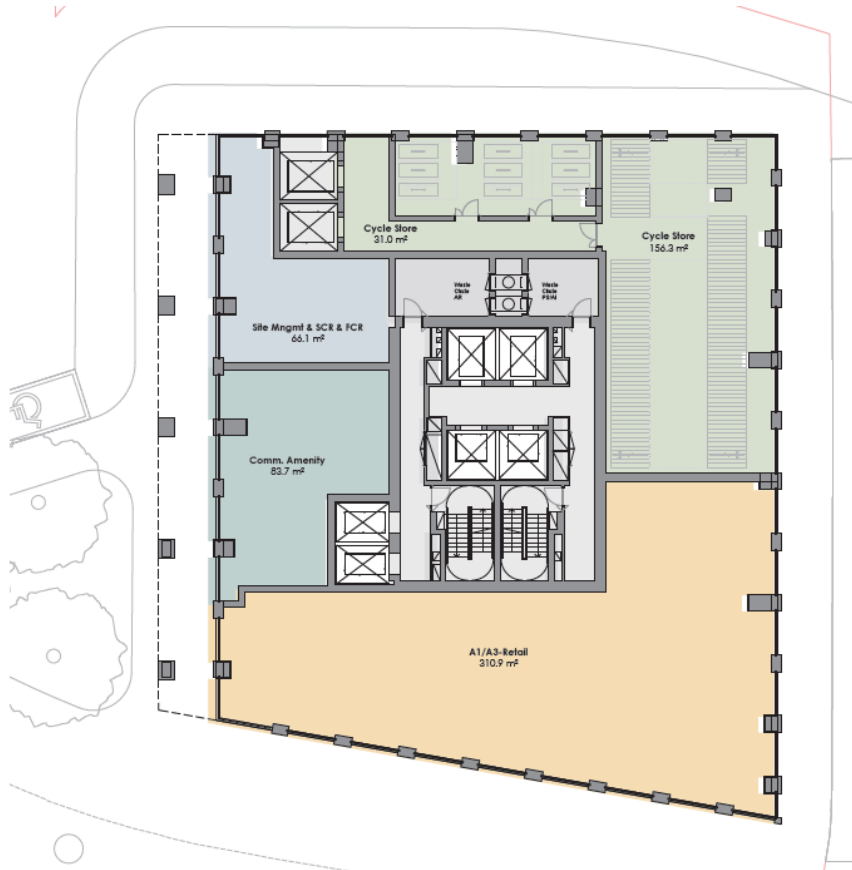
CGI View from South Dock.



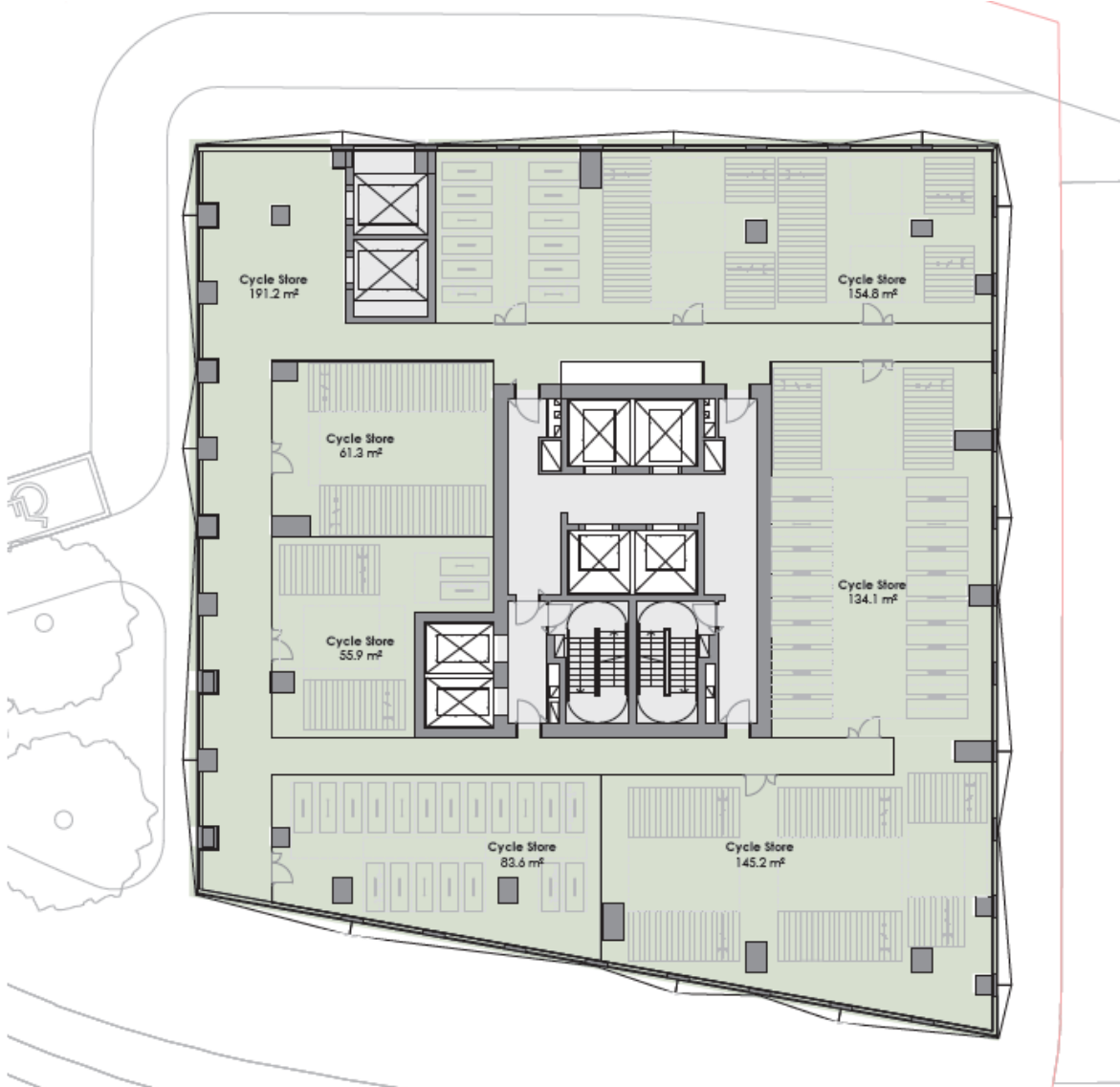
CGI of Proposed Plinth.



Proposed Ground Floor Plan

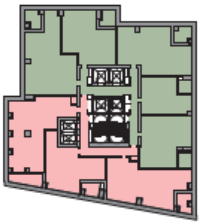


Proposed Ground Floor Mezzanine.



Proposed Levels 1 and Level 1 Mezzanine – Cycle Parking

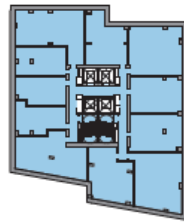
Proposed Tenure Split



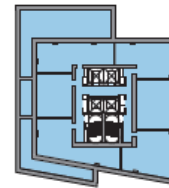
Levels 12-14



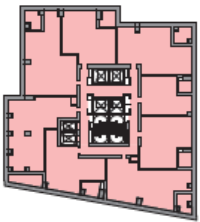
Level 16



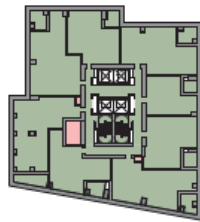
Levels 47-49



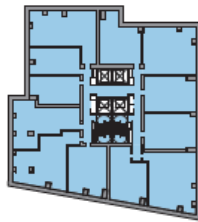
Level 52



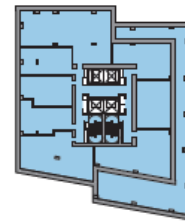
Levels 04-11



Level 15

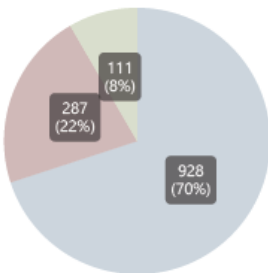


Levels 17-45



Levels 50-51

Tenure Strategy Overview



Number / percent of habitable rooms by tenure

- Private Sale (PS)
- Affordable Rent (AR)
- Affordable Intermediate (AI)

Building height

The sections opposite show a comparison between the previously proposed 60 storey building (left) and the new proposal at 53 storeys.

The new proposal reduces the overall height of the building by circa 21m from 222.5m AOD to 201.8m AOD



Comparison between 60-storey and 53-storey.



Public Open Space, Communal Amenity Space and Children's Play Provision.

View from South Dock (view 11) - 53 Storeys



View from South Dock (view 11) - 60 Storeys



View from Cassilis Road (view 2) - 53 Storeys



View from Cassilis Road (view 2) - 60 Storeys



View from Heron Quays Station (view 9) - 53 Storeys



View from Heron Quays Station (view 9) - 60 Storeys



TOWER HAMLETS

PROTOCOL FOR PRE-APPLICATION BRIEFINGS AND PRESENTATIONS TO THE DEVELOPMENT AND STRATEGIC DEVELOPMENT COMMITTEES

NOVEMBER 2019

1. BACKGROUND

1.1 It is common for pre application discussions take place before a planning application is submitted, particularly if the development is of a large scale, would be complex or is likely to attract significant public interest. The Council offers a pre-application planning advice service aimed at anyone who is considering making a planning application or wishes to carry out development in Tower Hamlets.

1.2 Early engagement in the planning process is encouraged and supported by the **National Planning Policy Framework (NPPF)** (2019):

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. (para. 39)

The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits.” (para. 41)

1.3 Early elected member engagement in the planning process is also encouraged and supported by the **National Planning Practice Guidance (NPPG)** which says:

“Democratically elected members are strongly encouraged to participate at the pre-application stage, where it is appropriate and beneficial for them to do so. [Section 25 of the Localism Act 2011](#) confirms that elected members do not have a ‘closed mind’ just because they have historically indicated a view on a matter relevant to the proposal.”

1.4 Planning applications for larger scale major development or proposals which generate significant public interest are decided by the Council’s Development Committee and Strategic Development Committee (the Committees) in accordance with their published terms of reference.

1.5 A briefing or presentation to the committee at an early stage in the design process (before an application is submitted) can help to shape proposals so that they are more likely to comply with development plan policies and be more responsive to local interests, issues or concerns. Briefings and presentations can assist in the Committees being aware of significant development proposals that are evolving and support informed decision making on future planning applications.

1.6 The Council’s **Statement of Community Involvement (SCI)**, adopted by the Mayor in Cabinet in April 2019 highlights the importance of good quality pre-application engagement.

- 1.7 A number of London Council's (e.g. Hackney, Croydon, Haringey and Camden) have introduced a protocol for planning committee member engagement at the pre-application stage. The updated terms of reference for the Committees includes: *"To consider any application or other planning matter referred to the Committee by the Corporate Director, Place including pre-application presentations (subject to the agreed protocol)"*.
- 1.8 The protocol and procedures were presented in draft form to the Strategic Development Committee on 28 March and Development Committee on 1 April 2019. Comments received from Committee members have been incorporated.
- 1.9 The protocol and procedures to support pre-application engagement with the Committees is set out below.

2. PROTOCOL FOR COMMITTEE MEMBER ENGAGEMENT

What sort of development is covered by the protocol?

- 2.1 The Committees make decisions on applications referred to them under the terms of reference outlined in the Council's Constitution (2019), relating to scale, significance and extent of public interest.
- 2.2 It is unlikely that the Committees will be able to accommodate briefings or presentations on all proposals that may be determined by them in the future. Within this context, the following criteria provide a guide for the types of development that may be suitable for pre-application presentations:
 - development that meets or exceeds the criteria for referral to the Mayor of London;
 - development on sites allocated in the Council's Local Plan;
 - development that would contribute to the Council's regeneration programmes, including the Council's own development;
 - significant infrastructure development by the Council's strategic partners, such as health authorities, infrastructure providers or higher education institutions;
 - Other significant developments as identified by the Chair or members of the appropriate committee.
- 2.3 To help manage the impact on the committee agendas and time available the Divisional Director for Planning and Building Control (or their nominee) will work with the Chair of the relevant Committee to decide whether a particular proposal would benefit from a briefing or presentation.

When should pre-application engagement take place?

- 2.4 Officer briefings and developer presentations should take place at the pre-application stage, to optimise the opportunities for issues raised to be responded to by the developer through the design process. When this is not possible, engagement should take place early in the formal application period.
- 2.5 Pre-application discussions are discretionary and there is no set rule as to the point in the process when a briefing or presentation should take place. Timing will vary depending on the nature of the proposed development, complexity of the planning issues and level of

public interest. As a general guide a presentation to the relevant Committee is likely to be beneficial when:

- At least one pre-application meeting has been held with officers, so that a briefing on the planning issues can be prepared;
- A presentation to the Council's Conservation and Design Advisory Panel (CADAP) has taken place (if appropriate), so that their views can be reported;
- Pre-application community engagement has taken place so that the views of local residents and other interested parties can be shared.

Developer presentations

2.6 This protocol allows for a developer presentation to the Committees as part of the briefing process. No formal decisions will be taken at such meetings and any subsequent planning applications will be the subject of a report to a future meeting of the appropriate Committee.

2.7 The purpose of the pre-application presentations are:

- to ensure committee are aware of significant development proposals prior to an application being submitted and formally considered by them;
- to make the Committee consideration of planning applications more informed and effective;
- To allow the Committees and developers to understand which development plan polices will be relevant to the proposals. ;
- to ensure issues are identified early in the application process and improve the quality of applications;
- To foster a collaborative working approach that avoids potential delays (e.g. fewer deferred applications or office recommendations that cannot be supported).

3. PROCEDURES FOR PRE-APPLICATION BRIEFINGS AND PRESENTATIONS

3.1 Briefings and presentations will be scheduled as part of the public agenda for the relevant Committee, normally under the existing heading "Other planning matters". A short report summarising the development proposals, the progress made and the issues identified at the pre-application stage will be prepared by officers. The report will not contain an assessment or commentary on the planning merits of the proposal.

3.2 The meeting will be open to members of the public and will be chaired by the Chair (or Vice Chair in their absence). The Developer will supply all presentation materials including any models or digital material, to be agreed in advance with planning officers.

3.3 The Development Procedure Rules, including public speaking, which apply to the determination of planning applications, will not apply to pre-application briefings or presentations as the Committee will not be making a formal decision. However the Planning Code of Conduct will still apply.

3.4 Ward councillors will be invited to attend the meeting and will be notified in writing (usually e-mail) at least 7 days in advance. Ward Councillors will have the opportunity to register to

speak at the meeting to articulate their views and any local issues that the Committee should be aware of.

3.5 The procedure for briefings and presentations will be as follows:

- Officers to introduce the proposal, update on the progress of pre-application discussions and set out the main planning issues that have been identified.
- The developer and their architects, planning agents or other representative will present the proposals for up to 15 minutes.
- Ward Members who have registered to speak will have the opportunity to give their views for up to 3 minutes each.
- Members of the Committee will be able to ask questions to the developer and officers and highlight any planning issues (development plan policies or material considerations) that they would expect to be taken into account by the developer prior to an application being submitted.
- The lead officer will summarise the comments raised and provide a note of the meeting.

3.6 Whilst Committee members are encouraged to participate fully, to provide comments or raise questions, they should ensure that they are not seen to pre-determine or close their mind to any such proposal, to avoid being precluded from participating in determining a future planning application.

3.7 Ward members who are also members of the Committee that will determine a future application and who register to speak and express a view on the proposed development will be disqualified from determining a future planning application.

3.8 Officers may provide subsequent interim briefings to update the Committee as the pre-application process progresses, or following the submission of an application. A site visit may be arranged so that members can familiarise themselves with the site and surroundings before receiving the pre-application presentation.

4. IMPLEMENTATION AND MONITORING

4.1 The protocol will be introduced under the current provisions of the committee terms of reference which allow the Corporate Director to report any other matters to the Committee that she or he considers appropriate. A future review of the Council's constitution will allow for a formal incorporation of the protocol into the terms of reference.

4.2 The operation of the protocol will be monitored in terms ensuring it is operating effectively for members, developer and officers. The effect of the protocol on planning outcomes, including greater certainty in decision making and reduction in the number of overturned recommendations and appeals will be monitored over time.